



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

THE HANSARD

Thursday, 28th December 2023

SPECIAL SITTING

(Convened via Kenya Gazette Notice No. 17550 of 22nd December 2023)

*The House met at the County Assembly Chamber,
Malindi Town, at 9:30 a.m.*

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

PRAYER

COMMUNICATIONS FROM THE CHAIR

**CONVENING OF SPECIAL SITTING TO DELIBERATE THE KILIFI COUNTY SUPPLEMENTARY
BUDGET ESTIMATES FOR THE YEAR ENDING 30TH JUNE 2024 & THE KILIFI COUNTY
SUPPLEMENTARY APPROPRIATION BILL, 2023**

The Speaker (Hon. Mwambire): Hon. Members, the Office of the Speaker received a request from the Leader of Majority to appoint a day for a Special Sitting Pursuant to Standing Order No. 26 (1) to (4) of the County Assembly Standing Orders for the purposes of Tabling and consideration of the Report of the County Budget and Appropriations Committee on the Kilifi County Supplementary Budget Estimates for the year ending 30th June, 2024 and consideration of the Kilifi County Supplementary Appropriation Bill, 2023.

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The request was granted and notified for information of Members to the County Assembly and the general public Kenya Gazette Vol. No. CXXV No. 268 and Gazette Notice 17550 dated 22 December 2023 THAT, there shall be a Special Sitting on Thursday, 20th December 2023 as from 9:30 a.m. in the County Assembly Chamber in Malindi.

THE KILIFI COUNTY WARD SCHOLARSHIP FUND AMENDMENT BILL, 2023

I would also like to report that the County Assembly is in receipt of the Kilifi County Ward Scholarship Fund Amendment Bill, 2023 dated 27th December 2023 which seeks to amend the Kilifi County Ward Scholarship Act (No. 3) of 2018.

Hon. Members, we have an urgent need to have the Bill considered to enable students to access scholarships and bursaries once schools are opened in January 2024. I wish to request the Leaders of the Majority and Minority Parties to request for a Special Sitting on Friday, 4th January 2024 to have the Bill read the First Time.

ISSUANCE OF SPORTS EQUIPMENT STOPPED UNTIL VERIFICATION EXERCISE IS CONDUCTED

Hon. Members, as you may recall in the last meeting of the Committee on General Oversight, the Committee resolved to conduct a verification exercise on the sports equipment purchased under the vote head 3111109 at the departmental stores.

This is to therefore direct that the Department in charge of the sports seizes forthwith with the issuance of any sports equipment purchased under the vote head 3111109 of the Supplementary Budget of 2022/2023 until verification is done after the long recess.

The Clerk of the County Assembly is hereby directed to officially communicate the position of the Committee of General Oversight to the County Executive Committee Member in charge of sports for the necessary action.

HAPPY AND PROSPEROUS NEW YEAR 2024

Hon. Members, I would like to take this opportunity to wish you all a happy and prosperous New Year 2024 as you continue to serve our great people and enjoy time with your loved ones regardless of the Special Sitting that we are going to have for the purposes of making sure that we streamline our service delivery to the people.

PAPER LAID

REPORT ON THE KILIFI COUNTY SUPPLEMENTARY BUDGET ESTIMATES FOR THE YEAR ENDING 30TH JUNE 2024

Hon. Emmanuel: Thank you, Hon. Speaker. I beg the give Notice of the following Motion:

Adoption of the Report of the county budget ...

The Speaker (Hon. Mwambire): Chairperson, you might be misleading the House. You are supposed to Table the Report first.

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Hon. Emmanuel: Thank you, Mr. Speaker for the clarification. I beg to lay the following Paper on the Table:

The Report of the County Budget and Appropriations Committee on consideration of the Kilifi County Supplementary Budget Estimates (No. 1) for the year ending 30th June 2024.

(Hon. Emmanuel laid the document on the Table)

The Speaker (Hon. Mwambire): You are on long on recess; there are a number of issues that you need to be inducted again. You are supposed also to give the Notice of Motion now.

NOTICE OF MOTION

ADOPTION OF THE REPORT ON THE KILIFI COUNTY SUPPLEMENTARY BUDGET ESTIMATES FOR THE YEAR ENDING 30TH JUNE 2024

Hon. Emmanuel: Thank you, so much Mr. Speaker, Sir, I beg to give Notice of Motion of the following Motion:

THAT, this House adopts the Report of the County Budget and Appropriations Committee on consideration of the Kilifi County Supplementary Budget Estimates (No.1) for the year ending 30th June 2024 laid on the Table of this House on Thursday, 20th December 2023.

MOTION

ADOPTION OF THE REPORT ON THE KILIFI COUNTY SUPPLEMENTARY BUDGET ESTIMATES FOR THE YEAR ENDING 30TH JUNE 2024

Hon. Emmanuel: Thank you, Mr. Speaker. I beg to move the following Motion:

THAT, this House adopts the Report of the County Budget and Appropriations Committee on consideration of the Kilifi County supplementary Budget Estimates (No.1) for the year ending 30th June 2024 laid on the Table of this House on Thursday, 20th December 2023.

We received the County Supplementary Budget towards the end of November and as a Committee, we had two meetings to deliberate on the Supplementary Budget (No. 1). Thereafter, we proceeded for the Whole House, and we went back to prepare the Report. Hon. Speaker, the Committee sat and came up with the following recommendations:

First, we went through the budget for the Assembly on Annex One of the Report; it is attached there. We did not do much on the budget of the Assembly. What we did was that we re-appropriated the budget allocated for the mace; we thought that it is wise as a Committee to remove this allocation because we thought it was not a need for now. This month's budget, we appropriated different allocations as follows:

We had to increase money for the Committee to do their work and to clean or to pay pending bills for the county in terms of hotels and also domestic travels.

The Committee made some savings, and these savings were appropriated from different Departments that I will just go through; like the County Secretary's Office, the Lands Department, the Governor's Office, Economic and Planning, Environment, Attorney General,

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Trade and Cooperatives, Resource Mobilization, Education, Roads, and Agriculture; these were the savings. As we all know, our savings as a Committee we only have one percent, so in our appropriation in the savings we did like Kshs75 million that we allocated for the needs and concerns of the hon. Members who submitted their concerns in their various wards.

In Annex four, you will find the re-allocation of the Ward Development Funds; for the Committee we reallocated and made that every project in the mentioned wards as allocated in Annex four to make them intact as they were in the original budget. That means the main budget 2023/2024.

Out of the savings, we also went through the needs from all the Members from all wards who submitted their requests and needs so that we appropriated the same and you can find this in Annex four. Annex four will show you all what the Committee did best to make sure that all the needs of the hon. Members who brought their concerns are well captured and catered for. Annex four will tell you or give you all the details on the same.

With that, may I call upon my seconder to second. I take this opportunity to welcome hon. Betty Kache to second the Motion. Thank you so much.

Hon. (Ms.) Betty: I second.

(Question proposed)

Hon. Ngirani: Thank you, Mr. Speaker, Sir. I want to take this opportunity to wish you a happy belated merry Christmas and forthcoming New Year. I stand in support of the Motion with a few deliberations.

Number one, we had a request from the CECM (County Executive Committee Member) Finance to have the re-voted project list which I do not know whether the County Assembly, through the Clerk, has received the document.

Number two, there was also a request to have projects that were not well defined; for example, in the county division for finance there was an increment of Kshs23 million. The Kshs32 million was just elaborate as an increment of Kshs32 million for other operating expenses; we do not know which these operating expenses are.

Tomorrow, maybe the CECM can come here and say maybe he has utilized the Kshs32 million in paying dowries for all the Executive Members who are not married. We will have no objection because there is no clear statement or rather list of all these operating expenses of Kshs32 million. So, maybe we would wish the CECM in charge of Finance to give us a list of all the re-voted projects and a list of all these operating expenses under this vote of Kshs32 million.

When I went through the budget, I realized that there is no equitable sharing of projects in all the 35 wards. This is not a mistake for the Executive, but I blame the Budget Committee because you will see other wards having huge amounts of money in various projects and other wards have very little. There is need for an equitable distribution of projects in our wards which I am working on during my recess. When we resume, I will table this Bill so that we have equitable distribution of projects in all the 35 Wards.

Lastly, I wish you all a happy New Year, honourable Members, including the Pharisees who are preparing themselves to crucify Jesus in April. Happy 2024. Thank you.

Hon. (Ms.) Maneno: Thank you, Mr. Speaker, Sir. I rise to support the adoption of the Report of the County Budget and Appropriations Committee on consideration of the Kilifi County Supplementary Budget Estimates (No. 1) for the year ending 30th June 2024.

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I would wish to refer the hon. Members to the Committee recommendations for the Supplementary Estimates (No. 1) for the financial year 2023/2024, recommendation number three; ward development projects affected by the budget cuts be reinstated as shown in Annex three.

Hon. Members, I refer you to Annex three that there are some projects from the ward funds which were not included, or it was cut or collapsed during the main budget. All these projects were re-installed like Mariakani, Mavarata water pipe and tank, we have Garashi grilling and equipping of Mwandodo borehole, we have Sabaki grading and murraming of Moi to quarry road, we have in Mtepeni the rehabilitation of Mwatundo water pipeline and in Magarini, the completion of one ECD (Early Childhood Development) class at Majahazini. This is the great work of the Committee of Budget and Appropriations, Mr. Speaker. So, I think hon. Members, we are also supposed to appreciate the Budget Committee. Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Mwambire): Hon. Thaura.

Hon. Thaura: Asante, mheshimiwa Spika, kwa nafasi hii. Naomba kuunga mkono Hoja ambayo ipo mbele yetu na nina sababu zangu.

Kwanza, naamini Kamati ya Bajeti imefanya kazi ambayo ni sahihi na haina mapendeleo. Ningeomba kidogo nitofautiane na mheshimiwa Karisa Ngirani aliyesema kwamba yeye anahisi kwamba kidole cha lawama kinafaa kuelekezwa kwa Kamati ya Bajeti. Nafikiria sheria iko wazi ni kwa asili mia ngapi ya Kamati ina uwezo wa kubadilisha kile ambacho *Executive* imefanya. Kwa hivyo, sisi tumefanya jukumu letu kama Kamati na nafikiri ukiangalia, wapo waheshimiwa ambao walileta malalamishi yao mbele ya Kamati na ukifatilia hiyo utaona Wadi kadhaa zimeshughulikiwa, Bw. Spika.

Kwa hivyo, tunafaa kupongezwa kwamba tumefanya kazi ambayo ni nzuri, haina upendeleo, ndio nikiona mheshimiwa akisema hivyo naona ameteteleka na tunaweza msamehe kama Kamati.

Bw. Spika, nasema hii Ripoti ijapo ni ombi langu kwa upande wa *Executive* kwamba alichokizungumza mheshimiwa kwamba kuwe na usawa, nakubaliana na usemi huo. Wakati wanapokaa kutengeneza bajeti hususan bajeti kuu inayokuja, wawe na usawa na ikiwezekana tunaweza kuwa na maombi kwamba *Ward Development Fund* iwe na nyongeza kutoka shilingi milioni ishirini na tano (25) ambayo tunapata hata shilingi milioni hamsini (50) ili kuwe na usawa zaidi. Naunga mkono na asante.

The Speaker (Hon. Mwambire): Hon. Members, if there is no request then I now call upon the Mover of the Motion to respond and he will be using this microphone here because we have challenges with the system.

Hon. Emmanuel: Hon. Speaker, thank you, so much. I take this opportunity first and foremost to thank all Members of this honourable House for their contribution towards this Report.

Second, I want to assure the hon. Member from Ganze that the Committee did its best and the issue of equitable projects in our various wards... I think that is a very valid statement or rather a point. We all need to support it because we may not be able to have the Bill as you have said the moment you are ready with it; I think it will cure most of the infections that are there in times of equitable resources in our wards.

The list of re-voted Projects was to be availed here and if not, you will have it soon from the CECM Finance. So, for now, I really commend or our humbly prayer to this House is that we

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all approve this Supplementary Budget (No.1) so that we can be able to appropriate our respective projects in our wards and in Kilifi County as a whole.

Thank you, so much hon. Members for this moment and I have high hopes that we are all going to approve this Report. Thank you so much.

(Question put and agreed to)

PROCEDURAL MOTION

REDUCTION OF PUBLICATION PERIOD OF THE KILIFI COUNTY SUPPLEMENTARY APPROPRIATION BILL (NO.8) OF 2023

The Speaker (Hon. Mwambire): Yes, who is moving, Majority? You will have to use that microphone; we have a challenge with the one in front of you.

The Deputy Speaker (Hon. Kombo): I stand on behalf of the Leader of Majority, and I beg to move the following Motion:

THAT, Notwithstanding the provisions of Standing Order 116 of the Kilifi County Assembly Standing Orders, I move that this House reduces the publication period of the Kilifi County Supplementary Appropriation Bill (No.8) of 2023 from seven to two days.

I call upon hon. Tete to second. Thank you.

Hon. Tete: Thank you, Mr. Speaker. I stand to second the Motion.

(Hon. Tete spoke off record)

The Speaker (Hon. Mwambire): We have some technical issues which our technicians are working on.

(Hon. Tete seconded)

(Question proposed)

The Speaker (Hon. Mwambire): Hon. Members, now that there is no Member who is ready to make contributions, let me put the Question.

(Question put and agreed to)

BILL

First Reading

THE KILIFI COUNTY SUPPLEMENTARY APPROPRIATION BILL (BILL NO.8), 2023

(Order for First Reading read-Read the First Time and ordered to be referred to the relevant Departmental Committee)

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Second Reading

THE KILIFI COUNTY SUPPLEMENTARY APPROPRIATION BILL (NO.8) 2023

Hon. Emmanuel: Mr. Speaker, Sir, I beg to move that the Kilifi County Supplementary Appropriation Bill (NO.8) 2023 be read a Second Time.

I call upon hon. Betty Kache to second.

Hon. (Ms.) Betty: I second.

(Question proposed)

The Speaker (Hon. Mwambire): For those who are seated in the front line, and you need to speak, I beg you raise your hand, and you will be given a microphone. We are still working on the microphones; we have a technical challenge currently, so in case you want to make any comment, you raise your hand. Anyone who is ready to contribute?

(Silence)

The Speaker (Hon. Mwambire): Or I put the Question? I cannot get the mood of the House unless I am informed on what is going on. The mood of the House is silence, not all who remain silent mean it.

(Hon. Twaher spoke off record)

I now understand from hon. Twaher the mood of the House is to put the Question. I'm going to do that.

(Question put and agreed to)

COMMITTEE OF THE WHOLE HOUSE

(Order of committee read)

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

IN THE COMMITTEE

[The Chairperson (Hon. Kombo) took the Chair]

THE KILIFI COUNTY SUPPLEMENTARY APPROPRIATION BILL (NO.8) 2023

The Chairperson (Hon. Kombo): Hon. Members, welcome to the Committee of the Whole House. We are considering the Kilifi County Supplementary Appropriation Bill, (NO.8), 2023. The rules of the House are relaxed. Clerk, you may read the orders.

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(Clause 3 agreed to)

(Clause 2 agreed to)

(Clause 1 agreed to)

(Schedule agreed to)

(Hon. Zia spoke off record)

The Chairperson (Hon. Kombo): Can you take your seat, hon. Zia, you are out of Order!

(Loud consultations)

The Chairperson (Hon. Kombo): Mheshimiwa Zia, tulia, kaa chini. Hon. Members, let us have order!

(Long title agreed to)

The Chairperson (Hon. Kombo): We have come to the end of the Committee of the Whole House. Now, I call upon the Mover to respond.

Hon. Emmanuel: Hon. Chairperson, I beg to move that the Committee do report to the House its consideration of the Kilifi County Supplementary Appropriation Bill, 2023 and its approval thereof without amendments.

(Question proposed)

(Question put and agreed to)

(The House resumed)

[The Speaker (Hon. Mwambire) took the Chair]

REPORT AND THIRD READING

KILIFI COUNTY SUPPLEMENTARY APPROPRIATION BILL (No. 8), 2023

Hon. Kombo: Hon. Speaker, I beg to report that the Committee of the Whole House has considered the Kilifi County Supplementary Appropriation Bill (No.8), 2023 and approved the same without amendments. Thank you.

Hon. Emmanuel: Hon. Speaker, thank you so much. I beg to move the House do agree with the Committee in the said Report. I call upon hon. Twaher to second.

(Hon. Twaher seconded)

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(Question proposed)

(Question put and agreed to)

Hon. Emmanuel: Hon. Speaker, I beg to move that the Kilifi County Supplementary (Appropriation) Bill (No.8), 2023 be now read the Third Time and I call upon hon. Twaher to second. Thank you.

(Hon. Twaher seconded)

(Question proposed)

(Question put and agreed to)

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

ADJOURNMENT

The Speaker (Hon. Mwambire): Hon. Members, we have come to the end of our Special Sitting. If you look at the Gazette Notice and what we have transacted, it is exactly what was gazzeted.

The House now stands adjourned until further notice maybe on 4th of January next year. I wish you a Happy New Year and pass my warm greetings to all your family. Thank you.

The House rose at 10:18 a.m.

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