

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF KILIFI

THE HANSARD

Wednesday, 30th November, 2016

*The House met at the County Assembly Chamber,
Malindi Town, at 2:30 p.m.*

[The Speaker (Hon. Kahindi) in the Chair]

PRAYER

STATEMENT

THE ORDER OF BUSINESS FOR THE WEEK STARTING MONDAY, 5TH TO FRIDAY, 9TH DECEMBER, 2016

Hon. (Ms.) Muthoka Thank you Mr. Speaker, Sir, for giving me this chance to read the Order of Business for the next week starting Monday, 5th to Friday, 9th December, 2016. On Monday 2:30 p.m.:-

(A) We will have a Statement sought by hon. Pascal Thuva to the County Executive Committee Member Roads and Infrastructure through the Chairperson, Roads and Public Works Committee.

(B) Motion by hon. Teddy Mwambire to the Department of Water, Environment, Natural Resources and Waste Management.

(C) Committee of the Whole House; the Kilifi County Public Entertainment and Amenities Bill, 2016.

(D) Committee of the Whole House on the Kilifi County Anti-Pornography Bill, 2016.

(E) Committee of the Whole House on the Kilifi County Betting, Gaming and Lotteries Bill, 2016.

On Tuesday 9:30 a.m.:-

(A) We will be having a Motion on Adoption of the Report of the Committee on Research, Information Technology and E-Government on the site visits to ICT centers in Kilifi County by the Chairperson; Research, Information Technology and E-Government Committee.

(B) Committee of the Whole House on the Kilifi County Planning Bill, 2016.

(C) Bill - The Kilifi County Planning Bill, 2016, Third Reading.

On Tuesday 2:30 p.m.:-

(A) We will be having a Notice of Motion by Hon. Pascal Thuva to the Department of Education, Youth Affairs and Sports.

(B) Committee of the Whole House on the Kilifi County Investment and Social Development Bill, 2016.

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(C) Bill - the Kilifi County Investment and Social Development Bill, 2016, Third Reading.

On Wednesday 2:30 p.m.:- we will be having an Adjournment Motion by the Leader of majority. Thank you Mr. Speaker, Sir.

MOTIONS

REMOVAL OF THE COUNTY EXECUTIVE MEMBER IN CHARGE OF EDUCATION, YOUTH AFFAIRS AND SPORTS

Hon. Chai: Thank you Mr. Speaker, for awarding me this auspicious moment to present to the House the Motion of removal of the County Executive Member in charge of Education Youth Affairs and Sports:-

AWARE THAT, out of the 172 Projects the County Executive Department of Education, Youth Affairs and Sports intended to do in the FY 2015/2016, only 19 projects were completed, 36 projects had not started and 117 projects were ongoing at the time the County Executive Member in charge of Education, Youth Affairs and Sports appeared before the Committee on General Oversight for interrogation.

AWARE THAT, out of 114 Projects the County Executive Department of Education, Youth Affairs and Sports intended to do in the FY 2014/2015, only 74 Projects were completed and 40 Projects were incomplete at the time the County Executive Member in charge of Education, Youth Affairs and Sports appeared before the Committee on General Oversight for interrogation.

AWARE THAT, out of 57 Projects the County Executive Department of Education, Youth Affairs and Sports intended to do in the FY 2013/2014, only 44 Projects were completed and 13 Projects were incomplete at the time the County Executive Member in charge of Education, Youth Affairs and Sports appeared before the Committee on General Oversight for interrogation.

FURTHER AWARE THAT, the County Executive Department of Education was not able to complete the Departmental Projects in the financial year 2015/2016 because the tenders were awarded to contractors who had lack of capacity to do the projects.

CONCERNED THAT, the County Executive Committee Member in charge of Education, Youth Affairs and Sports couldn't explain the status of five projects in the FY 2015/2016, and exhibited and/or demonstrated lack of knowledge and control in her line Department.

FURTHER CONCERNED THAT, out of the interrogation of the County Executive Committee Member in charge of Education, Youth Affairs and Sports, the Committee on General Oversight noted that the Department of Education failed to pay contractors in good time hence putting the County Government at risk of interests accruing out of unpaid certificates.

THAT, this County Assembly resolves that the County Executive Committee Member in charge of Education, Youth Affairs and Sports, hon. (Ms.) Salma Muhiddin, be removed from office forthwith due to incompetence. That, the county assembly appoints a select committee comprising five of its members to investigate the matter and Report, within ten days, to the County Assembly whether it finds the allegations against the county Executive Committee member to be substantiated.

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For this I call upon hon. (Dr.) Mzungu Chitibwi to second this Motion Sir. Thank you very much.

(Hon. (Dr.) Chitibwi seconded)

(Question proposed)

The Speaker (Hon. Kahindi): Thank you hon. (Dr.) Chitibwi. Hon. (Ms.) Mbeyu, sorry yours has delayed so you will pick it up.

Hon. (Ms.) Mbeyu: Thank you Mr. Speaker, Sir. I rise to support this Motion. This Motion is well elaborated and because we had called the Education Department in this House, through their own Report which the CEC Member signed, it is the right time now she steps aside for more investigations to be done for the ECD section so that the truth of the matter brought to this House is laid out to the People of Kilifi.

Most of the time work is left to the junior officers un-supervised. Wrong Reports are given out and just because this Report was brought here by the CEC Member which she appended her signature, it is the right time now she steps aside for investigation and we wish this Committee is formed immediately so it can investigate and understand why and how the money was re-voted and the status of the ECD projects.

I had one RRI (Rapid Results Initiative) project in my ward, the Kilifi Resource Centre which was supposed to be done in 100 days. This is the fourth year now as we speak and it is not complete. We need to tell our people the truth about the status of education in Kilifi County. Thank you.

The Speaker (Hon. Kahindi): Hon. (Dr.) Chitibwi.

Hon. (Dr.) Chitibwi: Thank you very much hon. Speaker, Sir. I stand to support the adoption of this Motion. We as Members of this hon. Assembly were elected or nominated to represent the people of Kilifi County. In our duties we represent, legislate and do oversight on behalf of the people of Kilifi County. The County Government is a new baby and I am thankful to this House and to the Governor for the way we have been working together. There is the Executive and the Assembly; we consult regularly and advise each other.

On our part, we gave our views to the hon. Governor on what we think is going wrong in the Executive with the hope that corrective measures will be taken but they have not. I remember in more than two occasions the Governor himself said "...you are Reporting to me but what is your work? Your work is to oversight those people; why are you not doing that work?" We are now doing our work or we have done it and we have come to a conclusion as an Assembly. What is happening to our children in Kilifi County is very sad. Education being the basis of everything in this world is lagging behind not because of lack of resources and will power but because some people have refused to do their jobs. As a County, we know we are doing very poorly when it comes to education. The whole County can take 40 children to the University; if we do very well we only take 70.

One school in Kenya can take more than 300 children to university; what is happening? Experts have identified, we as the parents have identified, we as leaders have identified that the foundation of our children is not good. The political-will has been there with the Governor; he has agreed with us and we have allocated some money to kick start our education system through the ECD. Through all these efforts, some people are letting us down. If we cannot give the

foundation in education what other hopes do we have? We may as well say that devolution is not working.

Now, hon. Speaker, this House has looked at this issue at great length and in depth, we have consulted with the people concerned including the hon. Member of the Executive and it has come out clearly in her verbal Report to this House that she is incapable of leading the Department. So, if she is incapable, what else is there? She either chooses to move aside or the Governor will have to move her aside. This House has to take action. There are people out there looking at us, they do not see the CEC, they are seeing us as the people's representative. We are the ones who are facing the questions every morning and every evening even as we go to sleep. For how long are we going to let that continue? We are only assisting the Governor. If for political reasons he is not able to take action, we are helping him and it is my hope the Governor will take the recommendations of this House very seriously not only in education but in everything else.

I do not see the use of me being here when in fact we are watching things go wrong. What is the purpose of me, being here? What is the purpose of all these people being here when we know devolution is being made to fail by a few people? We should not. I ask my fellow hon. Members to support the adoption of this Motion so that, this county can start afresh. Thank you very much hon. Speaker.

The Speaker (Hon. Kahindi): Thank you hon. (Dr.) Chitibwi. Hon. Mwayaa.

Hon. Mwayaa: Asante mheshimiwa Spika kwa kunipa nafasi hii nami niweze kuunga mkono Hoja iliyoko mbele yetu. Kitengo cha Elimu ambacho kiliendeshwa na huyu *Madam Salma* kusema la kweli hatujaridhika kama watu wa Kilifi. Kulingana na maneno ambayo aliyana mwenyewe hapa, ilithibitisha ya kwamba hicho kitengo ama kazi ile ni kubwa naye maana zile kazi ambazo alipewa tangu Jimbo hili lianze hazikuisha kwa wakati unaofaa na zingine kufikia saa hii hazijaanza.

Kwa mfano, kitengo chake kilikua kinahusiana na hata kupeana vitabu vya chekechea na ni hali ya kusikitisha maana shule zengine hazipati vile vitabu kwa wakati unaofaa. Mfano mwingine, kule kwangu inasikitisha na ni aibu kwa sababu kuna darasa moja ambalo tulipatiwa na mfadhili ambacho kianitwa Zhengoni. Mwaka wa 2014/2015 kukawa kuna darasa lijengwe mahali pale. La kushangaza ni kwamba pesa zile zilizotengwa mpaka leo hazijafanya kazi mahali pale. Wakachukua waandishi, sijui waliwatoa wapi na wakaenda kuandika kwamba lile darasa la wafadhili limejengwa na *County Government*. Watu wangu karibu waandamane na ilinyesha dhahiri kwamba hii kazi haiwezi.

Ile pesa ambayo nilikua nimeitenga mpaka saa hii nikiongea katika Bunge hili letu darasa lile halijafika katika Zhengoni. Mtu aliletwa kwa site kuona, kutaka kujenga lakini kufikia saa hii ni baadhi ya yale majengo ambayo hayajakamilika. Lengine ni Mutirini katika Zhengoni, mtu aliletwa kwa *site* kuona lakini kufikia saa hii mtu alikuja kuchimba msingi mpaka hivi ninavyo ongea mvua juzi ilinyesha msingi ukaharibika. Nyengine iko sehemu za Katsangani ambayo imefika katika *lintel level*.

Hivyo ni kwamba si eti awekwe nje achunguzwe, hapana. Tumesema; Kizungu nafikiri imeandikwa awe *removed*. Kuondolewa ni aende nyumbani akapumzike kwa sababu hii kazi imemshinda. Ilinishanagaza sana ikiwa darasa si la *County Government*, ni la mfadhali na yeye anakaa ofisini na feni nzuri, anaagiza watu wakachore kule kwa *ground* ya kwamba darasa hili limejengwa na Kilifi Kaunti. Wakati huo kabla hata hajafika kusema maneno yale aliyoyasema nilijua ya kwamba hiyo kazi ni kubwa na yeye hiawezi na hivyo itabidi tupate mtu mwingine ambaye atakaa na kazi yetu hapa Kilifi Kaunti iendelee kwa maana elimu tumeweke

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kipaumbele na itabidi tupate mtu ambaye anastahili na ana nguvu na uwezo wa kuendesha hicho kitengo. Naunga mkono aende nyumbani si kwamba akae kando, hapana. Aende nyumbani na tupate mtu mwenye nguvu na hekima ya kuweza kuendesha hicho kitengo vizuri ili kwamba Kilifi yetu iende mbele. Asante mheshimiwa Spika, naunga mkono huyu mama akapumzike.

The Speaker (Hon. Kahindi): Thank you hon. Mwayaa.

Hon. Mangi: Thank you hon. Speaker. I rise to demonstrate my support for this Motion that has been brought to this House by none other than hon. Emmanuel Kazungu Chai from Jaribuni.

Mr. Speaker, our three fundamental jurisdictions are representation, legislation and oversight. Before I continue relaying my supportive sentiments, let me take this opportunity to applaud you Mr. Speaker for having initiated the Standing Order No. 153 and not only initiating but invoking the same to bring in the General Oversight Committee. This is a rare Standing Order that is executed, maybe Kilifi County Assembly is the only Assembly which has so far executed this Standing Order which has brought a lot of respect to this County Assembly. I feel proud when I am out there and we meet people saying ‘now you are working.’

Mr. Speaker, Sir, there are words that give me happiness and at the same time force me to ask myself, was I not working before? I was working but my work was not seen; now it is seen just because we are now on the right track. But hon. Speaker, may I say this, this journey is very difficult. It has a lot of challenges but the moment hon. Members go outside, the challenges within this journey we are doomed to fail. Let us stand steadfast; we are not against an individual, we are not against any religion, we are not here on party affiliations. Our common denominator is oversight. I am saying this because incompetence has not been achieved, because this is a very important parameter in service delivery.

Mr. Speaker, Sir, I am afraid because this County Assembly vetted in the County Executive Committee Members and we were very kind. We did not go deeper to see the weaknesses of these officers. To our embarrassment, you know admitting that you are able to perform a duty is different from executing the same. They have executed the opposite and more specific the CEC Member Education has failed to go within what we expect of her. This is one of the many reasons why I am supporting this Motion. There is no personal vendetta what we are doing. It is a role that is expected of us, to execute and I plead with hon. Members, let us leave aside friendship. I am a Catholic and it is really painful but that notwithstanding, I have no otherwise but to support this Motion. Thank you.

The Speaker (Hon. Kahindi): Hon. Mangi, it is good that you have declared your faith today...

(Laughter)

... at this very crucial hour. Yes, hon. Stanley Kenga.

Hon. Kenga: Thank you very much Mr. Speaker. I am rising to demonstrate my support for the Motion as moved by hon. Emmanuel Kazungu Chai. I have done a tabulation of the projects that had been budgeted for by the County of Kilifi from the year 2013/13, 2014/15, 2015/16 and the figures are not so good. I am saying this because we have our roles that we need to perform as Members of the County Assembly and the Executive wing of the County Government have the role to make sure that they perform, implement and deliver services to the people.

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In the year 2013/14 and this is the budget that we Members of the County Assembly had an input immediately the County Government came into place. We budgeted for 57 projects and out of the 57 projects, by the end of the year, not even by the end of the year but according to the Report that we are receiving today but by the time the CEC Member was called before the Committee of General Oversight out of the 57 projects that had been budgeted for in the year 2013/14, only 44 projects had been completed and 13 projects were incomplete.

In 2014/15, out of the 114 projects that had been budgeted for, only 70 projects were complete and 44 projects were incomplete and in the year 2015/16, out of the 172 projects that were put into the budget, only 19 projects and that is why I am saying that the figures are not so good. If you calculate this in terms of percentages then you will realize that in all the subsequent years the trend that in each, the trend is even getting worse. That this Department has not been able to execute its functions, that they have, not as a Department, but led by the CEC Member failed to steer this Department forward.

All the resources that we have placed in that Department taking into consideration that education is very key in the issues of development, and as a result we have made sure that we provide a lot of resources to the Department so that as a Department, they are able to implement the projects that have been budgeted for. One funny thing and that is not good news to this County Assembly is the issue of RRI (Rapid Result Initiative) projects. These projects were launched by the Governor himself and in front of the people.

He took people across knowing that we had placed projects under the RRI program and we need to make sure that these projects will be completed within 100 days. Now, two years down the line even the projects that were put in that program, it is sad to note that these projects have also not been completed. Now, we ask ourselves, if we are not in a position and that is why we are not taking this to be something personal, but we are saying she has not performed. The Department has not performed and there is somebody who must take that responsibility and that is why we are saying the CEC Member must give way so that a new person takes over.

Mr. Speaker, Sir, and we are able to see that projects that have not been completed are completed within the shortest time possible and in the recommendations that were put by the Committee on General Oversight was the issue of February 28th being the deadline which was given out as a day for the completion of the project. But if there are no changes in the Department, then we cannot be guaranteed; we cannot be assured of the completion of these projects. In that regard therefore Mr. Speaker, I support this Motion and I want to urge the hon. Members to take that confidence and support this Motion so that we can really deliver whatever is expected of us to the great people of Kilifi. Thank you very much and I support.

The Speaker (Hon. Kahindi): Thank you hon. Stanley (Kenga). Hon. Gambo.

Hon. Gambo: Asante Bw. Spika. Nami nasimama kudhihirisha kuunga mkono Hoja hii. Wakati wananchi wetu wakituchagua walikuwa na vilio kwamba Kilifi inahitaji wasomi. Na sisi viongi ambao tulichaguliwa tukao na jambo la kwanza ambalo lilikuwa likizungumzwa na kutiwa mkazo ni kwamba tuweze kuona kwamba Kilifi yetu elimu ndio kipaumbele. Wakati wa uchaguzi tukafikiria kwamba afisaa huyu *Madam* Salma ndiye ana uwezo wa kutupeleka mbele katika Idara ya Elimu. Hatimaye wakati tunaona mambo hayaendi vizuri katika idaya hiyo, tulimhoji hapa lakini tukagundua kwamba maswala mengi haelewi yanavyoendeshwa nyanjani akipeana sababu za wale maofisaa wake wa chini kwamba waweze kutoa majibu ya yanayoendelea kule nyanjani kudhihirisha kwamba yeye hiyo kazi alikuwa hajafuzu.

Bw. Spika, nikitoa mfano tu wa eneo ambalo ninawakilisha huko Junju kunayo miradi ambao alisema kwamba imekamilika asilimia 100 na ukweli ni kwamba kitu kinachoelezwa kiko

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tayari asilimia 100 huwa kinatumika. Lakini ukimuuliza anasema kuna shule tatu za chekechea ambazo alitaja kwamba ziko tayari lakini mpaka saa hii hizo shule bado hazijawezesha wanafunzi wa chekechea kuweza kuanza masomo sababu ni kwamba hata funguo bado ziko na wale wanakandarasi. Itakuwa ni aibu kubwa ndani ya miaka mitano iwe hakuna hata Wadi tano ambazo zimewezesha wanafunzi wa chekechea kuwa ndani ya madarasa yale. Kunao mradi wa kutoka mwaka wa 2013/2014 wa shule ya chekechea ya pale Vipingo Central mpaka leo bado haujakamilika. Hapa ukimuuliza jibu lake anasema yuko tayari, nikudhihirisha kwamba hata wale maofisaa wake alionao hawako tayari kutuletea maendeleo.

Bw. Spika, sijui kama huyu Waziri anajua kwamba katika Wadi zetu kulianzishwa miradi ya vijana kufundishwa tarakilishi na miradi hiyo iligharimu pesa nyingi za kaunti kuwalipa walimu kufundisha na pia kulipa yale maeneo ambayo hawa wanafunzi walifundishwa. Ni aibu kubwa kuona mpaka wanafunzi wale ambao ni vijana waliofundishwa tarakilishi hizo mpaka saa hii hawajapewa vibali vyao. Ni kudhihirisha kwamba hata wale walimu amabao waliletwa kule kuwafundisha hawa vijana wanaonekana ni walimu duni ambao labda hawajulikani katika kaunti hii. Katika Wadi yangu walifundisha zaidi ya wanafunzi 80 na mpaka saa hii hawajapata vibali hivyo na hiyo ni idara yake na anapaswa kujua kwamba hayo maswala anayafahamu.

Ningetaka kusema kwamba yeye kuondoka ofisini na kuweza kupeana nafasi kwa uchunguzi kufanyika sio kuwa amefutwa kazi wala kuonewa. Ni haki kwa sisi kuweza kumwambia akae kando uchunguzi uweze kuendela vyema na hatimaye akipatikana hata hatia ataweza kurudi. Lakini kwamba abaki katika ofisi na sisi tukiwa tunafanya uchunguzi itakuwa tunafanya dhambi kubwa sana. Kwa hivyo, niansimama kuunga mkono hoja hii ya kuwa Waziri Salma akae kando, nje ya ofisi, tuweze kuona kwamba haki inatendelea. Asante nimesimama kuunga mkono.

Hon. Kaingu: Asante sana Bw. Spika, kunipatia nafasi hii ya kuweza kutoa pumzi kuhusiana na Mjadala huu. Mimi naunga mkono Mjadala huu kwa sababu waziri ambaye tunamzungumzia sasa ni wa elimu na mimi ninamfahamu sana. Maumbile yake yako sawa sawa, sura yake iko sawa sawa lakini kazi imemushinda...

(Laughter)

...lakini kazi imemshinda. Kazi ambayo tulimpatia sisi wajumbe ilimshinda na ni sawa kabisa aweze kundolewa. Katika serikali yetu ya kaunti kuna idara mbali mbali...

(Hon. Foleni stood on a Point of Order)

The Speaker (Hon. Kahindi): Hon. Foleni what is your interjection?

Hon. Foleni: Mheshimiwa Spika, nataka kumuomba mnenaji yale maneno aliyoyasema aweze kuyatoa ama aweze kuyathibitisha kwamba mheshimiwa Waziri ameumbika na ana umbo zuri ataelezee kwa sababu mimi kama Mbunge wa Tezo nakosa kumuelewa.

Hon. Kaingu: Pengine pole sana kwa sababu ikiwa waziri ambaye tunamjadili siku ya leo ni binadamu nina haki kama mwananchi wa kawaida ama mjumbe kumsifu lakini nina haki vile vile kuweza kumkosoa ndio maana nasema yeye yuko sawa sawa maumbile...

(Laughter)

Lakini kazi ambayo tulimpatia kama wajumbe...

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The Speaker (Hon. Kahindi): It is okay hon. Kaingu you can just proceed...

(Laughter)

At least your opinion is not offensive, you can just proceed.

Hon. Kaingu: Asante mheshimiwa Spika, kwa kuweza kunilinda kwa waheshimiwa ambao hawajaelewa haya mambo ya kibinaadamu...

(Laughter)

Nasema imefika wakati sisi wajumbe wa serikali ya kaunti kule nje wananchi wanatuangalia kwa hali na mali, tunaendesha shuhuli zetu namna gani na kama mjuavyo, kaunti yetu kimaendeleo bado iko chini sana. Ndio maana tukiangazia kitengo cha elimu kimezorota zaidi na ni wakati mwafaka na unaostahili kabisa kumuondoa huyu waziri hakuna kusitasita. Kwa sababu kazi imemshinda...

(Hon. Kaingu spoke off record)

The Speaker (Hon. Kahindi): Hon. Member, press your microphone.

Hon. Kaingu: Tunajadili Waziri wa Elimu leo tufanye hivyo aweze kutoka na wale wengine ambao wako vile vile baadaye tuwashughulikie waweze kutoka haraka kwa sababu kaunti yetu kule nje inasemekana imeoza kimaendeleo; si elimu, afya, barabara na mengineyo. Kwa sababu ukiangalia upande wangu kule Kaloleni katika kitengo cha elimu kuna shule zaidi ya nne za mwaka 2014/15 kazi bado haijaanza na ukiuliza wanasema ni malipo ama *evaluation* na mambo mengi hayaeleweki.

Kwa hivyo, hakuna mipangilio mizuri katika hii idara na naunga mkono mia kwa mia huyu waziri aweze kuondolewa mara moja na wengine baadaye wafuate maanake wako wengi lakini kwa leo tumuondoe huyu. Kwa hayo machache, mimi naunga mkono Muswada huu.

Hon. Nzaro: Thank you Mr. Speaker, for giving me this opportunity to share my response on the issue at hand; the Motion to remove the County Executive Member in charge of Education, Youth Affairs and Sports from office.

Mr. Speaker, Sir. I stand to support this Motion and my reasons for supporting this Motion are; one of the fundamental objectives of devolution was to spur social and economic growth across the Country. As Kilifi County, we have suffered so many historical injustices in this Country namely in the education sector, some of our students 53 years after independence are still learning under trees.

This is very bad and when devolution came into force and mandated that we build these classrooms for our ECD students, we were trying to address these historical injustices which we have suffered as a people in this County from the various successive Governments which have been in place since independence. Mr. Speaker, Sir, as I seek to support this Motion, I want also to congratulate the 46 Members of this Assembly who appended their signatures in support of this Motion. There are about four points which I wish to address so that Members can understand why this CEC Member has to be removed from office.

First, the CEC Member has not been able to provide quarterly Reports for her Department since 2013. As a member of the Education Committee, we have not received these Reports. I can demonstrate from the questions which we had sought her to answer. You will find

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in this document she presented she was responding to a letter dated 10th October, 2016, so that this Assembly can see status of the projects which we had required as an Assembly.

This demonstrates that she was not giving these updates on development projects we are required and it is by law that these quarterly Reports be provided to this Assembly Mr. Speaker. You will realize from the documents that she provided there are projects which were not completed since 2013. What does this mean? It means there is money which was re-voted since 2013 to date because these projects have not been completed and our students still need these projects to be completed.

Mr. Speaker, Sir, another thing which pains me and I think Members will also agree is that while we were looking at the documents which were presented in response to the questions we had asked, there were so many errors in those Reports. There were some projects which they had indicated were complete but on the ground as members had suggested, some of these projects were still at the ground level or had not even started but the documents they presented were showing that these projects had been completed.

I think she was lying to this honourable House which I think has to be corrected and this clearly shows that this CEC Member was not in charge of this Department and as a result, I take this painful decision to make sure that I dedicate my support for her removal though it should not be taken that I am taking this decision to deny her her job but it is because of her track record on matters which she handled on education.

Mr. Speaker, Sir, I urge the Governor to relieve this CEC of her duties for the greater good of the people of this County, bearing in mind that individual capabilities has to be by the Governor for all those non-performing CEC Members and other public officers who are working under him, and I think the Governor will realize that we are doing this to instill discipline in the public service delivery so that projects are completed in time and when we are doing our budget, we envisage that these projects are completed in time for the benefit of the people of this County. Mr. Speaker, Sir, I rise to support.

The Speaker (Hon. Kahindi): Hon. Mupe.

Hon. Mupe: Asante sana mheshimiwa Spika. Hata mimi nasimama kuunga mkono Hoja hii ya *Madam* Salma aweze kwenda nyumbani. Kwa hakaka, ikiwa ni Kaunti yetu iendelee mbele ni lazima kitengo cha Elimu tuweze kukipatia kipaumbele. Na kwa hakika miradi mingi ilianzishwa na mingi haikuweza kukamilika kwa wakati unaofaa. Lakini ningeomba hata ikiwa tumesema *Madam* Salma aweze kwenda kama waziri ningeuliza pia Bunge hili iliuchafu ule katika kitengo cha Elimu tukaweze kuondowa. Wacha kidole cha lawama kisiwe kwa huyo ofisaa mmoja pekeyake kwa sababu kunauzembe katika kitengo chote cha elimu.

Nikizungumzia hivyo ni kwamba ili tuweze kupiga hatua ni lazima ile timu yote ya *procurement* tuweze kuisafisha katika kitengo hichi cha Elimu kwa sababu kitengo hichi cha mambo ya *procurement* ndio imefanya uzembe zaidi, imeweza kuchelewesha zile Ripoti ya mambo ya *evaluation* kufikia wakati *contractors* hawakuwa wakipewa zile barua kwa wakati unaofaa. Kwa hiyo mheshimiwa Spika ningeuliza hata kama *Madam* Salma anaenda nyumbani lakini kile kitengo cha *procurement* lazima tukisafishe.

Mheshimiwa Spika, vile *Madam* Salma anaenda nyumbani, pia ningeomba tumzungumzie yule *Chief Officer* aliyekuwa pale wakati ule uzembe unaendelea. Wengine wenu wataniunga mkono kwamba *Chief Officer* huyu ndiye alikuwa anafaa kuwa *responsible* kwa kila kazi ambayo ilikuwa inafanyika. Nasimama kuunga mkono lakini ili uchafu ule uweze kuondolewa, ni lazima timu yote ya *procurement* katika ile *Department* iweze kufanyiwa *overhaul* na ikiwezekana pia iweze kwenda nyumbani ndio hii miradi itakuwa inafanywa kwa

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wakati unaofaa. Asante sana mheshimiwa Spika na nataka kusema kwamba ninamuomba kila la heri waziri huyu akiwa anaenda. Hatutasema kwamba wakati akiwa nyumbani hatutamuunga mkono, tutaweza kumuunga mkono kibiashara na mambo mengine.

Hon. (Ms.) Chuku: Thank you Mr. Speaker, Sir; I rise to support the Motion. I think it is high time heads roll in this County. We have been very lenient to the CECs and they have been taking us for granted and actually this was demonstrated here yesterday when we had drama from the Chief officer Finance. Madam Salma has made the children in this County read under a mango tree despite money being given to that Department. I have formed an opinion that this lady is too smooth for this office and I am sure we are not short of manpower in this county.

We have many retired officers and professors sitting at home who can do this job efficiently and she should not be left in that Department; she is not in dispensable. As I said earlier, heads should roll because the CECs who are supposed to be civil servants are behaving like public officers in fact some of them have opted to vie for political seats. It is high time we have a complete sweep and release them to go and put their interests in wherever they want.

I concur with what hon. Member for Kayafungo has said that we should not tolerate such people. Look at what is happening in Ganze today; we have enough money set aside for agriculture but we still behave like just before devolution. Also the issue of IFMIS, we have not heard anything or any advice from the CEC for ICT. It is like nothing is happening, he has not said a word so they are actually not interested in their jobs, we are just keeping them here and in fact we have tolerated them for a long time. We know most of them are going to vie in different constituencies so it is high time we let them go. Thank you. Mr. Speaker.

Hon. Ibrahim: Asante sana Bw. Spika. Nimesimama kuunga mkono Hoja hii na mimi ndiye ninaongoza huu msururu wa *Madam Salma* aende nyumbani. Bw. Spika, tunampeleka Madam Salma kwa sababu ya uzembe; amezembea kazini. Saa hii Bunge hili limejiongeza umaarufu tangu tuanze mikakati ya kupeleka watu nyumbani. Vile pia tulivyofanya Bw. Spika kukwambia kwamba kidogo kule katika wadi yangu, wananchi wamekua na imani na mimi.

(Laughter)

Hali ilikua ni ngumu Bw. Spika lakini kuanzia jana nimepata sifa na ile ndio nataka. Uzembe ni kitu kibaya sana ndio unaona miradi mingi sana imekwama kaitika Jimbo letu la Kilifi. Kama wenzangu walivyosema ni kwamba wako wengine ambao pia wana takikana waende nyumbani katika Wizara ya Elimu na hii mikakati lazima tuipange haraka iwezekanavyo, wa kuenda nyumbani waende nyumbani. Tumalize mambo ya uzembe tuingie kwa ufisadi. Lakini Bw. Spika, tusiangalie Mawaziri tu ama *Chief Officers*. Hapa ndani ya Bunge pia tuko na waheshimiwa waweza kukaa, Miswada ikaja hawaongei, nao pia huwa wanazembea ndani ya Bunge hili Bw. Spika. Hiyo ni kitu kibaya sana, inatakikana...haya maneno ambayo naongea ni muhimu sana maana leo tunamfuta Salma kwa sababu ya uzembe hapa Ripoti zikitoka zikiangaliwa mheshimiwa huyu vikao vikiongwana haongei.

(Laughter)

Sasa huu ni uzembe ama ni nini Bw. Spika? Kwa hivyo, wale pia wanatakikana tuwapige darubini. Uwezo wa kusema tuwapige darubini hakuna lakini tuangalieni ni njia gani? Pengine shida yao sijui ni nini Bw. Spika. Tuwaangalie ili wakati tukirebisha nyumba nyengine tuangalie na yetu isije watu wakaja wakatucheka sababu tunapeleka wazembe nyumbani sasa. Kwa hivyo,

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si kwamba watu wataitisha zile HANSARD Reports wakaangalie waone ya kwamba waheshimiwa pia Bunge hawachangii, waseme nyinyi mnamuondosha *Madam* Salma na hao wengine hawachangii chochote Bunge, Misawada yote ikija wananyamaza...

The Speaker (Hon. Kahindi): Point of Order from hon. Bakari.

Hon. Ibrahim: Bw. Spika ni lazima pia swala hili uliangazie.

The Speaker (Hon. Kahindi): Point of Order...

Hon. Ibrahim: Asante sana Bw. Spika.

(Laughter)

The Speaker (Hon. Kahindi): Okay. You know every time hon. Ibrahim is on the Floor...The reason why I ... He is actually in Order by the way to encourage his fellow Members to continue with the debate and sometimes he is mis-quoted but I think he is actually in Order to say that it is not about the other side. It is good when a Member notices that some of us are here and we are not saying anything. You know for me, I cannot say it because it is upon the Members themselves to see what they have been doing here but if he has pointed out that some of us sit here and we do not say anything; I think he is totally in Order for him to say that. There is nothing wrong. Thank you hon. Ibrahim. Yes, hon. Foleni your microphone keeps going on and off but you are on now, proceed.

Hon. Foleni: Thank you hon. Speaker. I want to support this Motion. It is vivid from the contribution of the Members that this ODM (Orange Democratic Movement) Government in Kilifi County has failed. I speak so authoritatively because on the basis of the sentiments that have been produced...

The Speaker (Hon. Kahindi): We have a Point of Order from hon. Japhet (Nzaro).

Hon. Nzaro: Thank you Mr. Speaker. I would wish the hon. Member on the Floor who is a Deputy Chief Whip to substantiate the words he is referring that 'the ODM Government in Kilifi has failed' and I understand even some his constituencies have been benefiting from bursaries which we initiated in this Government. I think he should withdraw those sentiments for the interest of the public good of this county.

The Speaker (Hon. Kahindi): In any case, do we have an ODM Government in Kilifi?

Hon. Nzaro: Mr. Speaker, the Government in this County is lead by an ODM Member and the Governor is an ODM Member. In fact the majority in this Assembly...

The Speaker (Hon. Kahindi): I thought there was CORD (Coalition for Reforms and Democracy) also?

Hon. Nzaro: Yeah, then the CORD Government.

The Speaker (Hon. Kahindi): Is it CORD or ODM? Why do we put ourselves to those lines? Can you just express yourself in a manner that is very simple for everybody...?

Hon. Foleni: Hon. Speaker, hon. Japheth Nzaro could have actually followed me slowly by slowly, he could probably generate something out of my talk. However let me say on the basis of what Japheth has just shared, let me consider it taken off. I want to quote James Madison in the year 1822 who said education or rather knowledge shall forever govern ignorance and then a number of years later the same sentiments were echoed by Martin Luther King Junior and over 70 years later the same sentiments were echoed by none other than the outgoing Head of State of USA His Excellency Barrack Obama.

The Speaker (Hon. Kahindi): What did Obama say?

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(Laughter)

Hon. Foleni: Hon. Speaker, hon. Obama echoed the same sentiments that were echoed by James Madison that ‘knowledge shall forever govern ignorance.’ Hon. Members, hon. Speaker, hon. Salma has allowed herself to be manipulated by her juniors and this is unacceptable. We have actually watched her for the four years and to the best of my knowledge, it is high time we rise above our oversight role so that we can send hon. Salma Muhiddin back home not on the basis of party affiliation, but on the basis of how hard working these ladies are.

Hon. Speaker, Madam Salma has compromised the education standards of the young kids in the County and we cannot allow her to go scot free. As I wind up my submission, I want to assure that once this is done, we will create precedence that even the other CECs that were appointed by his Excellency the Governor will follow suit. Hon. Speaker, I beg to sit down and may we thoroughly deal with these CECs. Thank you very much.

The Speaker (Hon. Kahindi): Thank you very much. Yes, hon. Matsaki?

Hon. Matsaki: Asante sana Bw. Spika. Pia mimi nimesimama kuunga mkono Hoja hii ambayo iko mbele yetu. Kama Kiongozi wa Idara ile, mara nyingi mambo yakienda mrama lazima watu wakuangalie wewe. Wasiwasi wangu mwingi zaidi sio eti miradi haikumalizika bali pia nataka kuhofia hiyo pesa yake kama iko. Kwa sababu tumekuwa tukiona miradi imekuwa *re-voted* lakini pia huenda ikawa ile pesa yake ikaonekana haiko.

Kitu ambacho ni muhimu kabisa nikuunga mkono kwa Ripoti hii kikamilifu ni huyu waziri akae kando apumzike nyumbani ili tupate mtu mwingine. Mimi niko na mradi wa *modern* ECD mwaka wa 2014/2015 hivyi ninavyozungumza mradi huu haujamalizika na kipindi hiki cha miaka mitano pia kinaisha. Ni kazi gani ambayo tutakuwa tunajivunia kama miradi mingine haijaisha? Kwa hivyo huyu waziri aende nyumbani kama kutapatikana mwingine afanye kazi yake kikamilifu basi miradi hii pia nayo iweze kumalizika. Mimi nimesimama kuunga mkono Hoja hii. Asante sana.

The Speaker (Hon. Kahindi): Hon. Emmanuel Chai can you make your submission.

Hon. Chai: Thank you very much hon. Speaker. I stand a very happy man to have heard all hon. Members contribute positively toward the Motion which at least everybody was in support of. Also, I am very happy to have counted another support from even one of the hon. members whom did not append his signature in this paper but he stood up I think he was not around that time. I was happy to hear him support the Motion; that is the hon. Member for Kaloleni.

Hon. Speaker, I think I would not have a lot of submission on this, the only thing I would rather like to repeat what the hon. Members have contributed is by doing what we are doing today we will be setting the precedence of our County Assembly oversight role and for all those project which have not been done all that time as one of the hon. Member was telling us we are talking of Salma to be out of office. The hon. Member Kayafungo was hitting the nail on the matter that it is not stepping aside but going home.

By going with this, it will be a good step and I think all the CECs remaining... I am very sure if we follow up with the system we have planned... because I thought the hon. Member Anthony Kenga Mupe was around as he was saying that all the Department staff should go home. I thought when we were discussing about this and even setting a date for calling the CECs and the procurement Department, maybe he was not around, but just to tell the Kilifians that this is just the beginning of the oversight role of the Kilifi County Assembly. I think there should be most of the people in Kilifi County at the moment leave alone in Watamu the hon. Member was

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saying that his people were overwhelmed because of what he is doing but I think everybody by the end of this time will have a name in his Ward.

What I will comment on is; my fellow hon. Members should not be intimidated and I hear some people are saying also the County Assembly is corrupt and if it is corrupt, I think the normal procedure should be followed like what was happening yesterday somebody was saying I cannot present any information before I present my desire... I think it was not in our agendas because as an Assembly we had set our agendas, and if anybody who has such a desire should follow the Department concerned so that he can follow up on it.

For us, we should go as an Assembly, we should go as one people and we should go as people who have vision for Kilifi County because we are the ones who were elected to represent the people. They are watching how we are going to perform our duties, leave alone the representation which we undertake and the Bills which we pass in this Assembly, but now I think the whole Kilifi or the Country at large is watching Kilifi doing its oversight role without fear or favor.

Mr. Speaker, I will also say that to some of us, it is painful to make a decision on this because even I do not hate Salma, she is not my enemy, she is my good friend but I cannot just sit here even if she is a sister to me it will be a shame if I keep a sister who is not working at her capacity and I just stay with her just like that. So I think it is a good decision and I just want to rest my case and I wish all the hon. Members to be brave enough and support this Motion. Thank you very much.

The Speaker (Hon. Kahindi): Hon. Members, the Motion has been moved by hon. Emmanuel (Chai) and for the removal of the County CEC Member in charge of Education, Youth Affairs and Sports the same has been deliberated. I now put the question.

(Question put and agreed to)

FORMATION OF AN AD HOC COMMITTEE TO INVESTIGATE ALLEGATIONS AGAINST CEC EDUCATION

Hon. Pascal: Thank you Mr. Speaker, Sir for giving me an opportunity to move in this House a Motion for the formation of Ad hoc Committee. Hon. Speaker, following the resolution of the Assembly today Wednesday, 30th November, 2016 that the County Executive Committee Member in charge of Education, Youth Affairs and Sports, Ms. Salma Muhiddinto be removed from Office forth with due to incompetence, I move:-

THAT, the County Assembly appoints a Select Committee comprising five of its Members to investigate the matter and Report within ten days to the County Assembly whether it finds the allegations against the County Executive Members to be substantiated.

I beg to move that this County Assembly adopts the following names of the proposed Members of the Ad hoc Committee:-

- 1) Hon. Adamson Mwathethe
- 2) Hon.(Ms.) Elizabeth Muthoka
- 3) Hon. Ibrahim Athman
- 4) Hon. (Ms.) Aisha Chiku Wanje
- 5) Hon. (Dr.) Silas Mzungu Chitibwi.

Thank you. I call hon. Mwayaa to second.

(Hon. Mwayaa seconded)

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The Speaker (Hon. Kahindi): Hon. Members, pursuant to the resolution that the House has made, a Motion has been moved for the formation of the Ad hoc Committee that will proceed to investigate and the Committee consists of following Members; Hon. Adamson Mwathethe, Hon.(Ms.) Elizabeth Muthoka, Hon. Ibrahim Athman, Hon. (Ms.) Asha Chiku Wanje, Hon. (Dr.) Silas Mzungu Chitibwi. I now propose that the Motion is ready for debate.

(Question proposed)

Hon. Mwayaa: Asante mheshimiwa Spika kwa kunipatia nafasi hii nichangie mjadala ambao umeletwa na kiongozi wa wachache Bungeni. Mheshimiwa Spika, baada ya kuona kwamba Waziri aliyeshikilia Kitengo cha Elimu hiyo kazi haiwezi na kuna umuhimu sisi tuteuwe Kamati ambayo itachunguza makosa yale aliyotendea watu wa Kilifi. Sio Bunge tu lakini wananchi kwa ujumla. Makosa yale yakiwa ya ukweli, shughuli zifwatazo zikiwa zimejadiliwa na hio Kamati zifatiliwe kwa njia inayofaa ili kwamba akienda nyumbani haki iwe imetekelezwa.

Ninaunga mkono majina ya wanakamati hawa. Ni Waheshimiwa wenye hekima kuna Mzee Silas ambaye nimemtumainia sana katika hiyo Kamati. Ni Mheshimiwa ambaye ana busara nyingi. Kuna Mama Chiku Wanje na Mheshimiwa Elizabeth Muthoka na yote ambao wametajwa sina shaka nao maana umri wao unatosha kutuwakilisha sisi sote hapa. Asante naunga mkono.

The Speaker (Hon. Kahindi): Yes hon. Mangi.

Hon. Mangi: Mr. Speaker, Sir I thank you for giving me this opportunity. I rise to support the formation of this Ad hoc Committee. The names of the five Members is self explanatory not only are they hon. Members, but they are up to the task. They are neutral and have never taken sides in any issue. I can assure you that believe me or not, they are going to give a Report that will be based on the findings and not issues that may not come or arise from the meetings that they will having. I am sure and trust that they will deliver. I support the formation of this Committee. Thank you Mr. Speaker, Sir.

The Speaker (Hon. Kahindi): Thank you. Hon. Nzaro.

Hon. Nzaro: Thank you Mr. Speaker, Sir. I rise to support the names as submitted by the Leader of Minority. After a wide consultation by the Members of those people who are in support of the removal of CEC Member, it goes by the provisions of the Constitution Article 47 and 50 where everyone has to be given a right to be heard. So, by doing this we will not be violating the Constitution and the Members of this Committee will give this Assembly the right decision and move the County forward. Thank you Mr. Speaker, Sir, I support.

The Speaker (Hon. Kahindi): Hon. Nzaka.

Hon. Nzaka: Thank you Mr. Speaker, Sir. As a Chairperson of Early Childhood, the composition of the Committee is in order and let us gives them time to do thorough investigations. The Committee has considered gender and it is a wise decision for the Member who has moved this Motion. The CEC should be given a chance to be heard so that once found guilty, then procedures will be followed. There are some issues I would like to put across so that the Committee will be assisted in their findings. For example, the projects for the RRI, those are the projects which were supposed to be within 100 days and the recruitment of the ECD care givers. We set aside a huge amount of money last financial year but up to date, these ECD care givers and the instructors for polytechnics have not been employed.

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There are some issues that the Committee should follow up so that once the CEC comes before the Ad hoc Committee; it will find some ways on the oversight role. When I was in a UNIK driving school, my driver told me it is better to kill one person than killing majority. So, if they are some issues that the CEC is concerned, let her carry her cross. Thank you.

The Speaker (Hon. Kahindi): The idea is you should not kill people on the road. Hon. Nzaka your instructor was misleading you. Yes hon. (Ms.) Arafa.

(Laughter)

Hon. (Ms.) Arafa: Thank you Mr. Speaker, Sir, for giving me this chance. I stand to support the Motion which has been tabled by Minority Leader for the formation of the Ad hoc Committee and I support the names which have been proposed by this House. The names are not coming from the Minority Leader but after consultations of the hon. Members. This is a different Committee and I have an idea on what it entails in this Committee. My big worry is access to information. I was in another Ad hoc Committee on the impeachment of the County Secretary and it has been a very big challenge for the Committee to get information. We should not just look at the CEC only but it will reach a time you need information from the County Secretary and maybe the Procurement Department. The Committee should be very firm and the Executive may have to let this Committee fully access information so that they can come up with a comprehensive Report which can help development and it is very enjoyable because it is a quasi-judicial process so Mr. Speaker, I can see we are adding the numbers of advocates in this House so I wish you well. Thank you very much.

The Speaker (Hon. Kahindi): You might as well find another location.

Hon. Mwachenda: Mheshimiwa Spika, nafikiri walisema liwike lisiwike lazima kutakucha. Imefikia wakati ukweli ni tuusemwe bila kuficha ndio sababu nimesimama kuunga mkono Hoja hii na niipatie nguvu. Mheshimiwa Spika, nafikiri jimbo letu la Kilifi limeingiliwa na kipindupindu cha uongozi na suluhisho la kipindupindu ni kuweka usafi. Mimi ningeomba wabunge wenzangu wa Kaunti hii ya Kilifi tuweze kusimama imara tuwaondoe wale viongozi wachafu na tubaki na usafi ndani ya nyumba.

Mheshimiwa Spika, niko na imani kubwa na ile Kamati ya watu watano ambayo itateuliwa hapa; niko na imani nao ya kuweze kusuluhisha maswala haya. Safari tumeianza mbali kufikia pale mahali tumefikia na sheria inasema hatuwezi kufaulu mpaka tutengeneze hiyo kamati. Kwa hivyo waheshimiwa wenzangu, tushirikiane pamoja ili tusiweze kuwa tumetoka mbali halafu mzigo utulemee tukiwa tumefika nyumbani. Ni wazi kwamba tuweze kupitisha hii kamati tuipatie uhuru wa kuweza kufanya kazi ili kwamba tutimize malengo yetu ya pale mwanzo mpaka pale tumefikia ili tuweze kuwa na jimbo huru, jimbo safi lenye kuweza kufanya kazi kwa hiari bali si kushurutishwa. Mheshimiwa Spika, nimesimama kuunga mkono.

Hon. Foleni: Thank you hon. Speaker. I also rise up to demonstrate my support towards the formation of this important Committee. Hon. Speaker, the five Member Committee are people well known to us and we have no reservation or whatsoever that they can perform; they can do their best and deliver the best judgment and make history in this Chamber.

Hon. Speaker, they are men and women of integrity, hon. Dr. Chitibwi we know you, hon. (Ms.) Chiku Wanje and hon. Dr. Chitibwi are great friends and these are the people we need in this Committee and mine is just to wish them well as they discharge their mandates and duties. Thank you, hon. Speaker.

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(Laughter)

The Speaker (Hon. Kahindi): Hon. Foleni you know there are also other Members not just hon. (Ms.) Chiku and Hon. Daktari.

Hon. Chai: Thank you very much Mr. Speaker, for allowing me to add weight on the supportive basket. I am in support of the formation of the Ad hoc Committee and its membership. I think as we have been told by hon. Ibrahim, we should all feel that we are the same in executing our duties in this Assembly and whoever feels that he is not able to do some things, I think you should not think that you are mistaken to be brought here.

I think by this membership, we all are eager to hear from you like the question hon. Matsaki was asking about now we have known that the projects are not done but where is the money? We will be eager to hear this from you and as hon. Member from Jaribuni, I will always be down on my knees to pray for you so that you come back with success. Thank you very much I stand to support.

The Speaker (Hon. Kahindi): Thank you very much. Yes hon. Matsaki.

Hon. Matsaki: Asante sana Bw. Spika. Pia mimi nasimama kuunga mkono wale waliochaguliwa kwa sababu ni lazima tuwe na hiyo Kamati. Pili, ningeomba pia Bunge hili kwamba vile ambavyo tunaonyesha imani kwa Kamati ile vile vile tuwe na imani na ile ripoti ambayo watatuletea. Mheshimiwa Spika, mara nyingi Kamati inapokuwa na watu kidogo, kwa sababu najua hii ni Kamati yetu ya pili, mimi najua kutakuwa na changamoto nyingi lakini naamini vichwa ambavyo viko pale sio vichwa vya kutatizwa. Watasimama imara na wataleta Ripoti yenye uzito katika Bunge hili na wengi watakua na imani na ripoti hiyo.

Mwisho tunapokuwa na Kamati ambayo tuko na wanakamati ambao wanaoingilia, kwa sababu mara nyingi unapoweka kamati ambayo hao wenyewe wakikaa pamoja hawana uelewano mara nyingi huleta shida. Lakini ninashukuru kwa sababu nimeangalia wale wote waliohapo nimepata jibu kwamba ripoti yoyote ambayo wataleta itakuwa na nguvu katika Bunge letu hili la Kaunti ya Kilifi. Kwa hayo machache, namesimama kuunga mkono na sitawataja majina mimi nawajua wananiangalia vizuri na ninajua hali hiyo iko hivyo. Asanteni sana.

(Laughter)

The Speaker (Hon. Kahindi): Yes hon. I think you need to spare hon. (Dr.) Chitibwi and hon...

Hon. Kambi: Asante mheshimiwa Spika. Mimi ninasimama kuunga mkono. Mimi ninaimani na Kamati ya watu watano ambayo imeteuliwa na ninaongea hivyo kwa sababu naona kamati hii iko na watu ambao wanaujasiri wa kazi. Ikiwa Daudi alikuwa na ujasiri na alikuwa mtu mmoja akaweza kuua Goliath na alikuwa mtu mkubwa sana, ujasiri wa watu hao watano naona utakuwa na manufaa katika Bunge hili ukaweze kusaidia wananchi wetu.

Kwa hivyo, mimi ni kuwaombea wanakamati waweze kuwa na ujasiri ule na mheshimiwa Spika, ikiwa Bibilia ikiwa ni katiba ya ulimwengu mzima, iliongea ya kwamba hata unapopita katikati ya mauti namna gani, usiwe na shida maana Mungu yuko pamoja na wewe. Kamati hii najua kutakuwa na shida, kutakuwa na milima na mabonde lakini ujasiri wenu Mungu atakuwa pamoja na kamati hii na mtaleta mambo ambayo yataweza kusaidia Wananchi wa Kilifi wakaweze kusaidika. Ninasimama kuunga mkono, Asante.

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(Applause)

The Speaker (Hon. Kahindi): Hon. Pascal do you wish to make any...

Hon. Pascal: Thank you Mr. Speaker, for giving me this opportunity to submit to this House. Mr. Speaker, may I take this opportunity to thank all Members who has contributed to this Motion on the Floor and I want to put it straight here that this Committee that was formed was gotten through a consensus by the Members and it should not be seen as if just because I read the list I am the one who presented this list to the House Mr. Speaker...

The Speaker (Hon. Kahindi): You own the Motion.

Hon. Pascal: Yeah I brought the Motion to the House plus the Members who were anonymously agreed on by Members. Mr. Speaker, there is a Giriyama saying that goes that if you kill a snake then you have to be-head that snake. Why am I saying this...?

The Speaker (Hon. Kahindi): What happens if you do not?

Hon. Pascal: If you do not, snakes are known to resuscitate the lives of others especially if they...

The Speaker (Hon. Kahindi): Hon. Foleni you have an Intervention.

Hon. Foleni: Hon. Speaker I would request hon. Pascal to quote the statement that he has made in our mother tongue.

The Speaker (Hon. Kahindi): But he was bold enough to put it in English. It is still okay in English.

Hon. Foleni: No, he has translated hon. Speaker.

Hon. Pascal: Thank you hon. Speaker. You know, we belong to the old age and we know how it matters in the traditional African in terms of language and all that. So, it is not a wonder that his age could not have understood what we are talking about. So, why I am saying this is because yesterday and those who had an opportunity to go through the news address by the County Secretary, he was boldly saying that we were against the law to impeach the CEC Education. What we are doing here is actually according to the law and nobody should question that Mr. Speaker. That is why we are saying, by putting this Committee which will go ahead into implementing because we are told that we have to follow the law to the letter especially when impeaching a CEC Member.

So, it is in order for this House to suggest a Committee that will look into the affairs and bring the Report to this House so that we can complete this task. So, I stand to actually thank all the Members who have seen it wise and pray for the Members who have been given this task. Before I conclude, I want to warn the Members who have been given this task that corruption fights back and they really have to work very hard to overcome the hurdles that will come along with this task because we understand that those of us who were in the first Ad hoc Committee, as other Members have put it, had a problem in Executing some of their mandates. This is because we expect to get a lot of interference from the other headquarters and it is upon them to actually stay firm and focused to the task that has been bestowed to them by this Committee. Otherwise, I pray hard that you get the necessary support from these Members and from God so that we accomplish this heavy task that is ahead of us. Thank you Mr. Speaker Sir.

(Question put and agreed)

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

[The Speaker (Hon. Kahindi) left the Chair]

IN THE COMMITTEE

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

THE KILIFI COUNTY SOLID WASTE MANAGEMENT BILL, 2016

(Clause 3, 4 and 5 agreed to)

Clause 6

Hon. Nzaro: Madam Chairperson, I beg to move:-

THAT, Clause 6 (1) be amended by deleting the word “governor” and insert thereof the word “County Environment Committee.”

THAT, Clause 6(2) be amended by deleting the word “governor” and inserting thereof the word “County Executive Committee”.

Thank you Madam Chair.

(Question of the amendment proposed)

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

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

(Clause 6 as amended agreed to)

Clause 7

Hon. Nzaro: Hon. Chairperson, I beg to move:-

THAT, Clause 7 be amended by deleting the word “governor” in between “the” and “may” and insert the word “County Executive Committee”.

(Question of the amendment proposed)

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

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

(Clause 7 as amended agreed to)

Clause 8

Hon. Nzaro: Hon. Chairlady, I beg to move:-

THAT, Clause 8 be amended by deleting the word “governor” and insert thereof the word “County Executive Committee” to read “the County Executive Committee Member responsible for finance may in consultation with the County Executive Committee”.

THAT, Clause 8(1) be amended by deleting the word “of” in between the word “consultation” and “the” and insert the word “with”.

(Question of the amendment proposed)

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

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

(Clause 8 as amended agreed to)

(Clauses 9, 10, 11 and 12 and agreed to)

Clause 13

Hon. Nzaro: Hon. Chairperson I beg to move:-

THAT, Clause 13 be amended by deleting the word “is” in between the word “do” and “such” and insert the word “if” to read “... to do if such inspection...”.

(Question of the amendment proposed)

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

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

(Clause 13 as amended agreed to)

(Clause 14 agreed to)

Clause 15

Hon. Nzaro: Hon. Chairperson, I beg to move:-

THAT, Clause 15 be amended by deleting the word “form” and insert thereof the word “from”.

(Question of the amendment proposed)

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

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

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(Clause 15 as amended agreed to)

Clauses 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29 agreed to)

Clause 30

Hon. Nzaro: Hon. Chairlady I beg to move:-

THAT, Clause 30 (6) be amended by substituting the word “higher” with the word “hire”.

THAT, Clause 30 be amended by re-numbering it Clause 31.

(Question of the amendment proposed)

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

(Clause 30 as amended agreed to)

Clause 31

Hon. Nzaro: Hon. Chairlady, I beg to move:-

THAT, Clause 31 be amended by renumbering it Clause 30.

(Question of the amendment proposed)

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

(Clause 31 as amended agreed to)

(Clauses 32, 33, 34, 35, 36, 37 and 38 agreed to)

Clause 2

Hon. Nzaro: Hon. Chairlady I beg to move:-

THAT, preliminary part for definition of words to include;

(a) “County Environment Committee” which will be defined as in the Environmental Management and Co-ordination Act (EMCA) Act, 2012.

(b) “County Executive Committee” which will be defined as a committee which consists of the governor, the deputy governor and members appointment by the governor with the approval of the assembly.

(Question of the amendment proposed)

(Question, that the word to be inserted be inserted, put and agreed to)

(Clause 2 as amended agreed to)

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(The long Title agreed to)

(The Short Title agreed to)

The Temporary Chairperson (Hon. (Ms.) Ngala): Thank you. Hon. Members, we have come to the end of that session. Thank you for your contributions may the Mover give his comments please.

Hon. Nzaro: Chairlady I beg to move that the Committee do Report to the House its consideration of the Kilifi County Solid Waste Management Bill, 2016 and its approval thereof with amendments. Thank you.

The Chairlady (Hon. (Ms.) Ngala: Thank you.

(Question proposed)

(Question put and agreed to)

(House resumed)

[The Speaker (Hon. Kahindi) in the Chair]

REPORT, CONSIDERATION OF REPORT AND THIRD READING

THE KILIFI COUNTY SOLID WASTE AND MANAGEMENT BILL, 2016

Hon. (Ms.) Ngala: Hon. Speaker, Sir. I beg to Report that the Committee of The Whole House has considered the Kilifi County Solid Waste Management Bill, 2016 and approved the same with amendments, thank you.

The Speaker (Hon. Kahindi): Yes hon. Japheth (Nzaro).

Hon. Nzaro: Thank you hon. Speaker, I beg to move that the House do agree with the Committee in the said Report. I call upon hon. Emmanuel Chai to second.

(Hon. Chai seconded)

(Question proposed)

Hon. Chai: Thank you Mr. Speaker, Sir, for giving me a chance to support the adoption of the Report of the Solid Waste Management Bill, 2016. I think I will be very much in order to support it just because of how Kilifi County has been and the way it is at the moment is because there was no management of solid waste and other wastes.

By adopting this Report and its approval and passage, it will be very nice and prudent because we are going to be managing our solid waste which is un-managed at the moment, keeping our towns and even villages very dirty. This Bill has put in place proper measures to control and make sure that every town has dust bins and keep our county very clean. With those few remarks, I stand to support the adoption of the Report. Thank you very much.

(Question put and agreed to)

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Hon. Nzaro: Thank you hon. Speaker, I beg to move that the Kilifi County Solid Waste Management Bill, 2016 be now read a Third Time. I call upon hon. Emmanuel Chai to second.

(Hon. Chai seconded)

(Question proposed)

Hon. Chai: Thank you very much hon. Speaker for giving me this chance for supporting the Third Reading of the Bill which after that I am very sure it will be taken to the Governor for assent to at least Kilifi County will have an Act which will support waste management in the County and with this even most of our areas with waste management menace will be controlled and even some jobs given to our men and women. So, hon. Speaker I will be very quick in supporting this Bill to be read for the Third Time. Thank you, Mr. Speaker.

(Question put and agreed to)

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

The Speaker (Hon. Kahindi): Thank you. Hon. Members, I would request that we stay behind for five minutes. I need to have a small *Kamkunji* with you before we proceed for the day.

ADJOURNMENT

Hon. Members in the absence of any other Business in the Order Paper, I move to adjourn the House until Monday. Thank you very much.

The House rose at 4:30 p.m.