

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF KILIFI

THE HANSARD

Monday, 19th October, 2015

The House met at the Temporary Chambers at the defunct Malindi Municipal Council, Malindi Town, 2.30 p.m.

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

PRAYER

COMMUNICATION FROM THE CHAIR

PRESTIGIOUS AWARDS OF LEADERSHIP TO TWO HON. MEMBERS

The Speaker (Hon. Kahindi): Hon. Members, I am informed that two Members of the County Assembly of Kilifi that being hon. Teddy Mwambire and hon. (Ms.) Mbeyu were awarded with prestigious awards of Leadership. As a matter of procedure, the House needs to take cognizance of the awards because they were given in their capacity as Members of the County Assembly of Kilifi.

It is a great honour that today we cordially receive these gifts and as a County Assembly, I think it is something we need to be very proud of. In that respect we will call upon hon. Teddy first, to rise and briefly inform us what led him to receive this award and then, as an Assembly, we can officially acknowledge receipt. Thank you.

Hon. Mwambire: Thank you very much Mr. Speaker for giving me this opportunity to share my gratitude for the award that I got in this Continent. Mr. Speaker, the award was conferred to me, simply because of the work that I have been doing in my life of defending and protecting the girl child and filling the gap among the women in this Country.

Apart from being an elected Member of the County Assembly and being the Deputy Speaker, I also hold other positions in the society. I have formed a number of organizations including Coast Women and Development where I am the Founder and Director. I am also running the Teddy Mwambire Foundation which helps in capacity building among other activities to the women in this Country.

Mr. Speaker, I was nominated among other men and it was discovered that my initiatives were more appreciated especially in the economic empowerment of women as compared to other initiatives. It was a continental contest where many of us were called for interviews. It was when I got the invitation as a finalist that I told the panel all the projects that I was undertaking in my County.

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My other very popular work that received recognition was my being in the frontline defending the suspected sorcerers; an issue which affected both women and kids. This is because when one is killed, the offsprings are automatically affected and face adverse challenges in future. They had been following my facebook page among other communications on my social media and out of all that they generalized it, and I was conferred with this award.

Mr. Speaker, I will now be compelled to add more effort in realizing that the girl child in this Country, and the women as well, get the rightful share as per the Constitution. I am mandated to do so, and I have been doing this for some time now; giving guidance to women and how best they can run their successful campaigns so that they can get fair chance at the end. A good number of those I have trained are currently at the Mombasa County Assembly including the Mombasa Women Representative who was one of my students. I am very happy because I have a good number that I have managed to make successful and I believe some of the women that we have in this Assembly and the rest in the County will take advantage of that and come for a number of sessions so that they can be successful. We want to reduce the Wage Bill and we can only reduce it if we get a good number of ladies or women being elected in different positions in this Country, Mr. Speaker.

I pray that my fellow men will follow the same steps so that the women in this Country can feel that they are well represented. We don't just empower women but men as well, to become important people in generations to come. With those few remarks Mr. Speaker, I am humbled by the time that you have given me which was not part of the Order of the day. Thank you very much.

The Speaker (Hon. Kahindi): Thank you. Can we have the award that hon. Mwambire was given for the hon. Members to see.

(Hon. Mwambire lifted his award)

(Applause)

Thank you very much hon. Mwambire. Hon. (Ms.) Mbeyu proceed.

Hon. (Ms.) Mbeyu: Thank you Mr. Speaker, Sir, for giving me this chance to speak about my award. Mr. Speaker, I was nominated among many women in this Country and the finalists were about 30 women from the Senate and the National Assembly. While tracking us from the various Non Governmental Organizations (NGOs) they found my name and my activities as the best in the Country. Mr. Speaker, when I got the email that I was selected among the finalists, and I arrived in Nairobi for the final interview, it was amazing to meet all the interviewers and the representatives of all the NGOs which supported this programme.

The Women in Red Leadership were the ones sponsoring this programme during my interview they got to know of the various activities I do and my educational background up to the level I got elected. When they heard that I was a simple early childhood education (ECD) teacher and I rose to the position of being elected in my Ward and the levels I have worked in the last two and a half years, I emerged as a winner. The big thing here is they had been tracking me while I was defending the issues of women in our County.

It was during the County Assembly Forum (CAF) and I was fighting for the issues of Women in the whole Country together with the salaries dilemma that I happened to have featured on TV. I think NTV was the station that paid tribute to all the activities that I was doing. The knowledge that I had made strides of appearing in different Counties one day, speaking in

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CAF the next day, later I am in Mombasa teaching young ladies how to aim for elective posts subsequently you find me in the Assembly participating in the *Kamukunji* and attending plenary sessions reflected positively on my work from the level of my Ward, to the County and to the National; this is what inspired them to give me the award. Mr. Speaker, I was amongst very prominent people like; Millie Odhiambo from the National Assembly and Naisula Lesuuda from the Senate and among other influential women but I still emerged the winner.

I want to thank everybody for their support as this is just the beginning. When Madam Martha Karua (Kenyan politician) was giving me the award and heard that I am an elected MCA (Member of County Assembly) she was really impressed. Like it seems to most of you, I do not brag about being elected, the fact is I was elected and it's truly impressing to most people in the Country. This is an internationally known Award, it was featured in NTV Kenya and CNN, the Governor congratulated me and I was also with the Speaker who informed me that he watched this award in CNN; so it is widely known.

Kilifi County should be proud because out of 11 Awards we managed to come home with three of them being; hon. Teddy Mwambire, Miriam Ngolo from Kambe, the engineering Manager at Bamburi Cement in Nairobi and I. Kilifi County's name is now in the limelight because of our leadership, we need all the other leaders to come on board too. Thank you Mr. Speaker, Sir.

(Applause)

The Speaker (Hon. Kahindi): Yes, let us see the trophies. Where is hon. Ibrahim and hon. Hassan? Or you are holding brief?

(Laughter)

Hon. (Ms.) Mbeyu: Mr. Speaker, Sir, there is a certificate of participation that is on the final list and it reads; this is to certify that hon. (Ms.) Gertrude Mbeyu participated on the 2015, Women in Red Excellency Awards finalist workshop held at Jacaranda Hotel on 7th of October. This is to certify that hon. (MS.) Gertrude Mbeyu (elected) won in the Women in Red Award for celebrating the will of the girl, courage, excellence, reliance to inspire the next generation in the category of women in public service held at Jacaranda. This trophy was an award of the best women in public service in Kenya and the World. Thank you.

(Applause)

Also the best lady in the digital world and this is the award. Thank you Mr. Speaker, Sir.

(Hon. (Ms.) Mbeyu lifted her award)

(Applause)

The Speaker (Hon. Kahindi): Thank you hon. (Ms.) Gertrude Mbeyu. As for me, I would not have much to say, only that I am proud of you and I always say that when the star is shining then it continues to shine.

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I am proud of you as well as every one of us who is here. Together with the many challenges that we face we still believe that we stand to be great. For us to be featured in such kind of awards, it has globally exposed us maybe to the extent that we never were before. So thank you so much for that and may God bless you abundantly.

PAPER LAID

REPORT OF THE PLANNING, TRADE AND CO-OPERATIVE COMMITTEE ON THE KILIFI COUNTY MICRO FINANCE FUND (MBEGU) BILL, 2015

Hon. (Dr.) Chitibwi: Mr. Speaker, Sir, I beg to table the Report of the Planning, Trade and Co-operative Committee on the Kilifi County Micro Finance fund (Mbegu) Bill, 2015. I call upon hon. Kilabo to second.

(Hon. Kilabo stood at his place to second)

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

(Hon. Dr. Chitibwi laid the Paper on the Table)

STATEMENT

FAILURE TO REPLY TO STATEMENTS SOUGHT IN THE HOUSE

Hon. Mwambire: Mr. Speaker, I beg to respond to a Statement that was delivered by hon. Emmanuel Kazungu Chai who sought to know whether the Chairperson, Liaison Committee is aware that the Chairpersons have failed to deliver responses to the Statements that were sought in this Assembly. Mr. Speaker, subject to Standing Order No. 1...

The Speaker (Hon. Kahindi): Just before you proceed, was this issue not before us last week?

Hon. Mwambire: Mr. Speaker, I was not in the...

The Speaker (Hon. Kahindi): Thank you. I remember, proceed

Hon. Mwambire: Mr. Speaker, as the law conferred in the Standing Order No. 193 the Liaison Committee Chairperson is fully aware and indeed had a meeting with the Committee. After consulting with all the Committee Chairpersons, I found out that they had no problem with the County Executives who are supposed to furnish them with the responses of all the Statements sought in this Assembly.

Mr. Speaker, if you look at the Standing Orders, if the Chairpersons are not in the Assembly then, the Vice Chairperson or any other Member of the Committee is mandated to deliver a response to the sought Statements.

The agreement is that response to Statements should be delivered to the house after one week. For instance if a Statement was sought on Monday, the response should be given the following Monday. Even the one who sought to know why there was delay in delivering of responses to the house also failed to present a Statement from the Committee on Environment last Monday. Hon. Emmanuel Kazungu Chai is the Vice Chairperson; he was supposed to deliver that response last week on Monday.

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Mr. Speaker, all Members should know that if the Chairperson is not there, the Vice Chairperson or any Member from the Committee can deliver that response. So no response should go unanswered only because either the Chairperson or the Vice Chairperson is not in the Chamber. From today Mr. Speaker, the position is that any Chairperson who fails to deliver a response will be held responsible but not the Liaison Chairperson. There has been no information brought to my office that the Chairpersons of the various Committees have difficulties with the corresponding County Executive. Thank you very much Mr. Speaker.

The Speaker (Hon. Kahindi): Yes, hon. Chai what I am getting is that when the Chairperson is not there the Vice Chairperson is supposed to give a response but even in the absence of the Chairperson you yourself as the Vice Chairperson failed to give a response. I am sure you need to respond back, please proceed.

Hon. Chai: Thank you very Mr. Speaker. First, before I go to the response of my being the Vice-Chairperson and failing to respond to a Statement that had been raised in the House, I would like the Liaison Committee to accept that most of the Statements sought in the House are still pending due to lack of responses. We all know that the Chairpersons for the various Committees are supposed to bring responses to Statements sought in the House. However, I want to believe that as a Vice-Chairperson of the Committee, I cannot stand and respond to a Statement in the presence of my Chairman unless I have a directive from him or her...

The Speaker (Hon. Kahindi): or you are delegated?

Hon. Chai: That is it. Thank you very much.

The Speaker (Hon. Kahindi): That is what I wanted you to say. Now, seek any further clarifications if you need to from hon. Teddy Mwambire.

Hon. Chai: I would like to tell hon. Teddy Mwambire who is the Liaison Committee Chairperson that there are Statements that were sought in this House and their responses have still not been conveyed. A while back, sometime last year though I am not sure of the date, I will have to confirm with the Clerk's office, I had inquired on the classification of the employees in Kilifi County according to their Wards. That time we had been discussing a sensitive issue on allegations that casuals were coming from one area. That is why I wrote the Statement to be brought to the House so that we could see who came from which Ward and what were their qualifications.

This particular Statement has not yet received a response in this House. I would like to say that even if the Liaison Committee Chairperson is not going to take that responsibility, he should at least follow up this matter and reprimand the individuals who are yet to respond to all the pending Statements. Thank you very much for giving me the time to respond to hon. Teddy Mwambire's comment.

The Speaker (Hon. Kahindi): Thank you.

Hon. Mwambire: Mr. Speaker, I am humbled by how Hon. Chai has responded but again it is very clear that the Statement he sought to this House was a blanket blame to all the Members of the Liaison Committee and that is why I gave him that response. If he could have been specific, then I could be in a position to inquire from that particular corresponding Chairperson. However, the question he has raised Mr. Speaker, I will inquire from the Chairperson of the Committee on Labour and Social Services so that I am in a position to follow him up and have him bring the response to this House.

On that note, any Chairperson who will be unable to respond to Statements will be held responsible but not the entire Liaison Committee. Thank you.

The Speaker (Hon. Kahindi): Yes Hon. Japhet Nzaro. You want to contribute or seek further clarification?

Hon. Nzaro: I wish to seek further clarification in support of what Hon. Chai has sought to know. Mr. Speaker, there are many Statements which we requested in this Assembly; it is not the only one that Hon. Chai is seeking to know. There are many Statements with pending responses in this House.

Mr. Speaker, when we rise to seek clarifications on those responses, it means that we have noticed responses are not being given at the reasonable time which is appropriate for the Members to be held responsible. Some of the responses have been overtaken by events by the time they arrive in this House. It is appropriate that the responses of these Statements are received within reasonable time. Thank you.

The Speaker (Hon. Kahindi): Thank you. I don't think there is need to stretch it further. It is very clear as far as the Standing Orders are concerned that a Chairperson has the responsibility to report back to the House. If he/she has a Report that he/she is supposed to present it before the House and by any reason he/she is unable to attend, then he/she should delegate. I will also say that, the onus lies on the Chairpersons and we don't need to mention names because the respective Chairpersons know themselves. Like what Hon. Nzaro has said, sometimes by the time you bring back your response, it has been overtaken by events. That has manifested itself in this Assembly, so let us take responsibility on those issues. Is Hon. Kiraga in?

Hon. Members: No.

(Statement deferred)

MOTION

DEVELOP POLICY FOR IMPLEMENTING A SCHOOL MILK PROGRAMME IN OUR PRE-PRIMARY SCHOOLS

(Hon. Gambo on 13.10.2015)

(Resumption of Debate interrupted on 13.10.2015)

The Speaker (Hon. Kahindi): Hon. Gambo, I am informed that, just before the question was put, a Point or Order was raised by Hon. Pascal that the House lacked quorum. The said Point of Order was raised under Standing Order No. 32(2) and subsequently the House was adjourned for lack of quorum. Today is the resumption of the debate of the Motion from Hon. Gambo which read:

Aware that, milk is very important for health and the development of our children due to its high quality protein and excellent source of calcium.

Further aware that, milk in schools can improve enrolment, attendance and performance in our early childhood centers.

Noting with concern that, we are vested with the obligation of providing for every child the right to basic nutrition, shelter and health care (Article 53(1) (c) under the children's rights (Constitution of Kenya 2010) pursuant to the resolution made during the school milk conference

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at Nyali International Beach Hotel held on the 9th and 10th September, 2015 herein referred to as the G-47 Nyali resolutions.

I move that, this hon. House urges the County Government to come up with a policy for implementing a school milk program in our pre-primary schools. I call upon hon. Lali to second the Motion.

The following Members had, had an opportunity to contribute to this debate. So, because it is the same debate you already exhausted your time. We have:

- 1) Hon. Alphonse Mwayaa
- 2) Hon. Dancan Kaingu
- 3) Hon. Nixon Mramba
- 4) Hon. Lali Sadi
- 5) Hon. (Ms.) Jane Mwaro
- 6) Hon. (Ms.) Elizabeth Muthoka
- 7) Hon. Bakari Ali
- 8) Hon. (Ms.) Sophie Chokwe
- 9) Hon. (Ms.) Pricilla Zawadi
- 10) Hon. Adamson Mwathethe
- 11) Hon. (Ms.) Grace Kwekwe
- 12) Hon. Pascal Tuva
- 13) Hon. (Ms.) Grace Chihanga
- 14) Hon. Boniface Mwingo
- 15) Hon. (Ms.) Esther Dizdza
- 16) Hon. (Ms.) Elizabeth Ngala

These are the Members who spoke during the debate last week. I will not mention who supported or opposed. Hon. Members, I direct that, this House resumes that debate and in the absence of any contribution then I will proceed to put the question. Yes hon. Teddy Mwambire, you were the presiding Speaker then?

Hon. Mwambire: Yes Mr. Speaker, I was the presiding Speaker that day but I am privileged today to be in a better position to give my humble observation on this Motion.

Mr. Speaker, I rise to support this Motion. This was among one of the best Motions that is well researched since I joined this Assembly. This Motion is justified because when you look at its prayer, it does not call for action; it calls for a policy which will guide this County. While my colleagues were contributing, they pointed out that it will be very expensive and they also commented on some sub-counties being most marginalized.

Mr. Speaker, when the policy comes to this Assembly, we will decide how best this project will be implemented. When we feel that it is very expensive, as an Assembly we can have the discretion of pointing out the areas that are highly affected by poverty and give those children an opportunity to get milk in school.

Mr. Speaker, I am one of the beneficiaries of school milk. Milk is very important. Last week as I was presiding over this Motion, I had just come from the hospital to meet a nutritionist who advised me to give my son four packets of milk every day. I found it very difficult when Members thought it was not practical while parents are being advised to buy milk for their kids. If you look at me you will get a clear indication that I lack iron.

(Laughter)

These are irons that can easily be found in milk. Mr. Speaker, the learning capacity of kids in Kilifi is very low because of poor nutrition. That is the reason why, we are often number thirty and below in the Kenya National Examinations. If our kids are given the best nutrition, I am very sure that the performance will improve. I was surprised when I saw the Chairperson of ECD (Early Childhood Development Committee) opposing this Motion though I still understand that he was exercising his democratic right.

If you look at the County Strategic Plan you will find that Kilifi had indicated that they were supposed to give out milk starting last July. I was to come with a Statement to inquire from the Chairperson ECD why it was not budgeted for. If milk is given to kids it will not just target the model ECD centres but all other kids in Kilifi County. The rate of malnourished children in this County is high but I believe that when this Motion is implemented these statistics will change. With those few and convincing remarks Mr. Speaker, I believe my fellow parents, my fellow representatives who are the hon. Members like I, hon. Teddy Mwambire who has one son will make sure that this Motion will see the light of the day so that we can deal with the policy that will be drawn by the Executive. Thank you very much Mr. Speaker.

The Speaker (Hon. Kahindi): Hon. (Ms.) Mbeyu.

Hon. (Ms.) Mbeyu: Thank you Mr. Speaker, Sir. I rise to support this Motion.

(Applause)

Mr. Speaker, I am a parent and an ECD teacher by profession. The support of the development of a policy towards giving school milk in the County is very essential. It's not a matter of expense; it is a matter of looking at the health of the children in the County.

Mr. Speaker...

(Hon. Mramba stood on a Point of Order)

Hon. Mramba: Mr. Speaker, is it in order for a hon. Member to contribute a Motion while she is reading from a script?

The Speaker (Hon. Kahindi): It is not in order. Is it a Statement you are reading hon. (Ms.) Mbeyu?

Hon. (Ms.) Mbeyu: I was not reading Sir. I was referring because I went to school. Mr. Speaker, thank you for this moment. I can speak without a paper in my hand. The fact is that developing a policy for school milk programme in the County is very essential. Being a parent, milk is vital for the growth of a child because it contains calcium and proteins.

Mr. Speaker, milk helps in the brain development of a child. The implementation of this Motion will help increase the attendance of children in school. I am one of the beneficiaries of school milk and during my time almost every child in my village attended school.

So having all the children go to school instead of chasing sub-chiefs and chief to take children to school, the milk program in schools can make children and parents voluntarily take their children to school. It's very important and I support this Motion. Thank Mr. Speaker, Sir.

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

Hon. (Dr.) Chitibwi: Thank you Mr. Speaker, Sir. I stand to strongly support this Motion.

(Applause)

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Apart from what was stated by the Mover of this Motion on the benefit of the child and the education system, there are very many angles to this same issue. The economy of Kilifi County was sort of destroyed between 1989 up to date as the livestock industry went down. During that time, Kilifi Plantation which was buying the milk failed to buy milk. That time milk had become too expensive so the people could not afford it.

Now, farmers have taken this opportunity and they have started keeping livestock again but we find that they are facing so many constraints; the prices are very low and the markets are not available because the buyers are few. What we have to do as proposed in this Motion is to create a market that will foremost benefit the people of Kilifi. What we find is that many people come from upcountry flooding this market with their milk while milk from this County is overlooked. This is because farmers in Kilifi County have not been able to financially organize themselves to package their milk properly.

Today, we have a very good opportunity for these farmers to market their produce. We create the school program; it does not have to cover the whole County in one year but can be started as a pilot project if we think we are not able. The benefit of this is going to be felt in this County Assembly. I have a personal experience; maybe I should not say it but let me say it just to make a point. I took early retirement from service because I had become a livestock farmer and I was making money. Something went wrong and I failed but my cows kept me and my family going for three good years before I received my pension and nobody knew that I was not working but my cows were working for me. When the industry collapsed and Wilson was not buying milk from me anymore things changed, I no longer had an avenue of income. That's my example; I could survive, educate my children, feed my family and maintain my house on cows and nothing else. Why can't we enable our famers to do the same? I believe this County Government can do that; it can bring 30 percent of the population economically through agriculture. I strongly support this Motion and I request other Members to support it as well. Thank you very much Mr. Speaker, Sir.

The Speaker (Hon. Kahindi): Yes hon. (Ms.) Nashee.

Hon. (Ms.) Nashee: Asante Mheshimiwa Spika. Naunga mkono kwa sababu ya hali za wakaazi wa Kilifi. Tunaelewa hali za watu wetu. Naunga mkono watoto wetu wa shule za chekechea wapewe maziwa na ikiwezekana hata wale wako shule za msingi pia wapewe pia. Wakati wetu ilikuwa wakati mwengine watoka nyumbani hunywi hata chai, saa nne ikifika kipindi cha mapumziko yule mwalimu akikupa maziwa washangilia sana. Sisi mchana ilikuwa tukipewa mahindi pia na maharagwe sijui kama itakuja Mada nyengine ningeshukuru lakini kwanza naunga mkono haya maziwa yapitishwe kwa hawa watoto.

(Applause)

Pengine mzazi hali yake ni ile tunayojua, hatuwezi kupitisha kila mzazi afunguliwe biashara lakini muhimu wapewe maziwa watoto wetu na ikiwezekana na mengine. Naunga mkono tena sana na namshukuru Mheshimiwa Gambo na Kamati yetu ya Kilimo ambao nawapa hongera.

The Speaker (Hon. Kahindi): Hon. Gambo do you wish to make any submissions or you want me to put the question?

Hon. Gambo: Yes...

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

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The Speaker (Hon. Kahindi): Okay, proceed.

Hon. Gambo: Thank you Mr. Speaker, Sir. I also want to give a vote of thanks to the House for having supported this Motion. If you have asked me when this Motion came in the House, it gave me a lot of stress when I found some hon. Members here came to oppose it.

The Speaker (Hon. Kahindi): But I have not put the question so do not celebrate yet...

(Laughter)

Hon. Gambo: Thank you Mr. Speaker, Sir. I am sure all have supported it; it is only waiting for the question unless you give the opposite question; but if it is the real question, it is going to be answered very well. When we started this Motion, we felt what our children are experiencing in schools. We also got examples of when we were in school; another hon. Member here had said and I really support him because I am one of those whom if I got milk at that time, I could be as energetic as others. At that time, the school milk was for a short time until that programme ended.

I would like to give a quote from the Bible for the opposers; if they go home they read the Bible John: 1, I think this is where we can know how something starts. If at all anybody doesn't know or has not read the Bible I could just give a line; John 1:1 says 'in the beginning there was a word, the word was God and at the end the word became God.' That's what we are now starting here in Kilifi. As a County we should start with a word as we are putting it here now and I am sure it will be something. Thank you Mr. Speaker, Sir.

The Speaker (Hon. Kahindi): Amen!

(Laughter)

Hon. Members, Members have a way of getting their point; you know somebody goes deep down to the Bible just to convince you. Hon. Members a Motion by hon. Onesmus Gambo has been presented on resumption. I now put the question.

(Question put and agreed to)

You know it is amazing how politicians can change. I have a list of about six people who went on record to oppose the Motion but I think they were given some milk over the weekend.

(Laughter)

It is the Bible of course, next Motion!

ADOTION OF THE REPORT ON VETTING OF NOMINEE FOR POSITION OF CEC
MEMBER FOR TRADE, INDUSTRIALISATION, COOPERATIVE DEVELOPMENT,
TOURISM AND WILDLIFE MANAGEMENT

The Leader of Majority (Hon. Mwingo): Thank you Mr. Speaker for giving me this Opportunity to move the Motion before this House;

That this House adopts the Report of the Committee on Appointment on the vetting of the nominee for the position of the County Executive Committee (CEC) Member for Trade,

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Industrialization, Cooperative Development, Tourism and Wildlife Management Ms. Zeyana Abdullah laid on the Table of the House on Wednesday, 7th October, 2015.

I would like Hon. (Dr.) Mzungu Chitibwi to second the Motion.

(Hon. (Dr.) Chitibwi stood at his place to second)

The Speaker (Hon. Kahindi): Thank you Hon. (Dr.) Mzungu Chitibwi for seconding. Hon. Members a Report has been tabled for debate by the hon. Leader of Majority and the Motion states that, 'this House adopts the Report on the Committee on Appointment on the vetting of the Nominee for the position of County Executive Member for Trade, Industrialization, Cooperative Development, Tourism and Wildlife Management Ms. Zeyana Abdullah laid on the Table of the House on Wednesday, 7th October, 2015.' I do propose that the Motion is ready for debate.

(Question proposed)

Yes, Hon. Naphtali Kombo.

Hon. Kombo: Asante Bw. Spika kwa kunipa nafasi hii ya kuchangia Mswada huu. Bw. Spika, nasimama kupinga uteuzi wa huyu aliyeteuliwa kwa sababu zifwatazo. Kwanza, sote tunaelewa kwamba uti wa mgongo wa Kaunti yetu ya Kilifi ni Utalii na utalii wakati huu umefifia. Hata katika eneo la Pwani tukiangalia hapa Kilifi ndio tumeathirika zaidi kiwango cha kuwa mahoteli mengi yamefungwa, shughuli nyingi za kitalii zimesimama na si kwa sababu nyengine ni kwa sababu ya kuwa katika nafasi hii ya waziri ama nitasema CEC hatujakuwa na mtu ambaye angekaa pale akiwa...

The Speaker (Hon. Kahindi): The rules don't allow hon. Kombo.

Hon. Kombo: Katika taaluma ya maswala ya utalii, naomba Bunge hili ielewe ya kwamba tukitaka kufufua utalii ni sharti tuweke mtu katika kiti hiki ambaye ataweza kuuchukua utalii kutoka mahali ulipo na kuinua. Nimeangalia huyu mama katika masomo yake tumeona ya kwamba anazo shahada na ujuzi wa kutosha katika taaluma ya Trade, Industrialization and Cooperatives. Anaweza akafanya kazi nzuri pale lakini tuangalieni katika Kaunti yetu tunacho hitaji ni kuinua utalii kwa ujumla.

Kosa ambalo tunaweza tukafanya hapa ni kuwachilia kiti hiki kikaliwe na mtu ambaye hana ujuzi kamili wa utalii. Nafikiri ni juzi au jana tuliporudi kutoka Kaunti ya Kwale, tulikua tumetembelea ile *Trade Expo* na tukaona vile wenzetu walivyo jitahidi. Wakati huu ambao Kilifi inalia mahoteli yamefungwa, watu wametolewa katika makaazi yao, kule tunaona utalii bado uko. Kule wanasema hii ni hali ya kawaida ikifika wakati huu, hali ya utalii huwa iko chini. Wanatarajia kuanzia mwezi wa kumi na moja (11) utalii uwe utapanda.

Sisi hapa kwetu hatuna dalili zozote ya kuwa utalii utainuka. Ningeomba Waheshimiwa katika Bunge hili tusimame na tuangalie kuwa kuteua mtu kama huyu ambaye hataweza kuinua uchumi ambao utaweza kuinua Kaunti nzima ya Kilifi basi tutakuwa tumeumiza watu wetu, tutakuwa tumejibwaga sisi wenyewe. Tukiangalia serikali ya Kaunti inahitaji ushuru na tunaangalia vile hoteli nyini zimefungwa tunakosa ushuru kwa kiwango kikubwa.

Tukiinua utalii tutaona kuwa ushuru wetu utainuka hata zaidi ya asilimiya 70 ya ule ushuru ambao tunachukua kwa sasa. Kwa hivyo, ningeomba Waheshimiwa tuelewe ya kwamba kuteua mtu kama huyu ambaye hana ujuzi katika taaluma ni kujirudisha nyuma sisi wenyewe.

Ningeomba Waheshimiwa tushirikiane kwa hili jambo ili tuone ya kwamba tunachukuwa hatua ambayo itakubalika na hata wananchi kule mashinani. Langu ni hilo nashukuru.

The Speaker (Hon. Kahindi): Hon. (Ms.) Nashee.

Hon. (Ms.) Nashee: Asante Mheshimiwa Spika. Nimesimama kusema napinga kwa sababu zifuatazo na ningeomba Bunge hili muniielewe. Nataka kama sisi kuna Kamati ya Utalii, kama mtu anataka kuchaguliwa kwanza kuletwa kama waziri wetu tuletewe wenyewe kwanza tumchunguze, tukimpitisha halafu tutakuja kusema Bunge kama twamtaka tumpitisha. Sio tuletewe mtu hivi hivi. Juzi Mwenyekiti wetu Mheshimiwa Naftali amesema tumeona tuko nyuma tena sana hata naona Voi kule kwenye vumbi wametushinda kwa mambo ya utalii. Kilifi hakuna chochote. Sasa ni muhimu tuletewe mtu mwenye tunampitisha. Mimi nampinga, kwanza mpaka tuangalie kwanza.

The Speaker (Hon. Kahindi): Perhaps just to give direction. CEC Members under the Constitution are vetted by the Committee on Appointment and not the Departmental Committees. That is the reason why this CEC Member for Tourism was vetted by the Assembly Committee on Appointment and we also expected Members could appear that day as interested party but none of them showed up. Am sorry to say this but this is the law, it puts me in a very awkward situation because the law says the Committee on Appointment shall vet the nominees who will sit as CEC Members. So it is the responsibility of the respective Committee to appear if they have any information. To my surprise even some of the Members of the Committee on Appointment themselves never showed up. So that is the position hon. (Ms.) Nashee, that as a Department of Tourism you don't vet CEC Members you vet Departmental Members like Chief Officers. Let's proceed hon. Bakari.

Hon. Bakari: Mheshimiwa Spika nasema asante kwa kunipatia nafasi hii. Kwa kweli Kamati ya Uteuzi iliweza kukaa na wanachama ilikuwa tufike lakini utatuwiya radhi kwa sababu Waheshimiwa wana makazi na mambo mengi.

Juu ya yote hayo mimi nasimama kupinga kupitishwa kwa Zeyana kuwa *CEC Member* wa Viwanda na Utalii. Nasema hivi kwa sababu kutokana na uchunguzi ambao Kamati imeweza kuchunguza ni kwamba huyu mtahiniwa aliweza kutoa makaratasi yake ambayo yanaangalia upande sana wa Cooperative na Trade, lakini basi tumekosa kuona kwamba taaluma ya trade na wildlife ni kama hajafikia.

Kama alivyosema Mwenyekiti wetu wa Utalii, juzi tulienda Kwale na ni jambo la kusikitisha kwamba utalii uko chini kwa Kaunti ya Kilifi. Zile Kaunti zingine hasa Kaunti ya Kwale utashangaa kuona kwamba wameweka mabango hata mahotelini yao. Sasa ni kuonyesha wazi kwamba hapa kuna pengo kwa Kaunti yetu ya Kilifi. Kwa hivyo, kama alivyozungumza Mwenyekiti wetu wa Utalii, utalii ni uti wa mgongo.

Bw. Spika itakuwa vyema Bunge hili kuona kwamba tumepata mtu ambaye ataweza kueneza utalii na tuone kwamba utalii umeweza kusonga mbele na pia vile vile kila mmoja anamaoni yake lakini mimi napinga uteuzi wa huyu mama ambaye ameweza kuomba kazi kama CEC wa Kaunti yetu ya Kilifi. Asante sana.

The Speaker (Hon. Kahindi): Thank you. Yes hon. Teddy Mwambire.

Hon. Mwambire: Thank you Mr. Speaker, I rise to support the adoption of this Motion. Mr. Speaker, I have the following points to support the appointment of Ms. Zeyana; one, as the male champion for women leadership, I find it very great to give the position to this lady because one, she will be balancing the equation among the CEC Members of this County. We will also be having the second youngest CEC in this County because the youngest one we have will be Mwachitu and then she will be the second and the other one following will be the CEC Health.

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Mr. Speaker, I have registered the concerns raised by the Committee for Tourism. It is very funny the two, the Chair and the Vice Chair have accepted that this nominee is very good in Cooperative and Trade but they are only worried because she never went to school to study Tourism just that.

Mr. Speaker, if you look at the operations of the Counties in this Country the CEC Member is ceremonial but the ones who are mandated with the day to day operations including the Accounting Officer is the Chief Officer but not the CEC Member. Mr. Speaker, this is the main reason why you will see the CEC Member for Health is a professional in Human Resource Management; Madam Rachael Musyoki. You will see the CEC Member for Public Works is a professional in Tourism, hon. Tokali Alphonce.

Mr. Speaker, those who are mandated are the Chief Officers, so let the Members of Tourism Committee be comfortable. We are looking for somebody in this County who will assist in the effective disbursement and utilization of the Mbegu Fund, which I know we will be passing in this Assembly in the course of this week.

Madam Zeyana is very qualified because I have heard from the two, that is the Chair and the Vice Chair for Tourism that she is very qualified, which is a true indication that this lady is a good performer. When it comes to the CEC meetings, she will be in a good position to articulate issues Mr. Speaker. Those who got an opportunity to go through the Report of the Appointment Committee are now comfortable because all the details indicate she was in a better position to articulate issues.

This lady is very brilliant; we want somebody who can represent herself or himself in cases of issues that need to be well articulated. Mr. Speaker, if you look at the tourism industry in Schedule Four of the Constitution, this is not a fully devolved mandate. Most of the mandates are still being withheld by the National Government. Why do we want to pin Madam Zeyana Abdullah simply because of the tourism in this Country? Are we looking for somebody who will revive the tourism? If it is so, hon. Alphonce Tokali was the first Chief Executive in charge of Tourism, Industrialization and Cooperative, what did he manage to achieve? He in fact has a PHD in that field.

Mr. Speaker, currently hon. Alphonce Tokali is holding brief in that Office. Is there any indication that we have anything? We don't have anything. Let us look at the issues as they are but let us not be derived by other motives and deny this brilliant lady an opportunity to bring sanity to this County, simply by looking at one icon while ignoring the other icons. If we get a professional in tourism who will be looking at the industrialization issues, who will be looking at the cooperative issues? If they want it that way, then let them bring a Bill to this Assembly and increase the number of Department so that we have 11 of them. Here we will have tourism as an independent body and put a professional to articulate the challenges it is facing.

On that note, let us look at who is mandated to do what and if they are very passionate about it. Let us ask the Committee on Tourism how much they managed to allocate in their budget because they wanted to support Tourism. They don't know Mr. Speaker; this is because they are not very concerned about it. Rather they are just looking at issues to pin down this brilliant lady who will bring sanity to this County. So, let us be very careful Mr. Speaker...

(Hon Mramba rose on a Point of Order)

The Speaker (Hon. Kahindi): Yes, you know sometimes you make me laugh. Do you still want to rise on a Point of Order or you want to make a contribution?

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Hon. Mramba: No! I want to rise on a Point of Order.

The Speaker (Hon. Kahindi): Yes.

Hon. Mramba: Mr. Speaker, the hon. Member who has just left the Floor, I believe he is not in order to imply that the Committee on Tourism does not know its mandate. He went ahead to imply that they do not even know how much was allocated for that Department. Mr. Speaker, those sentiments are too demeaning to the Committee on Tourism.

(Applause)

Hon. Nzaro: Point of Order!

The Speaker (Hon. Kahindi): Let us go one by one, alright?

Hon. Mwambire: Mr. Speaker, I beg to withdraw.

The Speaker (Hon. Kahindi): Thank you.

Hon. Mwambire: I made that point so that they could wake up. That is why I have said that, on the same note I am withdrawing and apologizing to the great Committee.

The Speaker (Hon. Kahindi): Thank you.

Hon. Nzaro: Point of Order!

The Speaker (Hon. Kahindi): Yes what is your point of Order Hon. Japhet Nzaro?

Hon. Nzaro: Mr. Speaker, I think it is not in order for the Member to imply that the House did not pass a budget for Tourism Committee, of which hon. Teddy Mwambire himself is a Member of this House. He needs to know that is a collective responsibility. I think you should give us guidance to this. Thank you Mr. Speaker.

Hon. Mwambire: Mr. Speaker, I cannot respond to something that I have already withdrawn. It has been captured very clearly by the HANSARD that I have withdrawn and apologized. Unless he wants a personal Statement which I can submit to prove that I have withdrawn and apologized.

The Speaker (Hon. Kahindi): You know it is like determination; when one makes up an apology, you cannot go to court. I was laughing because I was wondering, what you guys were doing by not raising on a Point of Order. Save for the fact that hon. Teddy Mwambire has withdrawn and even moved further to apologize there is no need to dwell on that. It is not on record anyway; let us proceed on the real issues.

Hon. Mwambire: Thank you very much Mr. Speaker. We are looking at the nitty gritty issues in this docket now, point by point. Members have raised issues about what happened in Kwale.

Hon. Kombo: Hon. Point of Order!

The Speaker (Hon. Kahindi): Yes?

Hon. Kombo: Is it in order that the Speaker on the Floor speaks twice?

The Speaker (Hon. Kahindi): Hon. Chair, you should be by now aware of the rules. That when a Point of Order is made the Speaker gives direction, after the direction is given or an apology is made a Members is given time to finish.

Hon. Kombo: He has finished.

The Speaker (Hon. Kahindi): There were two Point of Orders which were raised. One by hon. Mramba and the other by hon. Japhet Nzaro and an apology was made. So can you conclude and we move on?

Hon. Mwambire: Thank you very much Mr. Speaker. I was going point by point looking at the docket and the nitty gritty issues which need to be handled by the Chief Executive

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Member. Members have raised concerns about what happened last week in Kwale. It is indeed a great initiative that was done there but that was not an initiative by the County. The County of Kwale only hosted it. We need to understand that it was an initiative by the National Government. Kilifi has also done a number of issues including the Rugby Sevens and the various Beauty Contests but those are activities that the County goes in as a helping hand. If you look at the records that we have even the Governor in this County has travelled wide including going with the President. Last month he was in Italy trying to persuade tourists to come to Kenya. Generally, the image that paints Kenya is beyond the County's initiative.

In a nut shell Mr. Speaker, in that docket the Chief Executive Member is not the one in charge of the issues concerning tourism. Tourism is not fully devolved just the same as the youth issues are not fully devolved. This is the reason we have an Assistant Director but we do not have a Director for youths in this County. Let us understand the issues that will be handled by this nominee before we pin her down. I want to urge all the Members to go through her Curriculum Vitae and the issues at hand we are facing as a County and look at how best they can be handled.

Members were raising issues about wildlife, I believe in that sector we have William Iha who is supposed to handle those issues at the same docket among other Officer. Kindly let us be objective and take the best candidate who is Madam Zeyana for this position. Thank you very much Mr. Speaker.

The Speaker (Hon. Kahindi): Hon. (Ms.) Christine Zawadi.

Hon. (Ms.) Christine: Asante Mheshimiwa Spika kwa kunipa nafasi hii, ili nami nikaweze kuchangia Mjadala ulio mbele yetu. Nimesimama nikipinga uteuzi wa dada Zeyana Abdullah. Ninapinga nikiwa na sababu zifuatazo. Kulingana na Mwenyekiti wa Kamati ya Utalii na kupitia ufahamu wangu mimi ni ukweli kabisa uchumi wa Kilifi Kaunti unaangalia sana upande wa utalii wa wanyama na misitu. Sasa nikiangalia huyu dada na haya makaratasi yake aliyo nayo upande huu kidogo ana upungufu. Huu upungufu ambao ako nao sisi kwetu ni muhimu, nikizingatia sifa zile alizo barikiwa hapa na ninavyojua mimi kila kitu kina kiasi. Hata sima ukiila nyingi itakudhuru. Sasa hizi sifa zimekuwa nyingi sana kiasi cha kwamba nimeanza kuwa na wasiwasi huyu aliyetoka hapa kuzungumza ana haya tulionayo ama ana mengine zaidi.

Manake nikiangalia huyu ni msichana, pengine ni mrembo mimi simjui, ijapo upande huo kama haupo utanisamehe lakini hizi sifa zimekuwa nyingi sana na nikiangalia ile kazi ambayo ametunukiwa nayo na ule ujuzi ambao ako nao hautalingana na sisi kulingana na ule upande wetu ya kwamba utalii umeandika watu wengi na watu wengi wanaishi wakitegemea utalii. Yeye kama hana ujuzi wa utalii basi sijui ni mbinu gani tutatumia hadi utalii wetu uinuke kwa ajili mambo kama hayo niko na wasiwasi na yeye. Niko na wasiwasi na huyu dada na mimi maoni yangu ninapinga Mjadala huu. Asante.

The Speaker (Hon. Kahindi): Hon. Japhet Nzaro.

Hon. Nzaro: Thank you Mr. Speaker, I rise to oppose the adoption of Zeyana Abdullah the CEC Member for Co-operative, Industrialization, Tourism and Wildlife Management. The reason I am I opposing is that the Committee mandated to be a link between this Assembly and the Executive Arm has raised pertinent issues and I fail to understand how they will work in harmony with her. That is why Mr. Speaker, I have some doubts about the working relationship which will pertain the affairs when this Member is nominated to this position and as an Assembly and for the people of Kilifi. We need delivery of service...

MOTION FOR ADJOURNMENT UNDER STANDING ORDER 50 (b)

The Speaker (Hon. Kahindi): Yes Hon. Teddy Mwambire.

Hon. Mwambire: Mr. Speaker, I stand under Standing Order No. 50 (b) to seek adjournment of this debate so that the Committee on Appointment can get an opportunity to share issues that were raised during the debate because Members were not there. If you look at the House we only have four Members whereby the Speaker is the Chairperson and he cannot elaborate on issues. So, Members need to know more about the issues that are revolving around so that when we are making it a debate, we will be in a better position to know how we can handle it. Thank you.

The Speaker (Hon. Kahindi): Anybody to second that Motion?

(Laughter)

(Hon. Foleni stood at his place to second)

Okay, hon. Foleni has gone on record to second the Motion of adjournment of the debate. Hon. Members a Motion has been raised under Standing Order 50 (b) to adjourn the debate on the approval of the nominee and I propose that the same to be debated and put a question.

(Question proposed)

Yes Hon. (Ms.) Mbeyu.

Hon. (Ms.) Mbeyu: Thank you Mr. Speaker, Sir. I think it is right to debate on this Motion and I oppose the adjournment of this Motion.

(Applause)

The Speaker (Hon. Kahindi): You are not seconding you are supposed to be contributing. Yes use the mic hon. (Ms.) Christine Zawadi.

Hon. (Ms.) Christine: Mimi napinga kwamba tusiendelee na mjadala huu bali mimi nataka tuendelee ili tumalize leo leo.

(Applause)

The Speaker (Hon. Kahindi): Thank you, yes hon. (Ms.) Muthoka.

Hon. (Ms.) Muthoka: Asante Mheshimiwa Spika. Mimi napinga naomba tuendelee kujadili hoja hiyo maana Waheshimiwa wako na hamu sana ya kuchangia, mimi nikiwa mmoja wao na sijaongea bado.

(Applause)

The Speaker (Hon. Kahindi): Thank you, yes hon... let me just put the question that a Motion to adjourn the debate has been put by hon. Teddy Mwambire that the House do adjourn now.

(Question put and negatived)

MOTION

ADOTION OF THE REPORT ON VETTING OF NOMINEE FOR POSITION OF CEC MEMBER FOR TRADE, INDUSTRIALISATION, COOPERATIVE DEVELOPMENT, TOURISM AND WILDLIFE MANAGEMENT

(Resumption of debate on original Motion)

The Speaker (Hon. Kahindi): I will say something but after...hon. Members that essentially means that the Motion to suspend the debate has flopped and therefore the debate continues. Yes hon. Emmanuel Chai.

(Hon. Nzaro stood on a Point of Order)

Hon. Nzaro: Mr. Speaker, I need your protection because I was the one contributing on the Motion.

The Speaker (Hon. Kahindi): Oh you are the one on the Floor. Okay because we are speaking on the same matter you can proceed.

Hon. Nzaro: Thank you Mr. Speaker, for protecting me. Mr. Speaker, what I was urging my fellow Members is that, the Committee on Tourism should work in harmony with the CEC Member and in absence of that my fear in delivery of services for the great people of Kilifi will be in jeopardy. That's why Mr. Speaker, I rise to oppose this nominee for Tourism and wildlife and I would have wished maybe the Chairperson and the other Members would have given us a lee way that this nominee was in order then I could also have suggested otherwise because for the interest of others and protecting the minority of this County but I am afraid. I oppose Mr. Speaker. Thank you.

The Speaker (Hon. Kahindi): Hon. (Ms.) Muthoka.

Hon. (Ms.) Muthoka: Asante sana Mheshimiwa Spika. Mimi nimesimama kupinga Hoja hii kwa sababu zifuatazo. Ni kweli kabisa Mheshimiwa Teddy Mwambire aliposimama akasema kwamba huwa mtu anaweza kuwekwa katika idara ambayo hana ufahamu nayo mfano mzuri ni Racheal Musyoki. Nataka niseme kwamba hali hiyo ndiyo imetufanya Kilifi mambo mengi sana tunakaa gizani, kwa sababu gani? *Chief Officer* ana ripoti kwa CEC na ikiwa huyo CEC wake hakuna kitu anachojua tunakuwa hatuna mwelekeo. Wale watu waliokuwa wanategemea utalii katika Kaunti ya Kilifi ama familia ambazo zilikuwa zinaishi zikitegemea mambo ya utalii ama hoteli ni nyingi sana na nimasikitiko makubwa sisi kama Waheshimiwa wa Kilifi Kaunti ikiwa watu hao wako manyumbani huku mahoteli yamefungwa na hatuoni kama kuna dalili zozote...

(Hon. (Dr.) Chitibwi stood on a Point of Information)

Hon. (Dr.) Chitibwi: Mr. Speaker, Sir. I wish Members to remember that they are debating on the CEC who will be in charge of Tourism, Co-operative, Trade and Wildlife, so let us give our points with that information in our minds. It's like we are giving the impression that this CEC Member will be in charge of tourism alone. Let us keep that in mind. Thank you Mr. Speaker.

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The Speaker (Hon. Kahindi): Yes Hon. (Ms.) Muthoka please proceed.

Hon. (Ms.) Muthoka: Hayo yote tunayajua maana tumesoma na tumeona. Kitu ninasema ni kwamba huyu mwanadada tunataka awe na ujuzi kamilifu sio nusu nusu hatutaki mtu ambaye ana vitu nusu nusu tena awe na ujuzi wa kutosha kabisa. Tumechoka kupeana kazi watu ambao wanaingia kwa maofisi na hakuna utekelezaji wa kazi. Sisi kama Kilifi Kaunti tumechoka na tuko nyuma na tunaka tusema kwamba watu wanaoteuliwa kuingia katika ofisi zile wawe wamehudumu kwa mda kulingana na pale mahali anapowekwa. Kwa hivyo mimi ninapinga japo ni mwanadada tena na mpinga ni Mheshimiwa anayewakilisha akina mama haimaniishi tuchukue yeyote yule hata kama hana ajualo. Nimepinga.

The Speaker (Hon. Kahindi): Yes Hon. (Ms.) Chiku.

Hon. (Ms.) Chiku: Thank you Mr. Speaker, Sir, for giving me this chance. Mr. Speaker, I rise to oppose the appointment of Ms. Zeyana...

(Applause)

Mr. Speaker, I would like to inform this hon. House that Patience Tsimba the Chief Officer has a discipline in Trade and Co-operative. She was actually working in the Industrial Estate parastatals. So having Zeyana with the discipline of Trade and then Patience Tsimba with the same discipline, we are creating a vacuum in tourism.

(Applause)

Mr. Speaker, the Ministry of Tourism has really suffered in the hands of trial and error. This is going to cost this County a fortune, why I am I saying this? When Mr. Tokali left, the Ministry was in the hands of a Civil Engineer Mr. Saburi and then we almost ended up with a Doctor in that ministry. So Mr. Speaker, Kilifi County is not a welfare society. This is an institution and we need to be very serious. I have just come back from Kwale County on a tourism exhibition and they enquired why don't you ask Kenya Tourism Board to make such a display in Kilifi? We were sad to learn that Kilifi County does not have a link, the CEC tourism in Kwale has a discipline in tourism and he has worked in several places in the same discipline and it is for that reason that Kilifi is left behind. I think that was the second time we have been there and this was an expo for Africa zone.

Mr. Speaker, I would like to plead again to this hon. House let's not have trial and error. We have really suffered in the hands of these CECs just because we make haphazard decisions. Somebody has said the young girl is this and that but we are looking for somebody to perform. We have our doubts in what is going on in that executive office and it is high time as hon. Members we put our feet down.

We are the people who are supposed to oversee, so let's not forget our roles. If this Member has been sent to this Assembly for approval and we see that the sentiments of the Members here think that she doesn't qualify in the tourism Mr. Speaker, give us a chance and see what we can do and get the correct person. Thank you very much Sir.

The Speaker (Hon. Kahindi): At a point like this I remember the words of my mentor. Sometime back I sat with hon. Marende (former Speaker National Assembly) and he always told us one thing, that as a Speaker...Hon. Majority Leader, do you even wish to submit to this Report or I put the question?

The Majority Leader (Hon. Mwingo): Mr. Speaker...

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The Speaker (Hon. Kahindi): Do you wish to submit?

The Majority Leader (Hon. Mwingo): No I don't.

(Laughter)

The Speaker (Hon. Kahindi): Hon. Members a Motion to adopt a Report of the Committee on Appointment on vetting of the nominee for the position of County Executive Member for Trade, Industrialization, Cooperative Development, Tourism and Wildlife Management Ms. Zeyana Abdullah, has been presented before the House.

(Question put and negatived)

(Applause)

COMMUNICATION FROM THE CHAIR

COMPOSITION OF COMMITTEE ON APPOINTMENT

The Speaker (Hon. Kahindi): You know, if I can revert back to the communication, I think there is need for radical and probably even dissolution of the Committee. I have always been experiencing problems in this Committee where I sit as the Chairperson and then when I am on this seat my hands are tied. I appreciate the majority decision but I have always maintained that something needs be done and it has to be done urgently and as the Committee on Procedure and Rules is working on immediate amendment on this, I highly disagree with its composition. I can assure you for a fact if I was on the other seat I would have convinced you otherwise or maybe not have convinced you anyway, but at least I could have an opportunity to say something.

I have a Membership that is hard to attain number two, I have a difficulty sitting, I have no problem sitting in the Procedure and Rules Committee because my Deputy sits in that Committee but this one I personally have a problem and I thank Members for the decision you have taken because that now will move us very quickly as a Committee on Procedure and Rules to have this Standing Order amended with immediate effect. Such scenarios will happen again and for any person who is on this seat they would want as much as possible to be heard yet the law says you are the Speaker.

I hope you share my sentiments because I cannot sit on the other side one day then on the other day I sit here. Probably we were even misled but you would not even know how we were misled and I think that until it is done a letter will be sent to the Governor; a letter of rejection so I also urge the Committee on Procedure and Rules, please we have a meeting today and we see how soon we can amend this Standing Orders because I do believe we will not be giving justice to these people, especially when I have to sit silent.

It beats logic if we sat five meetings, we earn sitting allowance and the day of presenting the Report I am not allowed to say anything so why did I even sit in that Committee. It beats logic to me and I still don't understand and research has been done and it has shown that in a place like Uganda and Ghana the Deputy Speaker sits in the Committee on Appointment so that the Speaker only appears for purposes of being a Member but the Chairperson actually should be the Deputy Speaker who again will have an opportunity to say whatever he wants to say. So I

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appreciate your judgment. I was not expecting anything more than what you have given because that gives us an opportunity now to amend the law so that it can be effectively put in place.

(Hon. Chai stood on a Point of Order)

Yes?

NOTICE OF MOTION FOR ADJOURNMENT UNDER STANDING ORDER NO. 30(1)

Hon. Chai: Thank you hon. Speaker for giving me this chance. I thought before going to the next Order, I should stand on a point of Order No. 30 (1) to ventilate on a very important matter which is affecting the County at the moment. Hon. Members I am talking about Rain Drops.

(Applause)

Hon. Speaker in the morning when I was coming from my Jaribuni ward, on the way I met some County *Askaris* going to Jaribuni. I was worried what will happen there and I had to call my OCPD and told him that am going to Malindi but at least you should find out what will happen in Jaribuni between the Rain Drops employees and County Government. On my way when I reached Malindi near the airport I found some County Government *Askaris* already having a scuffle with Rain Drops *Askaris*.

So I thought it is time now for this hon. Assembly to come out and speak it out so that the community out there can hear it and it should give a decision on this matter because it is becoming too much. As hon. Members, I don't think it will be very prudent for us to be seated here chatting while our brothers and sisters are fighting outside there. I am not happy about it as I said, and I would be talking about it because there should be and I repeat it, there should be a concrete decision from the Government now to give a way on how we are going to solve this matter. So for that, I think hon. Speaker, I beg to have my seat. Thank you.

The Speaker (Hon. Kahindi): Ok, I am just making reference to the Standing Order that a Member has risen up; it is Standing Order No. 30 (1) 'To seek leave to move the adjournment of the County Assembly for purposes of discussing a definite matter of the County importance.' Now I have received that notification and the law says you must get a two hour notice. Hon. Emmanuel Chai was in my office and has notified me on the same but if the Speaker is satisfied in terms of that, and not less than 20 other Members rise in place in support, it that happens then next time.

(Several hon. Members stood in their places)

Thank you. You may have your seat. The next thing the Speaker is supposed to do is to nominate time because we are almost closing business I would say we shall have this discussion immediately after close of business and during the discussion, no Member shall speak for more than five minutes.

The Speaker (Hon. Kahindi): Hon. Members there being no other Business in the Order Paper, we move to adjourn this sitting until Wednesday but since the Motion has been moved by

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hon. Emmanuel Chai, the House stands to adjourn for the Business of today as it appears in the Order Paper but immediately after walking out we will come back and proceed for the discussion. Thank you.

MOTION FOR ADJOURNMENT UNDER STANDING ORDER NO. 30(1)

DELIBERATION ON REVENUE COLLECTION CHALLENGE IN THE COUNTY

The Speaker (Hon. Kahindi): If you drop the symbol of authority your work is gone. Yes hon. Emmanuel Chai please rise and let us hear your story now.

Hon. Chai: Thank you very much Mr. Speaker for giving me this chance to ventilate on what I saw some weeks back. We had had a scuffle between the County Government and the Company which is collecting revenue for the County- known as Rain Drops; I think some of the Members here have received some calls of intimidation which I find is out of order. I got some calls also, I was told to keep off because I was contributing in one of the social Medias and I said I will not keep off because I will not stand as a leader in this Kilifi County to see my brothers and sisters fighting because of revenue collection. I think the other time I was told the matter is in court so we cannot talk about it but at least we should have time to talk about the fight which is going on. I think at the moment if we are going to be discussing on why or what we wanted to do, it is just for nothing. But at least we should have time and know exactly... because even the court order which is there is not being followed, and when I read it at first it was telling us the County Government or the defendant should collect revenue but up to now that is not happening. We are seeing like the company is overthrowing the government and it is fights everywhere.

Last week I was called in Jaribuni, and was told that from here we are coming to Jaribuni, people have been fighting at the bridge at the cess collection center; the bridge is just in Kilifi. So what I did; I called the security officers which are the police officers in Ganze and I told them I do not want any scuffles to be witnessed in Jaribuni. But I just wonder today after I called the OCPD Ganze and he told me that I got a call from the high authority not to intervene or not to get into the scuffles anymore, that means there is somebody who is saying that 'I have acquired my territory' and I think that it is not right for us. If people are acquiring territories in our County and the County Assembly is just seated keeping quiet, it is as if we all know about it or we know what we did or we know.

Hon. Teddy Mwambire the other time was telling the House that some of the Members might just be seated keeping quiet just because their brothers and sisters were employed in this company. The problems should not be the employments and I talked about it even in Jaribuni. I said I would like to see more than 50 percent of the workers and I told the Rain Drops bosses I should see at least more that 50 percent of the workers being Jaribuni people. So it will not mean that just because the Court order has come to give the Government the power to collect revenue so I got my people, Rain Drops cannot go. If it is about Rain Drops to go, it should go. Leave alone the brothers and people who were employed there, I feel ashamed as a leader when I stand in Jaribuni and see such scuffles. If I know that the security men are the ones to maintain security in my area and today he is telling me that he got orders from above that they should not come in between, so it is like the County Government is left with the Company to go on fighting which I see as a leader it is a big shame.

I would urge Members to know that we want to hear from the top office at least a letter to accompany the court order to show that at least everybody to follow that court order because the

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court order came just from the court and no information or accompanying letter from the government; there no other letter. So I think from here everybody understands the court order which to me it is an insubordination of what is going on. I should say I am not happy about it and I do not know about you hon. Members. I beg to sit hon. Speaker.

The Speaker (Hon. Kahindi): Yes, you still have four minutes more but that is okay. Yes, hon. Japhet Nzaro not more than five minutes.

Hon. Nzaro: Thank you Mr. Speaker. I also want to share a few things which I have seen and, it is quite disgusting that the people of Kilifi County can rise against each other and fight to the extent of shedding blood and sometimes loosing lives. Mr. Speaker, what I don't understand is the application of the Law. A court Order gave the mandate to the County to collect revenue. The enforcement officer should make it possible that the County Government collects its revenue as per the court order.

Mr. Speaker, what we are seeing is that people are now acting with impunity and they do not want to respect the rule of law and if we go to those extent of not respecting the rule of law then what we are breeding in this County is anarchy and when this goes to those extents I am very sure we will lose so many lives in this County and we will be answerable for not doing much to stop this fighting in this County.

Mr. Speaker, the questions also which I fail to understand and gives me the implication to come to an opinion that people in Government are also involved in this Rain Drops saga, is because we can't let our people just die or fight and we do not say anything about it. I think we should do something about it. What also pains me is that even if you look at the court ruling itself there are a lot of issues which came out of that court ruling; one, is that this County has to pay a total of Ksh 37 million to Rain Drops and the other one which also pains me is the bit that, we should pay at least 30% of our revenue collection to a company which will not doing any job to this County.

Mr. Speaker, these are fundamental issues which pain me because I believe the executive arm of this Government should have done much. In fact I would have wished that the executive arm would have appealed this ruling because it is not in favor of the great people of this County. I would also have wished that by staying silent the Government maybe knows what Rain Drops is all about because by right those people in power should have been talking about the fighting which is going on which is very displaced in present day society. Thank you Mr. Speaker, I beg to support.

The Speaker (Hon. Kahindi): Yes hon. Teddy Mwambire.

Hon. Mwambire: Thank you very much Mr. Speaker for granting me an opportunity to ventilate on this thorny issue. I have been following up on this issue of Rain Drops and I am even wondering because the information that we have and what is happening is contrary. It is indeed true that this County entered into an agreement with Rain Drops limited to collect cess among other issues but Mr. Speaker, Rain Drops failed and this County was justified to terminate that contract. There are some institutions in this County which need drastic surgery. I have worked in the law firms for over seven years and if you look at the judgment and all the applications that were made and what was granted by the judge is something that you cannot even believe.

Kilifi County is a constituted Government we cannot allow the way things are happening because I feel the fact that we have some people being around should not stop this Government from taking serious action. I feel this Government should take the fight to the Chief Justice for a review of the judgment that was delivered by that judge in Malindi high court Mr. Speaker. You cannot give such orders because the orders which were given cannot even be consumed by

laymen. If we rely on what was shared you cannot even equate to a kangaroo court because whatever was delivered was to inhibit this County what is right for us. When I was following up this issue Mr. Speaker I was surprised because I received threatening messages through hon. Emmanuel Kazungu Chai hon. Member for Jaribuni. He was the one who was called to inform me of drastic issues that might happen to me but I am not afraid about it.

Mr. Speaker as we are ventilating today here, most Members here are not feeling secure because the directors have threatened to issue unnecessary communication to the public claiming that over 20 Members got a lot of money and they should keep quiet. Let them furnish the County Government of Kilifi with a list of people who signed and a photo and they should tell us what they were doing until they gave them that money because I believe if they were giving money they could have called the press so that they can present that money but if it was something which they did giving *tea* (bribe) to some Members, if it is something that they want to portray this House as a toothless and untrustworthy House, we will not accept that Mr. Speaker. Let them share information that will be construed by the public which is true but if it is information that will only be used to taint the images of Members of this County Assembly, we will not allow it.

We are following up this issue. Personally I have just talked to the CEC Member and the information he has given is not that satisfactory because this is a Government and we should go forward but the way he is portraying it and the way we interpret the ruling I find it to be suspicious because this was a civil matter Mr. Speaker. The prayer that was given could not be used by the police to arrest anybody but again this County can arrest all the Rain Drops members who are collecting cess and be charged as imposters. Because my time is almost over I will call upon the Chairman for Budget and Appropriations Committee on Wednesday to bring a comprehensive report showing how far this issue has reached including the Leader of Majority, he should also tell us what is happening. So Mr. Speaker lets spare more time to get more information but drastic actions must be done to address this issue. Thank you very much.

The Speaker (Hon. Kahindi): Hon. Naftali Kombo.

Hon. Kombo: Thank you Mr. Speaker. Mine is salt to the wound but let me take you back. When we employ a driver and he goes to run over a tree stump or knock the car to either a tree or a pavement, that driver becomes responsible for that damage.

Here as an Assembly our name has been greatly tainted for a mistake we did not do and it is our responsibility now to act to save the face of this esteemed House. We have to look into this matter and identify who came up with this mess, who misled this Government to enter into a contract with this rogue company. Somebody must be held responsible for this matter. We will beat about the bush, but if we don't hold somebody by his neck then we will be making noise and we will not be able to clear our name. Beginning from when this matter was crafted to when the agreement was made and then we look at why? Because according to the meeting that we had with the Governor the other day, he said he decided to terminate the contract because it had failed to deliver according to the contract but on the other end it is this esteemed House that decided to terminate that contract.

So, here we have two issues that this House must deal with. First; we have to establish, did the Governor act on his own or after this House passed a resolution? Then thereafter we can know the way forward. Beating about the bush without getting to know where this matter started, we will make noise and we will not be able to clean our name as it stands. Thank you.

The Speaker (Hon. Kahindi): Yes hon. (Ms.) Zawadi.

Hon. (Ms.) Zawadi: Asante sana Bw. Spika kwa kunipa nafasi hii. Mimi nina haya ya kusema. Ni juzi tu Jumamosi tulipokuwa tukielekea pale Mnarani kwa Kamati ya PIC PAC na yale niliyoyashuhudia pale Tezo Bw. Speaker yalikuwa mambo magumu sana lakini kwa sababu ya uongozi sikujali kwamba mimi ni mwanamke, niliingia katikati ya wale askari ambao walikua wanamenyana na yule kijana wa Tezo na hawakuamini yale walioyaona.

Vijana wa Rain Drops na wa Serikali ya Kaunti wote ni vijana wetu na tukisema tunatetea mtu wa Serikali ya Kaunti ama wa Rain Drops wote bado ni watoto wa Kilifi. Jambo ambalo lilifanyika pale ni jambo la kuhuzunisha sana kwa sababu unapata vita vilikua vinaendelea baina ya Rain Drops kwamba wameambiwa watoke katika vituo na wale wa Serikali ya Kaunti wanaenda pale ili kuchukua ushuru na wale wengine wanakataa, na nilipofika Tezo ilikuwa ni vita vinaendelea. Yule jamaa mwenye kuchukua ushuru alikua ni makofi anapokea. Nilisimamisha gari mbele yao kwa mbio, nilikuwa na Mheshimiwa Chihanga nikamwambia wacha nishuke pale yeye akaanza kutetemeka nikamwambia wacha nikuonyeshe kwamba mimi ni shujaa wa kike leo.

Nilishuka chini nikaenda mpaka pale mahali walikuwa wameanza vile vita nikawaambia sikizeni, fanyeni hivi, nyote ni watoto wa Kilifi, mnachopigania naona ni ushuru wa Kilifi na nyinyi nyote ni wafanyikazi na tunaona kwamba ile ilani iliyotolewa ni kwamba Serikali ya Kaunti iendeleo kuchukua ushuru na nyinyi wafanyikazi pia bado mlakua mtalipwa mnatetea nini? Ama ni kitu gani chenye hamkuelewa? Nendeni kwa ofisi ya Fedha nyinyi wa *Rain Drops* mkaulize ni mahali gani mtalipwa mishahara yenu. Naona walitulia baadaye kabla hawajatulia kuna mmoja nilimuuliza swali maana alikua juu kwa jina ninakumbuka anaitwa Wekesa akiwa yeye ni ofisaa wa *Rain Drops*, akaniuliza na wewe madam unasimama hapa kutuongolesha kama nani? Nikamwambia utanijua baadaye na kabla sijamaliza kuongea fanya hivi ukitaka usalama wako, shika gari, nenda Kilifi na ukibaki hapa Tezo nitakuonyesha kivumbi maanake huyu wa Kaunti ataenda nyinyi nyote mtaenda, nitaleta vijana watakusanya pesa sasa hivi hapa.

Nilichofanya Bw. Spika, niliwambia wale watu wa *Rain Drops* tuandamane mpaka Kilifi na wakasema hawawezi kuandamana kwa sababu wao wako kwa ile shughuli yao. Nikasema haiwezekani kwa sababu kama mtabaki Tezo na mimi naenda Kilifi lazima mtaendelea kuleta fujo. Bw. Spika, tulikua na maneno, vuta nikuvute, wakakubali yale yangu niliyokua nikiyazungumza takaambatana. Tulipofika Mtondia wakasema tuende pale bridge maanake hapo ndio kuna kizaa zaa. Sikukataa nikaambatana nao mpaka bridge, nikasimama, wakasema ikiwa tunataka tuelewane ni ofisaa wetu abaki hapa na wenu abaki hapa ili wote wakusanye halafu ikifika jioni wataelewana kama ni ngapi zimepatikana halafu watafanya nini, nikawambia hiyo haiwezekani.

Nikajaribu kumpigia Owen akakataa kuchukua simu. Nikampigia Chief Officer ambaye ni Kai pia hakupokea simu baadaye akanitumia ujumbe akaniambia tafadhali nipigie baadaye dada. Nikakaa Mda nikiwa pale gari mbili za Serikali ya Kaunti zikaja pale. Jambo ambalo walikua wananielezea wanasema Mheshimiwa tunaomba uondoke maanake hawa watu watakuasiri. Nikasema kwamba ikiwa mimi ni kiongozi na nilihesabiwa kwamba nitakufa kwa kazi wacha nikufe hapa kazini. Na leo nataka nijue ukweli uko wapi. Kwani nyinyi watu wa *Rain Drops* ni kitu gani cha maana muhimu mnapata kiasi cha kwamba mlisemekana mtalipwa mishahara yenu na bado mnang'ang'ania na Serikali ya Kaunti? Huyu ofisaa mwenye anasimamia Wekesa anasema sisi hatuwezi skiza wale wakubwa kwa sababu lile jambo ambalo linaendelea Bw. Spika kunaonekana kuna mizizi ambayo imeshikilia hili jambo na hicho kitu chenye kinaendelea Bw. Spika, sisi kama wakaaji wa Kilifi ama viongozi wa Kilifi kwa jumla

hatutakubali maana wanaopigana ni vijana wetu wa Kilifi na sisi kama viongozi tumechoka kuona damu zikitiririka maanake hiyo juzi ile hali ilikua inaendelea ni mbaya sana.

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

MOTION TO EXTEND THE SITTING

Hon. Chai: Thank you very much Mr. Speaker for giving me this chance of standing again under Point of Order No. 50(a). I was thinking that our time is running out and I was trying to see whether you can extend it so that Members can ventilate much on it. Thank you very much.

The Speaker (Hon. Kahindi): Anybody to second that Motion?

(Hon. Ms. Mbeyu stood at her place to second)

Hon. Members, a Motion to extend the sitting has been moved by hon. Emmanuel (Chai) and has been seconded by hon. (Ms.) Mbeyu. I put that Motion into a very short debate then we can see the way forward.

(Question proposed)

Yes hon. (Ms.) Mbeyu you have seconded, why do you think it's necessary to extend time?

Hon. (Ms.) Mbeyu: Thank you Mr. Speaker. We have had this issue of Rain Drops for almost a whole month; I think today we really need to get a way forward. I am one of those Members who messages have been sent to because that I keep talking about it and I think I will keep talking until we get to the bottom of this issue. Thank you.

The Speaker (Hon. Kahindi): Hon. Members, let me just put the question that a Motion to extend the sitting has been moved by hon. Emmanuel Chai.

(Question, that debating time be increased, put and agreed to)

Yes hon. (Ms.) Zawadi you had one minute to finish so please summarise.

Hon. (Ms.) Zawadi: Asante sana Bw. Spika. Langu la mwisho ninasema kwamba Bunge hili ni tutoe suluhu kwa sababu wanaoumia ni vijana wetu na sisi kama viongozi hatutakubali vita vinyoendelea na ikiwa inajulikana chanzo chake kwa sababu mahali imefikia ni watu wetu wanaumia kule mashinani, na tukisema kwamba wanaumia ni hasara kubwa inaingia Kaunti ya Kilifi maanake kwa sasa hatupati ushuru.

Zile pesa zinaingia mifukoni mwa watu kwa hivyo hatujui ni Kaunti gani inaingizwa hizo pesa. Kwa hivyo Bw. Spika, ninasema viongozi wenzangu tutafute mbinu ambayo Rain Drops kwa hakika tutaishimamisha kwa haraka iwezekanavyo kwa sababu ile hali inayoendelea si nzuri na ni lazima tufanye kitendo kama ni maneno tumechoka. Asanteni.

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

The Leader of Majority (Hon. Mwingo): Thank you Mr. Speaker for giving me the opportunity to deliberate on this issue. If I am not mistaken, I remember the time we had a meeting with His Excellency the Governor. According to the way our Governor expressed himself, he is feeling the same as Members are feeling because I remember we really tried to

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interrogate, we really tried to ask him so many questions, but according to the way he said, it is exactly the same because the Governor is able to act but according to his sentiments, both parties are people from Kilifi. According to the way he told us is that we have to appoint...

(Hon. (Ms.) Mbeyu stood on a Point of Order)

Hon. (Ms.) Mbeyu: Mr. Speaker, I don't buy the idea of the Leader of Majority in the House speaking about the issue of Mnarani. I think all of us were there and the way the Governor was answering to our concerns, some of the questions were not convincing. So he should not tell us that the Governor is feeling what we are feeling here. Thank you.

The Speaker (Hon. Kahindi): It is a very tough position; trust me. Yes, just continue.

The Leader of Majority (Hon. Mwingo): Thank you Mr. Speaker. You know actually I was just coming to the final point because all in all we have to get a solution to this problem which is going on within our County. If I remember very well his last sentiments were we have to elect four Members from this hon. County Assembly so that we can sit and discuss about this issue between the Government and Rain Drops.

(Hon. (Ms.) Mbeyu stood on a Point of Order)

The Speaker (Hon. Kahindi): Yes.

Hon. (Ms.) Mbeyu: Mr. Speaker, I think the extension of time is very precious. The Leader of Majority on the Floor is taking us back. We discussed about the issue of not having elected people to sit in a meeting. So he is taking us back and we extended this precious moment to discuss a way forward. We already deliberated on this whether he was absent or present in the House; please let him give us time to deliberate on this issue. Thank you.

The Leader of Majority (Hon. Mwingo): Mr. Speaker, I think by the time you are making that resolution is that you are not ready to sit and discuss. Maybe I was not there but that is what I know and I was just waiting actually for the four Members to be elected so that we can get the way forward as far as this issue is concerned.

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

Hon. Mramba: Mr. Speaker, this matter has been dragging for a long time and what I believe is that the County Executive is part of Rain Drops. Mr. Speaker...

(Applause)

The problem does not lie with Rain Drops. The problem is in the County Government Executive because I believe they are not serious in moving ahead and throwing out Rain Drops. As we talk here Mr. Speaker, I believe some County Executives are beneficiaries of Rain Drops. This is why we are being taken round like this. Even the report of the Auditor General which I have in my hand has already stated that the procurement of this company was un-procedural and I wish to quote with your permission Mr. Speaker?

The Speaker (Hon. Kahindi): Yes, Proceed.

Hon. Mramba: On page 29 of the Report of the Auditor General it is indicated here that 'an expression of interest...

(Hon. Mwambire stood on a Point of Order)

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Hon. Mwambire: Mr. Speaker is it in order to read a document that is not authenticated whether it is valid or not valid? Because we have not seen that Report and it is supposed to be tabled and authenticated. Till then he cannot read it in this House.

The Speaker (Hon. Kahindi): Let's hear what the purported Report says.

Hon. Mramba: Thank you so much for your indulgence and immediately after reading through, I will present this paper to the office of the Clerk.

Mr. Speaker, on page 29 of this report from the Auditor General 'an expression of interest for cess and parking fees revenue management system was advertised in the standard news paper dated 29th August, 2013. This was contrary to section 78 (1) of the Public Procurement and Disposal Act 2005 which state that's the procuring entity shall advertise the Notice inviting the expression of interest in at least two daily news papers of nationwide circulation.'

That already can be one of our grounds for termination of this contract and therefore I wish to plead with you hon. Members that this County Assembly goes to court as an interested part, because we do not believe that the County Government Executives are serious in eradicating Rain Drops Mr. Speaker.

Otherwise we are the representative of the people and we need to know the truth Mr. Speaker. How come Members of staff in Rain Drops are being paid from the coffers of Kilifi County Government? I wish to state that the County Government itself is not serious in removing Rain Drops and therefore I beg to support hon. Emmanuel Chai in his venture to make sure Rain Drops goes. Thank you.

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

Hon. (Dr.) Chitibwi: Thank you very much Mr. Speaker, Sir. Members of this House were not happy right from the beginning when a private company was awarded this contract. Our queries were always meeting the same answers that it was irregular and that the County was not going to benefit. We have seen that the County has not benefited and there is no likelihood that it could benefit. Now as a Government I cannot seem to understand why we are unable to implement what we are supposed to do.

Kiraitu Murungi said the government is the only institution that can legally use force but unfortunately the language we are hearing from the Executive is that they are unable to act because the people involved are all children of Kilifi County. Yes they are all children of Kilifi County but our children must know what is right and wrong and if they do not know what is right and wrong it is us the parents or the leaders to tell them and show them what is wrong. Personally I am against the issue of appointing the four Members of the Assembly. These four Members of the Assembly are going to be used to legitimize a wrong. Members of the County Assembly were with us and that is what we decided.

We believe it is wrong so let the Executive do what is right and let this Assembly say you are wrong or you are right in what you are doing. Unless otherwise I personally disagree with the issue of Members of this County Assembly to be involved with that Executive Committee and I do not believe that a County Government can fail to resolve this issue. It is an issue that could be resolved within a maximum of two or three days. How can we wait for all this time for a resolution? Mr. Speaker, it is the Executive that has failed or even if they are not saying it, we can read the answers. Thank you.

The Speaker (Hon. Kahindi): Thank you, I am also informed, hon. Teddy Mwambire, that actually the Report being read was tabled before this House. It was tabled on 13th of October. Yes hon. Mwayaa...

Hon. Mwayaa: Asante Mheshimiwa Spika, nasimama kusema sisi kama Kilifi Kaunti ni serikali. Mheshimiwa Spika, ukikumbuka wakati tulivyonana na Gavana niliuliza swali, mimi nimekuwa mchapishaji kwa mda mrefu nafikiri miaka yangu mingi nimeendesha mashini na najua sheria ya kutoa nakala karatasi moja ambayo ina nembo ya kampuni ya mtu na unaweza ukashitaki mtu. Lililo nishangaza Mheshimiwa Spika, wale vijana ambao wanafanya kwenye Rain Drops wanafanya kazi ikiwa nembo ya serikali yetu...

(Hon. Ibrahim walked into the Chamber)

(Hon. Mwambire stood on a Point of Order)

Hon. Mwambire: Mr. Speaker, we have a stranger in this House.

The Speaker (Kahindi): Who is he?

(Hon. Ibrahim withdrew from the Chamber)

(Laughter)

The Speaker (Kahindi): Thank you, proceed hon. Mwayaa.

Hon. Mwayaa: Asante Mheshimiwa Spika. Nikashangaa nikiwa najiuliza maswali, nembo yetu ya serikali ya Kaunti inatumika kwa niaba ya kampuni ya Rain Drops? Mimi binafsi kama Mheshimiwa ambaye niko katika Kilifi Kaunti nilikuwa siwezi kusema huyu anafanya na Rain Drops na huyu ni mfanyikazi wa serikali yetu ya Kaunti. Vitambulisho vyetu vikatumika na nembo yetu ikatumika ambapo hapo pia tunaweza tukashtaki kulingana na ule ujuzi mchache ambao niko nao. Nikauliza ni nani aliye ruhusu vitambulisho vitengezwe viende kwa Rain Drops? Mheshimiwa Spika hilo ndilo swali linafaa kila mtu ajiulize alafu jibu tutalipata. Asante sana Mheshimiwa Spika.

The Speaker (Hon. Kahindi): Yes, hon. Kilabo.

Hon. Kilabo: Asante Mheshimiwa Spika kwa kunipa nafasi hii. Sisi kama watu wa Kilifi tumechoka kuzungushwa huku na huku kwa sababu ya jambo hili la Rain Drops Mheshimiwa Spika. Kwani hao Rain Drops ni akina nani? Sisi tumechoka na tutasimama kidete kuhakikisha ushuru wetu wa Kilifi unakusanywa kwa hali halali. Bw. Spika, umwagikaji wa damu Kilifi hatutakubali kwa sababu wanaoumia ni vijana wetu. Kwa nini tunafanywa kama watu hatujielewi? Kwa sababu kuna watu wanajua kiini hasa cha swala hili ndio maana bado kuna shida na vibaya ni kuwa baadhi yetu wameanza kupewa vitisho. Wanatisha watu na vitisho vidogo vidogo vya hapa na pale. Mheshimiwa Spika, tumesema tumechoka ni wakati sasa sisi kama viongozi kufwatilia jambo tulijue ndani na nje. Asante Mheshimiwa Spika.

The Speaker (Hon. Kahindi): Thank You. Hon. (Ms.) Mbeyu.

Hon. (Ms.) Mbeyu: Thank you Mr. Speaker Sir, for giving me a chance to contribute to this thorny issue. Mr. Speaker, we are tired of being taken in circles with this issue of Rain Drops. I am among those people who were told not to talk about the issue of Rain Drops or else something will happen to me. Mr. Speaker, last week I was on NTV talking about Rain Drops. I

am not going to keep quiet while our people are suffering. I said I am a leader and I don't fear anything.

It is a high time Mr. Speaker; we deal with this issue once and for all. We need to look at the root cause of this entire problem, and whoever is doing this should be held responsible. Our people are shedding blood and losing their lives, we cannot sit and watch. There is a woman who died madam Kanyeta, who is supposed to be buried on Saturday because of the issue of Rain Drops. We are saying we are tired as Members of the County Assembly and we want to know the root cause of this whole issue of Rain Drops Mr. Speaker. Thank You.

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

Hon. Mlanda: Bw.Spika, ni hali ya kusikitisha sana tukiona tunachezwa akili na hatuna la kufanya kuhusu jambo hili. Ni vibaya sana sisi kama viongozi tukiona watu wetu wanapoteza maisha kwa sababu ya watu wachache ambao wameshikilia jambo hili kwa manufaa yao binafsi. Bw. Spika ni wakati sasa tumalize jambo hili na iwe ni mwisho watu wetu kukosana na kuumizana kwa sababu ya Rain Drops. Tunasema tumechoka na tunataka suluhu ya kudumu kuhusiana na jambo hili. Asante Mheshimiwa Spika

The Speaker (Hon. Kahindi): May I call the Mover of the Motion to respond as we close.

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

Hon. Chai please.

Hon. Chai: Thank you Mr. Speaker. I want to thank all Members for accepting the extension of time to discuss this issue that has been of essence and also want to thank all those who have taken their time to contribute to this thorny issue of Rain Drops. I believe as honourable Members, we are going to find a way forward. Thank you very much Mr. Speaker.

The Speaker (Hon. Kahindi): Now, hon. Members the ball is in your court. You know my heart bleeds when hon. Members ask me what to do because you have the powers and the mandate. The sad thing is, as the Speaker, the law does not allow me to contribute to the debate and so I cannot help you, but what I can do is simply advice you. I feel so bad when you sound helpless while you actually can do something. I want to say keep up with the good job, stay focused and use the mandate that has been given to you.

ADJOURNMENT

There being no other Business, this sitting is adjourned til tomorrow.

The House rose at 5.30 p.m.