

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF KILIFI

THE HANSARD

Friday, 4th November, 2016

SPECIAL SITTING

(Convened via Kenya Gazette Notice No. 17 of 2012)

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

ARRIVAL OF HIS EXCELLENCY THE GOVERNOR AND THE SPEAKER OF THE SENATE

(His Excellency the Governor (Hon. Kingi) and the Speaker of the Senate (Hon. Ethuro) escorted by the Speaker of the County Assembly of Kilifi (Hon. Kahindi) entered the Chamber at thirty minutes past two o'clock accompanied by the Mace)

(The Speaker (Hon. Kahindi) took the Chair)

(The Mace was placed on the Table)

PRAYERS

ADDRESS BY THE SPEAKER, COUNTY ASSEMBLY OF KILIFI

HON. JIMMY KADHUA KAHINDI

The Speaker (Hon. Kahindi): Hon. Members of the County Assembly of Kilifi today being the 4th of November we are privileged to be here for the official opening of the County Assembly and I will simply proceed by making my remarks then I will hand over to our Governor, His Excellency Amason Jeffah Kingi to make his address then we will have our Chief guest who is the Speaker of the Senate, the Right hon. Ekwee Ethuro.

Our Chief Guest hon. Ekwee Ethuro Speaker of the Senate, the Governor of Kilifi hon. Amason Jeffah Kingi, the Kilifi County Senator hon. Stewart Madzayo, Members of Parliament present, Members of the County Assembly, distinguished guests, invited guests, ladies and gentlemen and all protocols observed, good afternoon.

Let me begin by appreciating the presence of anyone present, that despite your busy schedule you have been able to join us today to grace this auspicious occasion. We are greatly honoured and indeed humbled by your kind gesture and therefore urge you all to feel at home and make yourself very comfortable.

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Distinguished guests, ladies and gentlemen, today is a very special day for the County Assembly of Kilifi fraternity. It is a day that marks two very important milestones achieved in the history of our existence. I will be very honest and say that this has not been an easy undertaking; it has taken a lot of vigor, resilience, determination and above all unwavering focus to be where we are today.

Hon. Members, allow me to take this opportunity to sincerely thank you for the support you have accorded us during the refurbishment of the new Chamber as well as the Strategic Plan that has today seen the light of day. This clearly demonstrates an Assembly that is unified and forward looking. It also shows the zeal that hon. Members have in upholding our core mandate as stipulated in our supreme law, Constitution of Kenya, 2010.

Distinguished guests, ladies and gentlemen, from the onset, we were faced with the challenge of having a decent Assembly Chamber where Members could feel comfortable as they legislate, debate or otherwise discuss topical issue of County concern. As we all know the Chamber is the focal point of our business as legislators and as such it was very important that we have one that befits the honour and power that is accorded to it.

Distinguished guest, ladies and gentlemen, the status of our initial Chamber as found in 2013 when we took office was devastating. We inherited a hall that lacked adequate sitting capacity and often than not, Members would squeeze each other or better yet arrive some minutes earlier just so that they can secure what by then seemed like the 'comfortable zones.' The public gallery was again very small and it could hardly hold a reasonable number of visitors. That notwithstanding, the Chamber was poorly ventilated, no air-conditioning was in place and given the heat experienced in our region, our afternoon sessions became very unbearable.

Additionally, the Assembly was running on an ordinary sound system and whenever a Member stood to speak, the serjeant-at Arms would take a microphone to them. You can imagine how cumbersome and interruptive that was! To make things worse, rainfall to us was not something to be happy about. It reminded us of the leaking roof inside the Assembly Chamber. In a number of instances, we were forced to adjourn our session and hope that the rain subsides sooner.

Looking back, our achievement today makes us very proud. We now legislate in a Chamber whose capacity supersedes the number of the Members of the County Assembly (MCAs). It is well ventilate and properly lit. My Members currently use the biometric type of registration unlike before were we had to sign in manually and in terms of communications much has been done; each MCAs is entitled to a microphone that signals who to talk next and when to wind up. This has really brought order in the House.

We feel very comfortable being in this Chamber in whatever season; the debates have become enjoyable and informative and we now host a good number of visitors and delegates who sit in and follow proceedings undisturbed.

Our HANSARD and ICT systems have been enhanced and the work of these officers has been made simpler thanks to the sophisticated equipment that is now in play. Ladies and gentlemen, this is just to give you an outline of where we have come as an Assembly and it is my prayer that you will be inspired as well.

As an Assembly, we plan to have live transmissions that will be accessible to the public through internet connectivity. We also wish to bring the electorate closer by linking our ward offices with screens that will be able to wire live proceedings taking place from the Assembly precincts in Malindi.

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Hon. Members, distinguished guests, ladies and gentlemen, at this point in time, I wish to reiterate the words of the outgoing President of the United States, His Excellency Barack Obama that, “if you are walking down the right path and you are willing to keep walking, eventually you will make progress.”

Distinguished guests, I wish to say without any fear of contradiction that this is by far one of the most sophisticated County Assembly Chamber, equipped with ultra-modern facilities and advanced information and communication system and one that will accommodate legislators years to come.

Distinguished guests, ladies and gentlemen, today marks the culmination of a five year period Strategic Plan. In this plan, the County Assembly of Kilifi has two broad goals that it plans to achieve. It outlines a number of objectives cheering the said goals. The objectives as documented in the Plan include the following: Strengthening the legislative capacity of Members; enhancing oversight roles of the MCAs; promotion of social cohesiveness and integration and improving the living standards of the people of Kilifi, among others. I know many of us feel that this is a bit late to launch this plan, I wish to remind you that we have walked slowly in this particular endeavor but we surely won't walk backward and frankly speaking, today's accomplishments will prove to be a journey and not a destination.

Distinguished guests, ladies and gentlemen, the Strategic Plan takes cognizance of the increased democratic space heralded in Kenya by the promulgation of the Constitution, 2010. It is in the same spirit that the Assembly has come up with a clear road map on how proper utilization of resources will be geared towards the realization of their formation goals and consequently attainment of the County Assembly mandate.

One of the objectives spelt out in the plan will be marked today as we lay the foundation stone for the new office block. This project when brought to completion will tackle the problems of office space for both Members of the County Assembly and Staffs brought about by the increased number of officers employed over the years. It will also provide adequate conference facilities for our committee work, as well as an equipped library, a nursing mother facility for our ladies staff among many other amenities.

The Assembly through its many legislations and the Strategic Plan, shall be in a position to realize the three main pillars anchored in the Kenya Vision 2030. In this regard, it is worth mentioning that as legislators, we have in the past few years managed to pass a great number of legislations which if well implemented will significantly transform the lives of the people of Kilifi.

Distinguished guests, ladies and gentlemen, it is the pride of any leader to see that the concerns of the people he represents are addressed. County Assembly of Kilifi has ensured that legislations passed have a direct impact on the citizens. Key among the legislations include the famous Mbegu Bill; this is a micro-finance Bill already assented to by His Excellency the Governor that seeks to improve the living standards of the people of Kilifi through issuance of low interest rates loans to business persons.

The Assembly has also passed the Scholarship Bill that is now in operation and school going children from needy families benefit majorly through it. Others in line include the Coconut Bill which legalizes the sale of palm wine commonly referred to as *mnazi*, among many others.

Distinguished guests, ladies and gentlemen, at this point in time it is very disturbing to see some regions in our County undergoing great famine. The County Assembly came up with measures on how to address and respond to such inevitable eventualities when they arise. It is

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adequately captured in two main instruments; The Kilifi County Agricultural Development Fund Act and the Kilifi County Disaster Management Act. In these two Acts, one provides a long term strategy which addresses the need for the County Government to introduce an Agricultural Fund that will support the growth and development in agriculture thereby enhancing productivity in the agricultural sector in a number of ways including funding of irrigation infrastructure like community boreholes, dams, shallow wells and water pans and facilitating the development of an appropriate storage, bulking and processing facilities in strategic areas with potential for increased agricultural production.

On the other hand, The Kilifi County Disaster Management Act provides for the management of disasters and emergencies in Kilifi County through effective planning and risk reduction, response and recovery procedures. In this Act, disaster is defined among many other definitions as ‘any event natural or otherwise which threatens the availability and quality of food in the county.’ We therefore as legislators, call upon the County Executive to offer quick and lasting solutions to our brothers and sisters through the implementation of the said Act.

Hon. Members, Article 196 of the Constitution of Kenya provides that the County Assembly operates in an open and transparent manner and in this light therefore, we shall today launch our first Assembly magazine which will inform, educate and empower the public on the roles, mandates as well as achievements that have so far been attained.

The Assembly looks forward to having the same published frequently to continuously keep the electorate in the know.

Hon. Members, distinguished guests, ladies and gentlemen, if you do not remember anything from my speech, I ask you not to forget these words as put out by Robert Schuller, an American Pastor and author that “you would rather attempt to do something great and fail than to attempt to do nothing and succeed.”

Thank you very much and please feel free to explore our county. We have the best recreational facilities you can ever imagine. God bless you.

COMMUNICATION FROM THE CHAIR

VISITING PARLIAMENTARIES AND DIGNITARIES

Hon. Member, I also want to take this opportunity to acknowledge the presence of various guests who have travelled far and wide to be with us today. I will proceed and the hon. Speaker of the Senate will agree with me that it is tradition that when you hear your name mentioned, kindly stand up for the Members to acknowledge your presence.

On the Speaker’s Gallery we have the Senator of the County of Kilifi hon. Retired Justice Stewart Madzayo, hon. Juma Boy Juma, hon. William Baraka Mtengo, hon. Gunga Mwinga, hon. William Kamoti.

I am also privileged that quite a number of the Speakers of other County Assemblies are with us today and kindly I will ask you to do the same; hon. Sammy Ruwa from Kwale, hon. William Kamket from Baringo, hon. Geoffrey Kipnge’tich from Bomet, Hon. John Makali from Bungoma, hon. Robert Katina from West Pokot, hon. Samwel Ochillo from Homabay, hon. Mohamed Tubi from Isiolo, hon. Kerosi Ondieki from Kisii, hon. George Ndoto from Kitui, hon. Stephen Ngelu from Makueni, hon. Ndegwa Wahome from Nyandarwa, hon. Meshack

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Maghanga from Taita Taveta, hon. David Sifuna from Trans-Nzoia, hon. Kaberia Joseph Isaac from Meru.

We are also privileged to have the presence of hon. Senator Zipporah Kittony. I wish to acknowledge her presence.

We have Members from other County Assemblies; these are MCA's from various counties. We have hon. James Nyongesa from Bungoma, hon. Joan Tuyukai from Bungoma, hon. Nekesa Khisa from Bungoma, hon. Florence from Bungoma, hon. Bethwel Misambi from Bungoma, hon. Godwin Ndege from Bungoma, hon. Jane Chebet from Bungoma, hon. Maimuna Salimu from Mombasa, hon. Khamisi Mwidani from Mombasa, hon. Francis Waithaka from Mombasa, hon. Andrew Muhu from Kiambu, hon. Paul Mwaura from Kiambu, hon. Joseph Kamau from Lamu, hon. Paul K. from Elgeyo Marakwet, hon. Jacob K. from Kitui, hon. Alex Nga'ng'a from Kitui, hon. (Dr.) Musya from Kitui, hon. D. Kiome from Kitui.

We also have other dignitaries present in this House. We have the Commissioner Amina Ahmed from CRA; we have Stephen Masha from CoB, Ms. Sisina Gladys; CAF Secretariat, Ms. Veronica Awino; CAF Secretariat, Pius Etwon; Director NTSA and Kitsao Ngowa who is the Speakers' guest.

We have other Clerks from other County Assemblies; Michael Ngala of Taita Taveta, John Mosongo of Bungoma, Mutambuki of Kitui, Mbiuki T. G. of Machakos, Justus K. Arithi of Meru and finally we have Salim Juma from Mombasa.

Hon. Members, it is not within my position to acknowledge everybody but I want to take this opportunity to thank whoever is in this Assembly and I want to thank you once again for making yourself available leaving everything that you had to do today to come and be with us.

Hon. Members, I will take this opportunity to welcome his Excellency, the Governor of Kilifi to make his address.

ADDRESS BY THE GOVERNOR

H.E. GOVERNOR AMASON JEFFAH KINGI, EGH.

His Excellency the Governor (Hon. Kingi): Asante sana Spika wa Bunge la Kilifi, mgeni wa heshima wa hafla ya leo Spika Ekwee Ethuro ambaye ndiye Spika wa Bunge la Kitaifa la Seneti, maseneta wa kutoka Kaunti mbali mbali waliofika hivi leo, waheshimiwa MCAs kutoka sehemu mbali mbali za nchi ambao wamefika hivi leo, wabunge wa Bunge la Kitaifa kutoka sehemu mbali mbali hapa nchini ambao wamefika hivi leo, wabunge wa nyumbani wa Bunge la Kaunti ya Kilifi, mabibi na mabwana, yangu yatakuwa machache.

Kusema kweli, leo ni siku ya kihistoria lakini mwanzo ningependa kuchukua fursa hii kuwakaribisha rasmi katika Jimbo letu la Kilifi. Kama nilivyotangulia, siku ya leo ni siku ya kihistoria. Ama kweli, ile barabara ya ugatuzi imeanza kuonekana peupe. Wakati Katiba ilipopitishwa mwaka wa 2010, ugatuzi ulikuwa ndani ya vitabu; ulikuwa ndani ya sheria lakini sasa ugatuzi unaonekana ukitekelezwa rasmi. Kama tujuavyo, serikali za Kaunti na serikali ya Kitaifa ndani ya Katiba zinatambulika kama zote ni serikali rasmi; hakuna serikali ndogo na hakuna serikali kubwa. Moja ni ya Kaunti na moja ni ya Kitaifa na serikali hizi zinafaa kufanya kazi za kushirikiana ili kuleta huduma kwa wananchi wake.

Kupeana huduma ni lazima pale pahali ambapo tunapeana huduma pawe patatuwezesha sisi kupeana huduma. Mtu ambaye ataingia hivi leo katika majengo haya na alikuwa hapa

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mwaka wa 2013 atapigwa na butwaa kubwa; atapigwa na mshangao mkubwa maanake nafikiri Spika wetu alikuwa mchache wa maneno kuzungumzia ile hali ilivyokuwa pale mwanzo. Ilikuwa mbovu na mbaya kushinda vile Spika alivyosema lakini hauchi hauchi hucha. Leo tuko hapa tunazindua *Chamber* hii ambayo ni ya kisasa na ina vyombo vya kisasa. Kile ambacho kinapatikana katika *Chamber* kule Nairobi katika Bunge la Kitaifa kinapatikana hapa katika *Chamber* hii ya Kilifi.

(Applause)

Wakati umefika kwamba ikiwa ni jembe tumewapa na ikiwa ni zana za kivita tumewapa kama Wabunge wetu wa Kilifi. Sasa hatuna sababu kamwe ya kusema kwamba mazingira yetu ni mabovu kwa hivyo vikao vyengine pengine havikuenda sawa sasa tumewapatia. Wakaazi wa Kilifi macho yao yanamulika kwenu ili mfanye ile kazi ambayo waliwachagua ya kupitisha Miswada na kuhakikisha kwamba upande wa *Executive* unaangaziwa vilivyo kama vile inavyoangaziwa katika Katiba yetu.

(Applause)

Ningependa pia kumshukuru na kumpatia kongole Spika wetu kwa uongozi alio nao maanake idara ama nyumba ama familia yoyote ikiwa haina kiongozi mwenye maono ile familia haiwezi kuenda kokote. Kwa hivyo, yale yote ambayo tunayaona ni sababu yule kiongozi ana maono na anajua anakotoka ni wapi na anaelekea wapi, na nina uhakika safari hii si ya mwisho. Leo tumekuja kuzindua rasmi *Chamber* hii na bila shaka ndani ya miaka miwili au mitatu tutarudi hapa kuzindua afisi zenu rasmi.

(Applause)

Pia ningependa kupeana kongole kwa wabunge wa Bunge la Kilifi. Wakati mfupi sana numeonyesha kwamba mna kiu ya kutekeleza wajibu wenu.

(Applause)

Kadri tunavyosimama hapa kuna Miswada zaidi ya 30 ambayo imejadiliwa na kupitishwa katika Bunge hili na ikaletwa kwangu ikatiwa sahihi. Pia ukiangalia katika utendakazi wenu maanake Katiba inasema kwamba katika utendakazi wetu upande wa Bunge na *Executive*, ni lazima kila mtu apatiwe uhuru wake wa kufanya kazi na nadhani Bunge hili halijaingiliwa ki vyovyote katika utendakazi wake. Mmefanya kazi bila kujali rangi, kabila au dini maanake hicho ndicho kiapo ambacho mliapa wakati mlipoapishwa kutumikia wakaazi wa Kilifi.

Tukiangazia katika yale ama zile sheria ambazo mmezpitisha hapa kama Wabunge kama vile Spika alivyotangulia kusema ni kwamba sheria zile zina mhusu mkaazi wa Kilifi. Zinalenga kugeuza maisha ya mkaazi wa Kilifi. Lakini kama tujuavyo, Roma haikujengwa kwa siku moja, Malindi haikujengwa kwa siku moja na wala *Chamber* hii haikujengwa kwa siku moja. Ilikuwa ni safari; kukawa na miiba, milima na mabonde, na nyoka, lakini yale yote tulistahamili na leo hii tumezindua rasmi *Chamber* yetu. Hivyo hivyo ndivyo Kilifi itakavyojengwa. Changamoto zinazotukumba sisi kama wakaazi wa Kilifi ni nyingi na kubwa. Wengi pengine wanaweza kufa

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moyo kwamba changamoto hizi hatuwezi kuzimudu lakini kile ambacho nataka kuhakikishia wakaazi wa Kilifi kama Gavana wa Kaunti hii ni kwamba hakuna changamoto ambayo ni kubwa kutushinda kama viongozi wa Kilifi.

Tulipotaka uongozi huu tulisema kwamba tunaweza na ilikuwa si dhahaka; kweli twaweza. Nina uhakika kwamba tukishikana mikono kama viongozi, tukishikana mikono kama watu ambao tumepatiwa uwezo na wakaazi wa Kilifi kusukuma gurudumu la maendeleo la Kilifi na bila shaka tunaweza kufika kule ambako tunataka kufikisha wakaazi wetu wa Kilifi.

Shughuli hii inafanyika wakati ambapo wingu la njaa limetanda katika Kaunti ya Kilifi na si Kilifi peke yake. Nusu ya Jamhuri ya Kenya inakumbwa na ukame; nusu ya bara la Afrika inakumbwa na ukame lakini sisi hatutajihusisha na Bara la Afrika wala na Jamhuri ya Kenya; letu ni kujihusisha na ni vipi tunaweza kuongoza watu wetu wakati huu mgumu. Kiongozi anajulikana wakati wa shida. Hodari hajulikani wakati watu wanavuna na wakati wa raha. Kwa hivyo, ikiwa kuna wakati ambapo wakaazi wa Kilifi wanahitaji kuona viongozi wao ni wakati huu na nataka niwaahidi Waheshimiwa na pia wakaazi wa Kilifi ya kwamba uongozi waliouchagua wenyewe uko thabiti na hali ya kiangazi na njaa tutaimudu maanake mikakati tumeiweka.

(Applause)

Wiki inayotangulia nitarudi hapa kupeana hotuba yangu ya hali ya kaunti wakati huu wa kiangazi na siku hiyo nitaorodhesha ile mikakati ambayo tumeiweka ya dharura na mikakati ya siku za usoni maanake kama Kilifi hatutaki kamwe saa zote tuwe ni watu wa kuhitaji chakula cha msaada. Mikakati iko kuhakisha kwamba jambo hili tumeliweka katika kaburi la saha. Kwa hivyo, nitarudi hapa kuzungumzia rasmi na kupeana hotuba ya hali ya Kaunti ya Kilifi pale ilipo na pale ambapo tunataka kuipeleka.

Kuna mengi ambayo tutakuja tuyazungumze katika upande wa *Executive*, lakini siku ya leo ni siku ya kuzindua rasmi *Chamber* hii na ni siku ambayo tumemualika mgeni wa heshima ili aje mwanzo ashuhudie mwenyewe kwamba ugatuzi kweli unatekelezwa vilivyo.

(Applause)

Pili, Spika wa Seneti ndiye mwenye mabawa na kutetea mabunge ya kaunti kwa hivyo kuja kwake hapa bila shaka akiwa kule Nairobi akiwa atafunua mabawa yake afunike Bunge la Kaunti ya Kilifi atajua anafanya hivyo maanake yeye mwenyewe amekuja kushuhudia rasmi lile ambalo linatendeka katika jimbo letu.

(Applause)

Kwa hivyo mabibi na mabwana, ningependa kwa sasa kuchukua fursa hii pengine kwa ruhusa ya Spika bila shaka naona sura ya Spika ni kwamba sheria inasema; Spika wa Bunge hili ndiye anamualika rasmi mgeni wa heshima. Kwa hivyo, waheshimiwa watu wote ambao wamefika hapa na wakaazi wa Kilifi, Bunge hili ni chombo cha kutumia ili kuleta maendeleo. Bunge hili ni nyumba ya wakaazi wa Kilifi. Wakati mwingi ile changamoto tunapata ni jambo linatendeka na wakaazi wa Kilifi wanasema ya kwamba hatukuambiwa; zile nafasi ambazo tunazona kule juu ni nafasi za raia wajihusishe na Miswada na midahalo ambayo itakuwa

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ikijadiliwa hapa katika Bunge hili ili mjue wazi kuna miswada na midahalo ya aina gani inaendelea ili wakaazi wa Kilifi tuwe watu ambao tunajua kweli mambo gani yanatendeka katika Jimbo letu la Kilifi. Tusiwe watu wa kukaa mbali halafu baadaye tuwe wa kwanza kunung'unika na kuanza kukosoa. Bunge ni lenu na wakati wote wananchi wanaruhusiwa kuja hapa na kushuhudia yale mambo yanayoendelea.

Pia wananchi tunataka tuwaambie kwamba ikiwa kuna jambo linakukera, kama mwananchi una ruhusa ya kuleta kitu kinaitwa *Petition* kupitia aidha Mbunge wako ama kuileta katika Bunge hili na Wabunge hawa wataichambua *Petition* ile na maamuzi yatafanyika. Hivyo basi, si Bunge tu ili Wabunge wetu walitumie lakini pia ni kwa waakazi wote wa Kilifi. Kauli yangu ni kuwaambia kwamba tutumie chombo hiki kuboresha maisha yetu kama wakaazi wa Kilifi. Mwenyezi Mungu aibariki Jamhuri yetu ya Kenya, Mwenyezi Mungu abariki Kaunti yetu ya Kilifi. Asanteni sana.

The Speaker (Hon. Kahindi): Your Excellency, the Governor thank you very much for remembering the provision in the Standing Orders.

(Applause)

I know it has been long since you served in Parliament but when you are in this House, it is the Speaker of the House that has the authority and I want to use that authority now to welcome my Senior Speaker of the Senate, the Right hon. Ekwee Ethuro.

(Applause)

ADDRESS BY THE SPEAKER OF THE SENATE

RT. HON. SEN. EKWEE ETHURO, EGH, EBS, MP.

The Speaker of the Senate (Hon. Ethuro): The Speaker of Kilifi County Assembly, the hon. Members of the County Assembly of Kilifi, the Governor of Kilifi County Government, distinguished hon. Senators present, the hon. Members of the National Assembly present, the Speakers of the various County Assemblies and your delegation, other invited guests, ladies and gentlemen good afternoon?

All: Good Afternoon.

The Speaker of the Senate (Hon. Ethuro): It is my great pleasure to have been invited to witness this special occasion of a new Chamber for the County Assembly of Kilifi. Without a doubt, this is an auspicious occasion as you open your new County Assembly Chamber that looks very sparkling and very nice.

(Applause)

Allow me therefore to congratulate the Speaker of Kilifi County Assembly, the hon. Jimmy Kahindi...

(Applause)

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...and you the hon. Members of Kilifi County Assembly, staff and the good people of Kilifi County for this day. We recognize that this is not a simple matter. It has taken great planning and effort for you to reach where you have reached today and in the words of your County Assembly Speaker, that it might appear that it has taken too long for you to reach here but if you can all agree that something good takes a bit of planning and great effort to realize. For me as the Speaker the Senate, I know for a fact that it takes a while to get somewhere and by the time we moved to our own Chamber, it was refreshing.

When we started we were hosted at the KICC (Kenyatta International Convention Center) and you will all recall that these were live proceedings. Most of the Senators use to complain that they are in a garage or in a workshop. So I cannot agree more with the Governor when he says that hon. Jimmy Kahindi spoke about the situation of the Chamber when he found it in the year 2013 that was an understatement. It must have been terrible for you people.

As the patron of the County Assemblies, these sessions accord me an opportunity to see the progress that you have made as a legislative arm of the County Government. Many a times, the County Assemblies are subsiding under the Executive Government but it is important that such an advice got into demonstrating the critical role that the County Assemblies can contribute to County Government. As I took the view of the county's new Chamber, I was pleasantly struck by how functionally and aesthetically they were designed. They represent without doubt the value for money; please let us make good use of this facility. It demonstrates a new beginning for you as a commitment to the democratic ideals. That, a Chamber of this nature, with the facilities that you have been granted can only be an opportunity to converse on all and every issue that is important to the people of Kilifi County.

I would like to commend Kilifi County Assembly because I have inquired whether some of those ugly scenes I see elsewhere have been witnessed here and the Speaker has confirmed to me and by your sheer presence today and the kind of commitment across the political divide that you have demonstrated this afternoon. There are those barbaric and shameful habits of bickering, of throwing chairs and of fist fight have become something of the past.

(Applause)

For you, the Chamber will be an opportunity to disagree politely and respectfully. For you to look at whoever you may consider as an opponent in the eye and say that these are the issues that I have brought to the Parliament to represent my people. At the end of the day, you will walk out of this Chamber as one united people of Kilifi County.

Democracy is about tolerance and it is about dialogue. There are no easy solutions; we must all together work towards those solutions. I am also happy to notice the good working relationship that the County Assembly has established with the County Executive; demonstrated by the presence of our Governor himself who was with me in the last Parliament and he also went to school with me. So I take the place to be his senior.

Mr. Speaker, I am excited that you and the Assembly decided to invite me for this occasion. I would have asked for any excuse to come to Kilifi but the fact that you accorded me that opportunity it is one opportunity that I appreciate. From Kilifi in my view representing the wider Coastal region, it is an opportunity for us to ensure that the marginalized neglected people of the great Republic, people of Kenya, have a voice and an opportunity.

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Kilifi produced the first Speaker of the hon. Senate; the hon. Chokwe, that is an honour and distinction that you as the people of Kilifi made a contribution to our Nation. Kilifi has Ronald Ngala the great advocate of *Majimbo*. He did his bit to realize that dream but 50 years down the road from 1966 when the Senate was abolished to the year 2016, 4th November, we are here in Kilifi to give a testimony that, that dream is still alive and kicking.

In addition, Kilifi is blessed with many things; best beaches, popular resorts and hotels in the world. The Watamu, Malindi and the Kikambala beaches are known by the whole world. You have therefore unlimited sea beauty; this is a resource that you can use effectively to transform the economy of our County and Country. From the Government statistics, fishing alone can earn this County over Kshs5 billion per annum from just exploiting the resources that are within the economic zone. Your County also has a strong industrial sector; with renowned companies like Mabati Rolling Mills and the Athi River Cement Factory which contribute heavily to our regional economy, both in terms of employment and in terms of income generation.

The people and the political nation of Kilifi County can easily transform this County into what other countries have done like in the Seychelles, Mauritius, Comoros, Zanzibar and Pemba which are equally islands in our India Ocean. Your development potential is therefore vast and must be exploited for the prosperity of our people.

You have an opportunity as an Assembly to ensure that you impact favorably on the outcomes of the Executive. That, you no longer go and sit elsewhere but come to this Chamber and profile the issues that are very important to your people that will lead to the exploitation of agriculture, dairy farming, crop farming that will translate this county into a food secure county. If you abdicate this role, you will willfully have neglected your role *na vizazi vijavyo*, allow me to use a bit of Kiswahili since I am in Kilifi, will not be kind to your legacy. They will vilify you and take your performance and development record as an epitome of failure.

Indeed, and the hon. Speaker quoted “that you rather try something and fail than do nothing and succeed” and I was wondering whether you ever fail when you have done nothing? There is always an assured success. The big question to the County Assemblies is what we can we do as leaders of this County? That is the question that should preoccupy us. Our positions must make a difference to the ordinary citizen of Kilifi County.

As we come to the end of our term, we are asking ourselves; have we made progress from point A to B and if that progress being felt by the people of the County of Kilifi? It is therefore incumbent upon you to make this county more beautiful and more prosperous. To regenerate Kilifi’s past glory and to take it to the next level. I urge and pray that both arms of the County Government will work in harmony and I am indeed gratified because I have witnessed for myself that the working relationship between the National and County Government, between the County Legislature and the County Executive is harmonious. This must continue not for the sake of ourselves but for the sake of the people we represent in this Chamber.

(Applause)

There is no amount and no problem that should be too big for leaders not to sit around a table and discuss. One such forum is this Chamber that we are opening today. As we approach the potentially explosive general election, I would like that we all join hands and preach peace and unity. Our people have always won the brand of election violence with needless death,

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destruction of property and loss of businesses. I employ upon all of you here today to make the elections peaceful and enjoyable. Let the best man or woman win. After all, elections come and go but Kilifi County and the people who reside in this County shall remain.

(Applause)

The opening of this new Chamber gives us an opportunity, hon. Members, to attest to the fact that our democratic space has expanded and that the long journey to bring development closer to the people. Kenya is becoming one of the leading democracies in our region courtesy of our County Assemblies. Legislatures all over the world are critical institutions that serve to promote good and democratic governance for the well-being and the welfare of our people. For us as a country, we are lucky that we have Constitution, 2010 and all things that it has brought. It has made sure devolution and human rights of our people have been taken care of. Devolution is therefore the central pillar of the new Kenya.

We are all aware as part of our history of the loop-sided and biased allocation of resources under the old Constitution. What we did with Constitution, 2010 was to ensure that we change our governance architecture. Now, you hear of places like Mandera with a hundred kilometers of tarmac for the first time because of devolution. You hear of many counties including yours where services are being brought. You have just heard the Governor saying he is going to come to you as the peoples' representative to speak on the issues of the current drought as it affects Kilifi County; that is the way it ought to be and that is the way it must be.

For us as the Senate, we are very clear that the Constitution, 2010 made it absolutely clear the relationship between Parliaments in general, and Senate in particular with the County Assemblies in Article 1 which says:-

(1) All sovereign power belongs to the people of Kenya and shall be exercised only in accordance with this Constitution.

(2) The people may exercise their sovereign power either directly or through their democratically elected representatives.

(3) Sovereign power under this Constitution is delegated to the following state organs, which shall perform their functions in accordance with the Constitution-

There is a reason why we are at the top, that part of the Parliament and the Legislative Assemblies including the County Assemblies.

So, you will find that at the very top that the Constitution has already granted you as an institution of Legislature and we as Members of the National Parliament and Senate, that special role to present both as a National organ that also looks at the devolved function. This, to us is an important responsibility that we have discharged without fear or favor.

According to Article 96 of the Constitution that provides the Senate with expressed function on how to proceed, we have ensured that our counties get more resources each and every financial year so that all the devolved functions are adequately resourced. We realize it may not be enough but Rome was never built in one day. We will continue to ensure that the resources have been expended to the counties and partnership with the County Assemblies, under Article 226 is accounted for so that these resources go to build our counties. Like at the end of the term of this Parliament, you can be able as a Parliament to answer questions. I had previously

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asked of all the things you have done, have we made a difference in their lives; in the welfare of the residents of Kilifi County? And if you will have moved as I believe you have done from point A to B then we know devolution is not just confined in the document of the Constitution or in the elaborate statutes; It has found meaning in the lives of the ordinary Kenyans from all walks of life.

Institutions are the avenues and organs through which services are delivered to the people of Kenya. We as the leaders must learn to appreciate the importance of institutionalizing matters of good governance. There has been a disturbing trend where individuals once in power tend to personalize institutions and offices. We must be alive to the fact that our new Constitution demystified the imperial presidency. It put people at the centre of development. It brought decision making closer to the people and that is why we have the County Assembly right here in Malindi for Kilifi County.

(Applause)

Hon. Members, I would like as I conclude, to remind you that the Constitution is very clear on the mandate of County Assemblies. It is never boring to repeat what the Constitution has given us. Article, 185 of the Constitution states very clearly that the Legislative Authority of the County is vested in and is exercised by the County Assembly. I would like you to remember that each and every time. Sub-article 2 says the County Assembly may make laws that are necessary for and incidental to the effective performance of the functions and the exercise of the powers of the County Government. So, you cannot sometimes accuse the County Executive because you have that responsibility under the Constitution. In fact, Sub-article 4 of the same Article says a County Assembly may receive and approve plans and policies. Whatever the Executive does must end in this Chamber. It is you to prove, it is you to verify, it is you to discuss, it is you to take it back for consideration because you represent the sovereign power of the people of Kilifi County.

So, you absolutely have no excuse because the Constitution has given you powers. The people of Kilifi County will not forgive us if you do not exercise those powers in the manner in which the Constitution has given you those powers. Let me therefore end by stressing that Kenya is bigger and more important than anyone of us. We are but custodians of what the Kenyans expect from us.

Permit me to quote a renowned American Author Basil S. Walsh who once observed that “An intelligent plan is the first step to success. The man or woman who plans, knows where he is going, knows what progress he is making; and has a pretty good idea when he will arrive.”

You as the Members of the County Assembly have arrived to a new Chamber; you are launching the magazine, we have laid the foundation stone for your offices. It is my believe that in the next 24 months with the completion of the entire facilities, the County Assembly will deliver the promise of Ronald Ngala, another *Majimboist* who wanted development to reach each and every corner of our great Republic. God bless Kenya, God bless Kilifi.

The Speaker (Hon. Kahindi): Thank you the Rt. hon. Speaker of the Senate. I will also be quick to note that in this Chamber, we have the daughter of the late hon. Ronald Ngala and we also have the son and the daughter of the first Speaker of the Senate seated in this House as Members of the County Assembly. So indeed the legacy still continues.

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COMMUNICATION FROM THE CHAIR**PROGRAMME FOR THE REMAINDER OF THE DAY**

The Speaker (Hon. Kahindi): Hon. Members, I want to take this opportunity to give direction on how we are going to proceed. We have come to the end of the first session of this exercise. Once we leave the Chamber, we will go outside and sit for the speeches to be made.

ADJOURNMENT

Finally, in the absence of any other business in the Order Paper, I now move to adjourn this House.

The House rose at 3:30 p.m.