

**REPUBLIC OF KENYA**  
**COUNTY ASSEMBLY OF KILIFI**

**THE HANSARD**

**Monday, 29<sup>th</sup> February, 2016**

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

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

**PRAYERS**

**COMMUNICATION FROM THE CHAIR**

**COUNTY FISCAL STRATEGY PAPER, 2016**

**The Speaker** (Hon. Kahindi): Good afternoon hon. Members. I am in receipt of the County Fiscal Strategy Paper, 2016, which has been submitted pursuant to Standing Order No. 208. Now Standing 208 (4) says that; *Each Sectoral Committee shall consider, discuss and review the Estimates according to its mandate and submit its Report and recommendations to the Budget and Appropriations Committee within 21 days after being laid before the County Assembly.* What it means is that each and every Sectoral Committee: Energy, Agriculture, Health, etc, will bring a consideration on this County Fiscal Strategy Paper and then each Committee will send its own findings to the Budget and Appropriations Committee.

If you are the Chairperson of the Agriculture Committee, you will only dwell on the issues of Agriculture as they have been spelt out in the County Fiscal Strategy Paper because this is what informs the Budget. A clear reading of the Standing Order says that you submit a Report within 21 days after the date of it being read in the House. So that means each Sectoral Committee has 21 days from today to submit your Report to the Budget and Appropriations Committee. Then the Budget and Appropriations Committee shall discuss and do estimates and make recommendations.

Upon being laid before the County Assembly, the County Fiscal Paper shall be deemed to have been committed to each Sectoral Committee without question put for each Committee to deliberate upon according to their respective mandates and make recommendations to the Budget Committee.

In considering the County Fiscal Paper, the Budget and Appropriations Committee shall consult each Sectoral Committee and table a Report pertaining to its recommendations on the statement of the County Assembly for consideration. Are we together? So what it essentially means is that the Budget and Appropriations Committee before tabling your Report, you will also consult with the other Sectoral Committee.

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### KAMKUNJI AFTER SITTING

The Second Communication is that after this sitting we will hold a brief *Kamkunji* for only five minutes. There is something which I need to communicate to you which is very important but can only of course be discussed in a Kamkunji. Next Order!

### PAPER LAID

#### KILIFI COUNTY PUBLIC SERVICE BOARD REPORT OF ACTIVITIES FOR THE PERIOD OF JANUARY 2015 TO DECEMBER 2015

**The Speaker** (Hon. Kahindi): Hon. Mwingo, I am informed that you are holding brief for hon. Kenga. Please proceed.

**The Leader of Majority** (Hon. Mwingo): Thank you Mr. Speaker. I wish to Table before this hon. House a Report of Activities for the period of January 2015 to December 2015 for the County Government of Kilifi Public Service Board.

*(Hon Mwingo laid the document on the Table)*

### MOTION

#### ADOPTION OF THE REPORT OF THE SECTORAL COMMITTEE ON PLANNING, TRADE AND COOPERATIVES ON THE GOVERNOR'S MEMORANDUM ON KILIFI COUNTY ENTERPRISE DEVELOPMENT FUND (MBEGU FUND) BILL, 2015

**Hon. (Dr.) Chitibwi:** Thank you Mr. Speaker, Sir. I wish to move that this County Assembly adopts the Report of the Sectoral Committee on Planning, Trade and Cooperatives on the Governor's Memorandum on Kilifi County Enterprise Development Fund (Mbegu Fund) Bill, 2015, laid on the table of this hon. House on Tuesday, 16<sup>th</sup> February, 2016. I call upon hon. Mangi to second.

*(Hon. Mangi stood at his place to second)*

**The Speaker** (Hon. Kahindi): Hon. Members, the Motion for the adoption of the Report by the Sectoral Committee on Planning, Trade and Cooperatives on the Governor's Memorandum has been Tabled and seconded. I now propose that the same is ready for debate. Members have had sufficient time to look at the copies of the Report.

*(Question proposed)*

Yes hon. Gambo.

**Hon. Gambo:** Asante Bw. Spika. Nimesimama kuunga mkono Ripoti ambayo imeletwa katika Bunge letu. Kunao Mswada ambao umeletwa katika Bunge letu kuhusu *Mbegu Fund* na

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ukajadiliwa na hatimaye ukafikia kuwa iwe sheria. Sheria hiyo iliungwa mkono kwa wingi ndani ya Bunge hili sasa imefikia kupelekwa kwa Gavana aweze kuitia saina pia.

Bw. Spika, kuna vipengele vingine vilivyokuwa vinahitaji marekebisho na kama Kamati ambayo ilishughulikia hiyo sheria ya Mbegu Fund, tuliweza kukaa na kuwaita wale ambao ni wahusika kama vile mawakili kwenye kamati hiyo na hata kuzungumzia Mswada huo. Tuliweza kuwa nao na tulirekebisha vipengee hivyo. Kwa hivyo, Waheshimiwa ndani ya Bunge hili waweze kusomewa Ripoti hiyo na ni muhimu kwamba waweze kuiunga mkono ili utekelezaji wa sheria hiyo uweze kuanza. Bw Spika, nimesimama kuunga mkono Ripoti hiyo ambayo imeletwa mbele yetu.

**The Speaker** (Hon. Kahindi): Yes hon. Hassan.

**Hon. Hassan:** Asante sana ndugu Spika. Nimesimama kuunga mkono Ripoti hii ya *Mbegu Fund*. Mheshimiwa Spika, ningomba nichukue nafasi hii vile vile kuwasihi waheshimiwa wenzangu kuunga mkono swala hili kwa sababu liliidhinishwa kitambo sana lakini utekelezaji wake ni kwamba sisi ambao tunachangia tumechelewa. Kwa hivyo, naomba Mheshimiwa Spika, kwa heshima za waheshimiwa wenzangu, tulishughulikie kwa haraka hili swala ili tuweze kusaidia watu wetu. Asante sana Mheshimiwa Spika.

**The Speaker** (Hon. Kahindi): Yes hon. Kiraga.

**Hon. Kiraga:** Thank you very much Mr. Speaker for granting me this opportunity to make my contributions. I rise to support the adoption of the Report concerning the Memorandum from his Excellency the Governor.

Mr. Speaker, one of the issues which the Governor recommended is Clause 6, whereby the Committee had suggested that the membership of the board is to be around nine Members and in the view of the Governor, this is going to have some financial implications and that is why the Committee in its sitting after receiving the Memorandum reduced the membership of the board from nine to around seven which to me that is a very commendable job. Mr. Speaker, if you look at the powers of the sub-County Committee, the Committee also sat and expanded the powers of the sub-County Committee, which will even give more room for this Committee to work for the benefit of our people.

Finally, Mr. Speaker, what the Governor suggested in his Memorandum is something to be looked into and that is why I commend the Committee for having adjusted this Report to suit what the Governor had highlighted in his Memorandum. With those few remarks Mr. Speaker, I support the adoption of the Report concerning the Memorandum of the Governor. Thank you very much Mr. Speaker.

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

**Hon. Mangi:** Thank you Mr. Speaker, Sir. I rise to support the adoption of this Report. The Governor raised issues in his Memorandum and as a Committee of which I am a member, we had the right to accept or ignore but this time round we were convinced that the issues he raised were very genuine and as such, we incorporated those views in the Report.

Mr. Speaker, the Mbegu Bill is long overdue. In fact Mr. Speaker, Sir, we were having very difficult options at the ground and we had to answer questions, maybe not in the specific way because we are yet to approve this Mbegu Bill to become law. I am urging hon. Members to move with speed and join me or the Committee in adopting this Report and subsequent approval of the same so that it becomes law.

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Last but not least, Mr. Speaker, Sir, now that the main Budget process has just began, hon. Members should also join me in making sure that we make an allocation that will pave way for those who should benefit from this fund so as to know that the County Government has now really recognized the youth and those who will benefit from this fund. I rise to support the adoption of this Report and I am pleading hon. Members to join me in doing the same. Thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Kahindi): Yes hon. Majority Leader Hon. Mwingo.

**Hon. Mwingo:** Thank you Mr. Speaker, Sir. I also rise to support the adoption of this Motion. First, of all, I would like to take this opportunity to recommend the Committee which is being lead by the hon. (Dr.) Chitibwi for the job well done. I commend this Committee for accepting the Memorandum from the Governor.

Mr. Speaker, as I speak in my Ward of Mtepeni, I am being asked so many questions because we have been encouraging our people, especially our youth and women, to form groups so that they can benefit. Now the question I am getting is when they are going to get that money. So Mr. Speaker, I stand to support so that our people can benefit from this Bill. Thank you, Mr. Speaker.

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

**Hon. Mwambire:** Thank you very much Mr. Speaker. Last Friday, I was honoured by the Governor to represent him at the County Dialogue Forum and the public who had been drawn from all the 35 Wards across the County were enquiring about the genuineness of the Mbegu Fund.

Mr. Speaker, if you look at what we have in the Supplementary Budget and the details on how the Kilifi people are yearning for this Fund, I think it will be quite in order if as Members we adopt the Report so that we can move forward. What Kilifi people are expecting now and as per the allocation in the Supplementary Budget, immediately we adopt this Report, then we will be giving an avenue to the Department of Trade to move around and sensitize different groups so that by the time we go to the next Budget we will have to put a good allocation so that members of the public can benefit from this Fund.

It has been hide and seek games in coming up with a legislation; the benefit that the people of this County have been yearning for. If you look at the time when the Memorandum came to this Assembly, it was quite long ago; but again Mr. Speaker, we went for long recess that denied an opportunity for us to pass this legislation so that we could be in a position to move ahead as had been planned earlier. Even if you look at what has happened in this County, immediately we passed the Bill even before the Governor assented to the Bill, the Department went ahead and started to sensitize the public on how they will be utilizing the Mbegu Fund though most of the details had been changed by the Assembly. If we do it today, I believe the right information will be taken round to the people and they will prepare themselves so that by the time we pass the next Budget, members of the public will be fully aware and I believe even its implementation will be commendable.

So, before we leave this Assembly, in case there will be any issues, we will be in a better position to make good amendments which will benefit the Report. Just as I have shared earlier that if you look at the Report that we are adopting, the center of operations is still at the sub-County level. It was my wish that the center of operations could have been brought to the Wards so as to cut costs, Mr. Speaker. Looking at the full operations of this Fund, it will require a lot of

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money to be operationalized. That is why I still agree that the recommendations of the Committee still remain; that the center to be at the Sub County level. At least we can start, and then out of experience, we will be in a position to make other decisions. It is my humble request to my colleagues, hon. Members, to understand, to accept, to read and have reservations on what we think will be the best based on the financial obligation of this Fund and accept to adopt the details as brought by the Committee so that we can move forward. Thank you very much Mr. Speaker. I stand to support.

**The Speaker** (Hon. Kahindi): Hon. (Dr.) Chitibwi, do you wish to make submissions?

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

**Hon. (Dr.) Chitibwi:** Thank you very much hon. Speaker. I am pleased to hear positive contributions from my fellow Members. This spirit is very important for Kilifi County and the expectations of our people are very high although there are delays in what we are doing; correcting a few mistakes that could have been made in the process. The Governor gave his comments; the Committee looked at them very well, we consulted with the legal officer and at the end of it all we accepted some of these proposals, although some we did not accept as seen in this Report. We had to get a balance between the need of the people and the Governor's proposals. It was very important for people to feel that Mbegu Fund belongs to them. It was very important as we heard from the initial stakeholders meetings that it does not appear to be a fund or as a political pool; not now or even in the future. So, we tried to cut that balance and this Report showed that fellow Members, so far, continue to support the adoption of this Report. Thank you.

**The Speaker** (Hon. Kahindi): Thank you hon. (Dr.) Chitibwi. Hon. Members, a Motion for the adoption of the Report of the Sectoral Committee on Planning, Trade, and Cooperatives on the Governor's Memorandum of the Kilifi County Enterprise Development Fund also known as Mbegu Fund has been deliberated and I put the question.

*(Question put and agreed to)*

## COMMUNICATION FROM THE CHAIR

### CLARIFICATION ON THE COUNTY FISCAL STRATEGY PAPER, 2016

I just want to make some clarifications on what I said earlier on. The County Fiscal Strategy Paper is presented under Standing Order No. 207 and not 208 and the duration is 14 days and not 21 days; so you need to work very hard. Just a correction I had to make.

## ADJOURNMENT

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

**The House rose at 2.46 p.m.**

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