



REPUBLIC OF KENYA
COUNTY ASSEMBLY OF KILIFI
SECOND ASSEMBLY –THIRD SESSION

THE HANSARD

Monday, 15th April, 2019

*The House met at the County Assembly Chamber,
Malindi Town, at 9.30 a.m.*

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

PRAYERS

PAPER LAID

KILIFI COUNTY SECOND SUPPLEMENTARY PROGRAMME BASED BUDGET ESTIMATES FINANCIAL YEAR
2018/2019

Hon. Kiraga: Thank you so much Mr. Speaker. I beg to lay on the Table the Report of the County Budget and Appropriations Committee on the Kilifi County Second Supplementary Programme Based Budget Estimates financial year 2018/2019.

(Hon. Kiraga laid the Paper on the Table)

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NOTICE OF MOTION

ADOPTION OF THE REPORT ON THE KILIFI COUNTY SECOND SUPPLEMENTARY PROGRAMME BASED
BUDGET ESTIMATES FOR THE FINANCIAL YEAR 2018/2019

The Deputy Speaker (Hon. Kenga): Yes, the chairperson Budget and Appropriations Committee.

Hon. Kiraga: Thank you so much Mr. Speaker. I wish to move the following Notice of Motion:-

That, this House adopts the Report on the County Budget and Appropriations Committee on the Kilifi County Second Supplementary Programme Based Budget Estimates for the Financial Year 2018/2019 laid on the Table of this House on Monday 15th April 2019. Thank you.

MOTIONS

ADOPTION OF THE REPORT ON THE KILIFI COUNTY SECOND SUPPLEMENTARY PROGRAMME BASED
BUDGET ESTIMATES FOR THE FINANCIAL YEAR 2018/2019

The Deputy Speaker (Hon. Kenga): Yes, proceed Chairperson Budget and Appropriations Committee.

Hon. Kiraga: Thank you so much Mr. Speaker. I beg to move the following Motion: -
That, this House adopts the Report on the County Budget and Appropriations Committee on the Kilifi County Second Supplementary Program Based Budget estimates for the financial year 2018/2019 laid on the Table of this House on Monday 15th April 2019.

Mr. Speaker, allow me to give my submissions before calling upon hon. Pascal to second. While looking at the second supplementary Budget estimates, the Committee first of all had to look for the compliance of this supplementary tool with the fiscal responsibility principles. This second supplementary Budget has adhered to the PFM Act 2012 on the issues of compliance.

Mr. Speaker, the adjustments made in terms of wages did not affect the minimum threshold for the PE that is personal emoluments that should not go above 35% but this second supplementary Budget has adhered to that. Again Mr. Speaker, there has been a shift from Development to recurrent monies but it has not affected the minimum requirement which is 30%. Mr. Speaker, before giving the Floor to the seconder, we have seen there are some variations especially in the Ward Development Fund projects of which the seconder is going to dwell on that but probably on the issues of the County Assembly Budget this Committee re-allocated the legal dues amounting to 25 Million to the various vote heads as captured in this Report. Mr. Speaker, with those many remarks, I beg to call upon hon. Pascal to second me. Thank you so much.

(Hon. Pascal seconded)

The Deputy Speaker (Hon. Kenga): Thank you very much the chairperson who is also the Mover. Hon. Members, a Motion on the Report of the County Budget and Appropriations

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Committee on the Kilifi County Second Supplementary Programme Based Budget estimates for the financial year 2018/2019 has been moved and seconded.

(Question proposed)

Hon. Pascal: Thank you Mr. Speaker for giving me an opportunity to second the adoption of this Report that has been put before this House by the able Chairperson of Budget. I will make some brief contributions on the same. This Report has come out of a very consultative process which most of the Members were able to be involved in all the stages. Mr. Speaker, the reason as to why I am calling on Members to support the Report before this House is that, this Report made a few recommendations and one of the main recommendations is the inclusion of the Ward Development projects which had been left out by the Executive.

Mr. Speaker, we are here representing the public and our effectiveness here will depend on how we perform on the ground and our performance will depend on the projects that we do on the ground. The executive side had deleted some of the very crucial projects on the ground which hon. Members and the public had actually put in the Budget. When we sat as a Committee Mr. Speaker, we found it prudent that all the projects whose monies had been reduced are all reinstated so that each and every project is implemented. That is a very important recommendation and I believe if this Report is adopted the way it is then we will be doing good to our people.

We also came to realize that there are votes that had been depleted in the running of the affairs of both the Assembly and the County Government and in its wisdom this Committee re-allocated some funds to the depleted votes. This is to say that it will enable the County to move accordingly. It will enable even the vote that carries this Assembly in terms of implementation, oversight and other important issues. That is why I call upon this hon. House to actually support this Report because if we do not, then it means the County will actually be grounded and we will not be moving as a County. Many of the issues have been pointed out. I kindly ask hon. Members to support the adoption of this Report so that we can make strides towards serving our people. Thank you so much Mr. Speaker.

The Deputy Speaker (Hon. Kenga): Thank you. There is a request from the Chairperson water. Hon. Hassan Mohamed, you have requested to speak.

Hon. Hassan: Asante Mheshimiwa Spika kwa kunipatia hii nafasi. Nimesimama kuunga mkono hii Hoja. Tumechelewa kuzingatia hasa yale majanga na maafa ambayo yanatukabili kwa sasa. Ukiangalia yale maeneo kame kwa kweli wanahitaji msaada wa haraka sana. Msaada ule hauwezi kupatikana bila kupitisha hii bajeti yetu fupi. Vile vile utakubaliana na mimi kwamba mambo ya *bursary* tunatarajia mwezi wa tisa, labda pengine tukiipitisha mapema hii *supplementary* tunaweza tukapata chochote ndani ya likizo ya mwezi wa nane.

Tangu kuanzishwa kwa *IFMIS system* mambo mengi sana yalichelewa kwa hivyo tukipitisha haraka hii bajeti kila kitu kitafanyika kwa wakati kwa sababu *main budget* iko karibu kuja. Kwa hayo machache nimesimama kuunga mkono.

The Deputy Speaker: Thank you very much hon. Members for your contributions

(Question put and agreed to)

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PROCEDURAL MOTION

REDUCTION OF PUBLICATION PERIOD

The Leader of Majority (Hon. Mwathethe): **THAT**, notwithstanding the provisions of Standing Order 116 of the Kilifi County Assembly Standing Orders, I move that, this House reduces the publication period of the Kilifi Supplementary Bill, 2019 from seven (7) days to four (4) days.

Thank you, Mr. Speaker for giving me a chance to move a procedural Motion on the reduction of the number of days for publication for a Bill. It is required that a Bill before it is tabled or discussed it is allocated seven days prior to coming to the floor of the House for deliberations. Bearing in mind what the hon. Members have been saying that we are not within the timelines to be able to meet that requirement.

Therefore, I would like to move that the number of publication be reduced from seven to four. By doing so, it will allow us to proceed with the business of the House bearing in mind that the financial year is coming to an end and if we do not reduce then we will be overtaken by events. I want to move that, the publication days be reduced from seven to four and I am privileged to have my colleague hon. Ndago to support by seconding this Motion. Thank you, Mr. Speaker.

(Hon. Ndago seconded)

(Question proposed)

Hon. Ndago: Asante sana Mheshimiwa Spika. Kwanza kabisa nasimama kuunga mkono Hoja hii. Ukiangalia muda umekwenda sana na watu wa Kilifi wanahitaji huduma. Leo tumeletewa *supplementary* bajeti ya Serikali ya Kilifi. Muda umeenda na shughuli za Bunge zitakatizwa kwa muda wa kipindi cha wiki moja. Katika hii wiki moja kazi lazima iwe inaendelea. Katika serikali ukisitisha kazi kwa siku moja huenda ukalemaza kazi nyingi sana. Ili tusiwe nyuma hatungependa tupoteze wakati.

Kama vile waheshimiwa walivyozungumuza wakati wa maswala ya Mswaada ule wa bajeti, tumesikia kwamba kunazo sehemu nyingi ambazo watu wanakumbwa na baa la njaa. Kunao wengi pia mishahara yao imekwama na miradi pia ya serikali imesimama. Hivyo basi ningewasihaji wajumbe wenzangu ambao tuko hapa leo hii, tuunge mkono kupunguzwa kwa hizi siku kutokea siku saba hadi siku nne ili tuwapatie nafasi maafisa wa Serikali ya Kaunti ya Kilifi kutoka upande wa *Executive* waweze kufanya kazi kwa haraka.

Hii itapatia nafasi yale ambayo tunayazungumza nyanjani kwa wananchi yakatekelezwa kwa wakati unaofaa. Kwa hayo nasimama kuunga mkono Hoja hii. Asante sana.

Hon. Hassan: Asante Mheshimiwa Spika. Nimesimama kuunga mkono hii Hoja ya kupunguza hizi siku. Siwezi kumpinga kiongozi wa Wengi ambaye ndiye serikali tunayoitegemea hapa Bungeni. Kwa heshima nimesimama kuunga mkono hii Hoja. Utakubaliana na mimi kwamba kuna sehemu ambazo zina mashaka; sote tuko na mashaka lakini kuna sehemu ambazo ziko na mashaka zaidi mfano kama Garashi wanahitaji msaada wa haraka. Hii Hoja ina umuhimu mkubwa wa sisi kuipitisha. Kwa lugha zile za kimitindo tunasema

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“ngoma inawarewa iko juu ya kamba” kwa hiyo tufanye haraka hata ikiwezekane hizo siku tunaweza tukazipunguza zikawa kama siku mbili ama siku moja ama tumalize biashara leo. Asante sana Mheshimiwa Spika.

The Leader of Minority (Hon. Matsaki): Asante sana Mheshimiwa Spika na kama vile ameongea Mheshimiwa Hassan tunajua serikali hapa ni ODM lakini hata sisi ambao tuko wachache katika Bunge hili yale ambayo tunaona ni muhimu kwa watu wa Kilifi ni lazima tuunge mkono. Kwa sasa hili jambo ni muhimu tuliunge mkono kwa sababu haya ni mambo ya watu wa Kaunti ya Kilifi. Ninaunga mkono zipunguzwe kutoka siku saba hadi siku nne ili waheshimiwa wanaposafari, wasafiri lakini kazi za kiserikali zisisimame. Nataka niwaambie waheshimiwa wenzangu, tuunge mkono kazi hii ili tumalize tuangalie mambo mengine. Asanteni.

Hon. Ziro: Asante Mheshimiwa Spika kwa nafasi hii. Nimesimama kuunga mkono Hoja ambayo iko mbele ya Bunge ijapo mwenzangu Mheshimiwa Hassan ametangulia kutaja Garashi, kwa kweli kuna shida lakini akiitaja hapa unajua ni kama ambaye anaidhalilisha na mimi niko hapa kutetea Garashi.

Mheshimiwa Spika kusema kweli, hivi tunavyozungumza, ile timu ya *disaster* iko kule mashinani wakijaribu kusamabaza chakula kwa wananchi; hiyo ni kuonyesha kwamba tuko na uhitaji ya hii Hoja ambayo tumepitisha kufanyiwa ukarabati kwa haraka iwezekanavyo ili wananchi wetu wasiteseke. Nimesimama kuunga mkono na kujulisha Bunge hili kwamba Mheshimiwa Hassan asiendelee kutaja Garashi. Asante.

The Deputy Speaker (Hon. Kenga): Thank you for your contributions but I think you are also confirming that it is indeed very true that there are challenges in Garashi that need to be addressed.

(Question put and agreed to)

BILL

First Reading

THE KILIFI COUNTY SUPPLEMENTARY APPROPRIATIONS BILL, 2019

(Order for First Reading read- Read the First Time and ordered to be read today by the leave of the House)

Second Reading

THE KILIFI COUNTY SUPPLEMENTARY APPROPRIATIONS BILL, 2019

The Deputy Speaker (Hon. Kenga): Yes, chairperson Budget.

Hon. Kiraga: Thank you so much Mr. Speaker, Sir. I beg to move that the Kilifi County Supplementary Bill be now read a Second Time. Mr. Speaker, I think from the contributions of

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the various Members in this House, it is evident that we have to move very fast. If you talk of issues to do with disaster in this County, the monies remaining in that docket are very insufficient to make the County Government of Kilifi to proceed with issuance of relief food.

If you look at this Supplementary Budget Mr. Speaker, there is an addition of Ksh.100 Million to that vote head so that this programme can keep on running and help the residence of Kilifi not excluding areas in Garashi Ward, Bamba, Ganze, Gongoni, Jilore and any other area which have been affected. I therefore call upon hon. Chiriba to second this Motion. Thank you.

(Hon. Chiriba seconded)

(Question proposed)

Hon. Chiriba: Thank you Mr. Speaker for giving me this opportunity. I rise to second the Business on board. Number one, I want to echo the sentiments made by the hon. Chairperson concerning the passage of this Bill. It is my great prayer that this Bill will find the light of the day in this hon. House given that the people of Kilifi urgently need services.

You have heard of the places mentioned by the hon. Chairperson and the Member for Matsangoni. It is indeed a very critical situation that needs quick intervention. Mr. Speaker, I have also read the mood of the House. Members really had interacted with this document and are very much acquitted with whatever is enshrined in it. So, I pray that this Bill is passed and assure this county that the services that are on a stand still can get the motion and move ahead to serve Kilifians. Thank you, Mr. Speaker.

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

(Question put and agreed to)

(The Bill was read a Second Time and committed to a Committee of the Whole today by the leave of the House)

COMMITTEE OF THE WHOLE

(Order for Committee read)

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

IN THE COMMITTEE

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

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THE KILIFI COUNTY SUPPLEMENTARY APPROPRIATIONS BILL, 2019

The Chairperson (Hon. (Ms.) Maneno): Hon. Members, welcome to the Committee of the Whole House. We are now going to consider the Kilifi County Supplementary Appropriations Bill, 2019. The rules are relaxed. Welcome.

Clause 3

The Chairperson (Hon. (Ms.) Maneno): I beg to move that Clause 3 be part of the Bill.

(Clause 3 agreed to)

Clause 4

The Chairperson (Hon. (Ms.) Maneno): I beg to move that Clause 4 be part of the Bill.

(Clause 4 agreed to)

The Schedule

Hon. (Ms.) Maneno: I propose that the schedule be part of the Bill. I call upon the mover who is the chairperson of the budget to move.

Hon Kiraga: Thank you so much chairperson. I beg to move that the schedule be amended by:

Deleting the figures 972,627,635 appearing in the votes D3115 in the fourth column and replacing thereof with the figures 977,627,635.

Deleting the figures 848,483,027 appearing in the Vote D3116 in the fourth column and replacing thereof with the figures 838,483,027.

Deleting the figure 847,793,917 appearing in the vote D3117 in the fourth column and replacing thereof with the figures 845,793,917.

Deleting the figures 1,211,589,067 appearing in the vote D3118 in the fourth column and replacing thereof with the figures 1,213,589,067.

Deleting the figures 56,800,000 appearing in the vote D3119 in the fourth column and replacing thereof with the figures 61,800,000.

(Question of the amendment proposed)

(The schedule as amended agreed to)

Clause 2

Hon. (Ms.) Maneno: I propose that Clause 2 be part of the Bill. Please proceed the mover.

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

That, Clause 2 be amended by deleting the words “Fourteen billion, four hundred and eight million, two hundred and seventy” and replacing thereof with “Fourteen billion, four hundred and seventy one million, four hundred and ninety one thousand, and eighty one shillings”

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(Question of the amendment proposed)

(Clause 2 as amended agreed to)

Clause 1

Hon. (Ms.) Maneno: I propose that Clause 1 be part of the Bill. The Chairperson please.

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

That, Clause 1 be amended by deleting the figures 14,408,279,770 appearing in the third line and replacing thereof with the figures 14,471,491,081.

(Question of the amendment proposed)

(Clause 1 as amended agreed to)

Long Title

(Long Title proposed)

(Long Title agreed to)

Short Title

(Short Title proposed)

(Short Title agreed to)

Hon. (Ms.) Maneno: We have come to the end. Hon. Chairperson you can move.

Hon Kiraga: Thank you so much Chairperson. I beg to move that the committee do Report to the House its consideration of the Kilifi County Supplementary Appropriations Bill, 2019 and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

(The House resumed)

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

The Deputy Speaker (Hon. Kenga): Yes proceed.

Hon. (Ms.) Maneno: Hon. Speaker, I beg to report that the committee of the Whole House has considered the Kilifi County Supplementary Appropriations Bill, 2019 and approved the same with amendments. Thank you.

The Deputy Speaker (Hon. Kenga): Yes chairperson budget, make your request.

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Hon Kiraga: Mr. Speaker, I beg to move that the House do agree with the committee in the said Report.

(Question proposed)

(Question put and agreed to)

Hon. Kiraga: Thank you so much Mr. Speaker. I beg to move that the Kilifi County Supplementary Appropriations Bill, 2019 be now read the Third Time. I call upon hon. Chai Chiriba to second. Thank you.

(Hon. Chiriba seconded)

(Question proposed)

Hon. Chiriba: Thank you hon. Chairperson budget committee. As I submitted earlier Mr. Speaker, we are in urgent need of some findings to enable the County run its functions. I really do not want to repeat myself given that we have heard several areas are in great need. Mr. Speaker, it is my prayer that this Bill finds the light of the day. Thank you, Mr. Speaker.

Hon. Shaban: Mheshimiwa Spika mimi pia naunga mkono na kusema kwamba kuna uharaka wa kupitisha huu Mswada kama vile mheshimiwa Hassan alivyosema ili tuweze kuokoa hata ndugu kutoka Garashi ambao kila mwaka wanapitia haya mambo. Njia ya kujinasua ni tupitisha na chakula kipelekwe mara moja na watu waishi vizuri. Asante mheshimiwa Spika.

The Deputy Speaker (Hon. Kenga): Thank you. Member for Malindi Town Ward who is a friend to the Member for Garashi.

Hon. Kadenge: Asante kwa kunipatia nafasi hii ili niweze kuchangia Mswada ambao uko mbele yetu. Nilikuwa napitapita hapa ni kwa sababu nilikuwa in *consultation with Department of Disaster Management*. Nimepata habari kwamba sehemu za Mwanamwinga na Garashi zimekumbwa na janga la ukame; haswa Garashi kuna uhitaji wa haraka sana. Vile tuko katikati ya huu Mswada ningependa wenzangu ambao wako hapa waunge mkono ili tuweze kuokoa...

(Hon. Ziro stood on a Point of Order)

The Deputy Speaker (Hon. Kenga): What is your point of Order?

Hon. Ziro: Mr. Speaker can the Member clarify the veracity of the information he is giving to this House; that he was consulting outside there because I saw him going to the toilet and he is telling us that he was consulting? Can he clearly tell us?

(Laughter)

The Deputy Speaker (Hon. Kenga): Thank you. Take your seat. Hon. Kadenge please proceed.

Hon. Kadenge: *I am done. I think naona Mheshimiwa wa Garashi nilikuwa namsaidia yeye na akiwa hayuko tayari tutaanza na Mwanamwinga halafu yeye atafwatilia baadaye.*

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

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Hon. (Ms.) Koki: Thank you Mr. Speaker. I stand to support this Motion. It is not only about the hunger that is in Kilifi County but also other departments are facing other problems that really need to be attended in urgency. We are expecting rain and the Agriculture Department is also expecting money to be able to facilitate the farmers that we have. It is not only about the Devolution and the Disaster Management but we need money to move this county to the next level urgently. Thank you.

The Deputy Speaker (Hon. Kenga): Hon. Hassan.

Hon. Hassan: Asante sana mheshimiwa Spika kwa kunipatia nafasi hii kutoa hisia zangu katika kupitisha Mswada huu wetu wa leo. Nimesimama kuunga mkono huu Mswada tuupitisha kwa haraka kwa sababu ya haya majanga yenye kutuandama. Mbali na sehemu ya Garashi kwa mheshimiwa Ziro, pia bado tuna wenzetu wana matatizo ambapo zile pasha tutakapozipata hapa zitatusaidia. Kuna hata uchaguzi mdogo lakini nimesimama kuunga mkono.

The Deputy Speaker (Hon. Kenga): Thank you. Hon. Members I will now put the question that the Kilifi County Supplementary Appropriations Bill, be read for the Third time.

(Question put and agreed to)

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

MOTION OF ADJOURNMENT UNDER STANDING ORDER NO.28 (3)

LEGISLATIVE SUMMIT IN KISUMU

The Leader of Majority (Hon. Mwathethe): Thank you Mr. Speaker, I would like to move an Adjournment Motion. It is in the public domain that the County Assemblies Forum is conducting the Legislative Summit in Kisumu and we have Business today, tomorrow and the day after tomorrow. For that reason, I would like to move that Pursuant to Standing Order 28 this County Assembly do now adjourn its sittings on Tuesday 16th and Wednesday 17th April 2019.

Being subscribers of the County Assemblies Forum and for the purpose of travelling so that we can be able to attend, I beg that we adjourn the Business for the two days to give room for hon. Members to go and attend this Legislative Summit. It will be wrong for our Members not to attend and miss that function. Therefore, I beg that hon. Chiriba seconds me in this Motion.

(Question proposed)

Hon. Chiriba: Thank you Mr. Speaker, This being a procedural Motion and it is enshrined in Law. It is by adjourning the Business of the House that can give us the room to attend this important function in Kisumu. It is in such like forums where we can interact and even exchange views. We believe as assemblies, there are a number of things we are encountering and so such forums can help us compare notes. In fact we should take it on record that we are already late because we are supposed to have reported. I pray that this House will be in support of this Motion so that we can catch up with our flights and be part of that function. Thank you, Mr. Speaker.

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(Question put and agreed to)

ADJOURNMENT

There being no other Business in the Order Paper, this House stands adjourned until next week Tuesday 9:30 a.m. Thank you.

The House rose at 10:49a.m.