



REPUBLIC OF KENYA

COUNTY ASSEMBLY OF KILIFI

SECOND ASSEMBLY –THIRD SESSION

THE HANSARD

Tuesday, 12th March 2019

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

[The Temporary Speaker (Hon. Ms. Maneno) in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

VISITING STUDENTS FROM NGALA MEMORIAL SECONDARY SCHOOL

The Temporary Speaker Hon (Ms.) Maneno: Honourable Members, I would like to acknowledge the presence of students from Ngala Memorial Secondary School from Kayafungo Ward. The students are here for a study visit to appreciate the legislative procedures, practices, tradition and parliamentary proceedings. I request that each student stands when called upon to have the honourable Members acknowledge your presence. This is our parliamentary tradition and practice. The names of the students are as follows;

1. Biasha Athumani
2. Saumu Dalhatu
3. Winnie Sidi
4. Belinda Chimwenga

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5. Saina Yamu
6. Zubeda Abdallah
7. Mwanapili Salim
8. Marieta Mbaji
9. Roselyn Udzile
10. Mwari Hassan
11. Mwanatumu Omar
12. Yusra Abdulrahman
13. Halima Tsuma
14. Purity Juma
15. Anita Daniel
16. Gladys Mutua
17. Mjeni Janet
18. Esha Gambo
19. Winnie Mwamlanda
20. Celestine Zawadi
21. Khadija Kaingu
22. Rosemary Muthoni
23. Amina Bake
24. Jane Barisa
25. Mercy Rehema
26. Kadzo Kalu
27. Tina Mwinyi
28. Clara Mzungu
29. Shamila Hamadi
30. Mishi Kadzo
31. Patience Salama
32. Mejuma Mohammed
33. Latifa Athman
34. Esther Baya
35. Annet Patrick
36. Florence Kasichana
37. Abdallah Juma
38. Festus Baraka
39. Ali Mwavadu
40. Samuel Mwanyoha
41. Cosmas Sinamoyo
42. Kristofa Johanna
43. Suleiman Mwalimu
44. Hamisi Chome
45. Hassan Mwambegu
46. Elvis Ngari
47. Ali Kahindi
48. Calton Joshua
49. Simon Kidhatha

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TEACHERS

1. Noah Mwayongo
2. Alice Nelima
3. Mapenzi Mwatete

I now take this opportunity to welcome Hon. Mwayaa to welcome the students from his Ward.

Hon. Mwayaa: Asante sana *Madam Spika* kwa kunipa fursa hii niweze kukaribisha shule yangu ya muhimu sana ambayo ni Ngala Memorial ikiwa pale sehemu za Kayafungo. Nashukuru kwa kufika wakati ufaao ingawaje madam Spika leo hatuna biashara nyingi katika hili Bunge. Kama pengine tungeshauriana mapema ningewaambia wakati ule ambao tungekuwa na biashara nyingi, wakaja wakaona mchakato wa miswaada ambayo inaendeshwa katika Bunge hili letu la Kilifi. Leo ni *statements*, na *statements* hazichukui mda. Huenda msisome mengi sana wanafunzi na walimu ambao mmefika hapa kutoka Kayafungo lakini mkienda mkijiandaa na kunihusisha vizuri nitawaambia zile siku ambazo zina mchakato wa mswaada ili kwamba mkaweze kuona wabunge wenu wa Kilifi Kaunti wanawasimamia namna gani.

Tuko kwa hii nyumba kwa mambo matatu, tuko hapa kwa *Legislation, Representation na Oversight*. Hayo mambo matatu ndio yanayotufanya tuko hapa kwa hii Nyumba na kuwakilisha watu wetu wa Kilifi. Shule ya Ngala Memorial nikiwa kiongozi kwa mda mrefu ule nimekuwa nimeitunukia tangi kubwa la maji. Hivi hao watu walioko hapa juu, ni *pioneers* wa maji maanake hao ndio wanao *supply* Kayafungo. Nikiwa hapa najivunia kwa sababu hawana shida ya maji hivi ninavyoongea. Tangi kubwa la milion 13 liko hapo ndani ya shule yao. Hao ndio naeza sema ni *pioneers* ambao tunanua ya kwamba maji yote ambayo tutagawanya Kayafungo hao ndio watakaotugawanyia maanake tayari tangi liko pale kwao na wanatumia maji.

Hivyo nauliza wakaweze kuzingatia masomo kwa sababu kunazo shule ambazo hazina maji, na pengine wanatolewa mapema wakielekea majumbani kwa sababu ya shida za maji. Wao maji yako hapo nje na nina imani kubwa mtatumia hiyo fursa kututolea majibu mazuri.

Pili, tulipitisha sheria kwa sababu nimesema Nyumba hii ni ya *legislation* tumetunga sheria tuweze kutoa *scholarship*; *scholarship* hii wakati tukitunga sheria tulishtakiwa kwa sababu tulisemekana sisi kama Kaunti hatuhusiki kamwe na *Secondary schools* lakini tukawa werefu na tukatunga sheria badala ya tuseme ni *bursary* tukasema ni *scholarship* tukageuza jina lakini mnyama ni yule yule tuweze kumla.

Tukasema ni *scholarship* ili watoto wetu waweze kusaidika. Saa hii tunavyoongea kule Kayafungo nimepewa *cheque* nyingi kabisa za milioni tano na shule ambazo zilifaidika mojawapo ni shule ambayo iko hapo juu. *Madam Spika* nasikia kujivunia wakiwa wako hapa; nikiwa kama mimi ndio *senior* na kiranja wa Bunge hili nasikia kujivunia sana. Wacha wapange safari nzuri waje tukiwa na miswada ili waweze kuona vile ambavyo tunachangamkia kazi ya Kilifi. Asante na Mungu awabariki mje tena siku nyengine.

The Temporary Speaker (Hon (Ms.) Maneno): Any other Honourable who would like to make some welcoming remarks to the students. Yes, Honourable Mwamtsi.

Hon. Mwamtsi: Madam Speaker, may I also join my colleague hon. Mwayaa in welcoming the students from Ngala Memorial in Kayafungo Ward. Madam Speaker the name Ngala is a historical name. It's a name of one of our forefathers that we really respect and the school representing that name is representing an honoured name. My prayers is that the students from Ngala Memorial respect that name within the people of Kilifi by working hard and ensuring that the school excels. Again Madam Speaker I am calling upon the student and teachers that their coming here should be a challenge. In this House as you have heard we make laws and to

the students, I think your coming here should inspire you to become lawyers, judges, magistrates and legislatures as well. I pray that you get inspired by your coming here. Thank you.

The Temporary Speaker Hon (Ms.) Maneno: Yes, Honourable Ms. Koki.

Hon (Ms) Koki: Thank you Madam Speaker. I also take this opportunity to welcome the students from Ngala Memorial. As I stand here today, I want to tell the students that I went to Moi Girls Kadzondo from form one to form four which is not very far from Ngala Memorial. We want you to make us proud; as you know Kilifi County has a problem which is going on right now with early pregnancies. You are not there to disappoint us; we want the best out of you. We want to see the next leaders come from you. You need to know the reason why you are there. You have to know that education is everything; take time, read and learn. The choices you make in life is what you get and we wish you all the best in your studies. Welcome to the County Assembly of Kilifi. We are hoping in a few years you will be the ones sitting here and welcoming other students. *Karibuni sana.*

The Temporary Speaker (Hon. (Ms.) Maneno): Thank you. Hon. Elina Mbaru.

Hon. (Ms.) Elina: Asante Madam Spika kwa kunipa nafasi ili kuwapatia pongezi wanafunzi ambao wamekuja Bungeni kusoma. Katika hiyo shule wavulana ni wachache sana kile ambacho nitawaambia wasichana ni kwamba nataka nyinyi wasichana muongoze katika hii shule. Kwa sababu elimu ya mvulana na elimu ya msichana zote ni moja lakini utaona mvulana yuko na haki zaidi kushinda msichana.

Vile mko wengi nawaomba kabisa mfanye bidii na kama mheshimiwa alivyosema tunataka mawakili, majaji, na hata MCAs pia. Kama huku soma huwezi pata hizi nafasi. Lakini unapofanya bidii pale shuleni najua mko na walimu wazuri kama mheshimiwa Mwayaa alivyosema. Hiyo shule amesema anaipenda kwa sababu wengi ni wasichana na hataki mpate shida kabisa kutafuta maji mbali. Maji yawe pale shule ili msiranderande. Mko karibu na ile tauni kubwa ya Mariakani ambayo imejaa mambo mengi.

Mimi nataka kumpongeza sana mheshimiwa Mwayaa kwa kujali wasichana na kuwapelekea maji shuleni na hiyo pia ni changamoto kwa waheshimiwa wote ambao wako hapa. Kama katika Wadi yako kuna shule ya wasichana jaribu kuwasaidia wale wasichana ili Kilifi wasichana waongoze. Mimi nimefurahi sana kuwaona na mmekuja vizuri na mmejijami poa na vile majina yenu yamekuwa ya kwanza nina hakika mtakuwa wa kwanza katika mitihani yenu. Kwa sababu hata wavulana tena ni mmoja mmoja ni kina Mwambegu nimewasikia hapa.

Ninawaomba kabisa wasichana muwe wasichana wavumilivu kwani kuna hili janga limeingia; si janga lakini tunasema ni janga. Hii tabia ya kutoka nyumbani wakati wa likizo na kutembea nawaomba mpunguze kidogo kwa sababu hiyo ndio imewaletea mambo mengi. Hizi mimba hazitoki pale shule mimba zinatoka nje. Na kule nje ndio kwenye mambo haya yote. Nawaomba hii miaka mine maitumie jinsi vile unavyoweka nguo zako pale kwenye sanduku, unapoifungua na kuivaa unasema kweli niko smati lakini kama nguo yako kila siku unaweka juu ya kamba itakuwa nzuri kweli?

Mimi kama mzazi, wengine hapa hata ni wajukuu zangu. Nawaomba kabisa mfanye bidii na masomo na mtakapofanya bidii na masomo mtaona maisha yenu yakiwa mazuri. Maisha unayachagua ikiwa bado unasoma. Kwa hivyo mimi nawashauri na kuwaombea kila la heri muwe na nidhamu katika shule yenu. Nimeambiwa na mheshimiwa Mwayaa hapa kwamba nyinyi mko na nidhamu ya hali ya juu. Hata mwalimu akiwa kwenye geti nyinyi mko mbio mnapokea mwalimu; hiyo ni nidhamu pia.

Lakini isiwe ya kumpokea mwalimu halafu nje ikawa si nidhamu nzuri. Na ujue ukizaa mapema unakuwa katara; ni kama gari ambayo ni *scrape*. Kwa hivyo wewe jijali kama msichana

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na uangalie maisha ya badaye. Nakushukuru mheshimiwa Spika kwa kunipa nafasi ili niwapatie ushauri wanafunzi hawa. Na leo ni kama alivyowambia mheshimiwa hatuna kazi ndefu huwa na mchakato hapa mpaka masumbwi yakarushwa. Lakini leo hatuna stori ndefu sana lakini pia ni vizuri mmekuja kuliona Bunge lenu la Kaunti ya Kilifi, asante sana mheshimiwa Spika.

The Temporary Speaker (Hon. (Ms.) Maneno): Yes hon. Nixon Mramba.

Hon. Mramba: Madam Speaker I wish to congratulate my senior colleague, hon. Alphonse Mwayaa who is representing Kayafungo ward in this County Assembly and likewise I would like to congratulate the students and teaching fraternity for coming to this Assembly on a benchmarking visit. Honestly speaking, this County Assembly has done a wonderful job in matters concerning education. Last two weeks we travelled to Kakamega and we came to learn that we are far much ahead of them because in terms of education or scholarship or bursary they only allocate two million shillings per Ward while we are at ten million and we have already repealed that act to provide for twenty million for the coming financial year Madam Speaker.

That means this County Assembly is taking education more seriously than any other County in the Republic of Kenya. We do not want to put this money because as we are speaking we are setting aside 350 million towards education that translates to ten million per ward. This money is enough to build classrooms, roads and health centres but we have decided to commit this money towards education so that our students can get relief because we know their parents are extremely poor and they need assistance.

We do not want this money to go down the drain; we want this money to be put into proper use. So as a word of advice kindly the students must uphold high standards of discipline so that they excel. It will be in bad light when we allocate a lot of money towards education then you come out of school with a D or D- which will take you nowhere. I am challenging this school to produce As, Bs or at least the lowest grade should be a c+ because hon. Mwayaa is giving you the first priority. He has given you a water tank worth 13 million shillings. I wish to applaud him; he is a senior and you are ably represented in this Assembly by a senior MCA. Mind you he is becoming old and he will not be an MCA forever. We want some of you to come to this Assembly then I will nature you because I will still be here...

(Laughter)

...and I will try as much as I can to nature you and tell you about the proceedings and procedures of this Assembly. Otherwise I say thank you and God bless you.

The Temporary Speaker (Hon. (Ms.) Maneno): Thank you hon. Members, next Order. Yes Vice Chairperson Administration, Labour and Social Services.

PAPERS LAID

EMPLOYMENT DISCRIMINATION AGAINST THE LESS PRIVILEGED RESIDENTS

Hon. Shaban: Thank you Madam Speaker for giving me this opportunity' I am representing the Chairperson who is away on official business. Pursuant to the provision of Standing Order 203 (2), I wish to lay on the Table of this House the Report of the Sectoral Committee of Administration, Labour and Social Service on the Petition made to the Kilifi County Assembly on employment discrimination against the less privileged residents by the Board of the Department of Health and County Public Service Board. Thank you.

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(Hon. Shaban laid the Paper on the Table)

Madam Speaker, allow me to elaborate for the students who are here from Ngala Memorial School. The Committee on Labour deals with issues to do with labour, employment and discrimination. This particular Report was brought by some employees from Malindi hospital who were discriminated from employment. So what we basically did as a committee was to call them to appear before the committee and present their issues and then after that we had a meeting with the management of the hospital who came and elaborated their position so that we could hear both sides and after that we also called the County Public Service Board which is mandated to employ the people of Kilifi County.

After that we compiled a Report which we made some recommendations that the said people that were affected because we saw that these people were being discriminated. So we have recommended that they be paid their dues from the time they were terminated. Basically this is what we do as a Committee on Labour to bring justice to people who have issues with labour. Thank you Madam Speaker.

The Temporary Speaker (Hon. (Ms.) Maneno): Thank you Vice Chairperson Labour, hon. Members pursuant to Standing order 203 (2) I now give the Members of the Committee on Administration, Labour and Social Services time to comment on the petition on the employment and discrimination against the less privileged residents by the Board of the Department of Health and the Public Services Board. Hon. Members, be informed that there is no voting on this only commenting. Labour Committee Members please proceed.

(Silence)

We do not have Labour Committee Members? I give the other Members to contribute, hon. Mwayaa.

Hon. Mwayaa: Madam Speaker, I do not think if they are subject for discussion; they are just Reports from the committee I had other issues to comment but not on the Report that he has read.

The Temporary Speaker (Hon. (Ms.) Maneno): Thank you, hon.(Ms.) Dama. I believe you are a Member of the Labour committee.

Hon. (Ms.) Dama: Asante kwa hii nafasi. Nimesimama kutoa maelezo zaidi kuhusu hii Ripoti mimi kama mwanakamati wa Kamati ya Leba. Hawa wananchi walikuja kwetu wakajieleza na katika kusimulia kwao tuliona walidhulumiwa; ikabidi tumuite afisa na wahusika wengine tukaja kuwahoji na katika harakati hiyo tulipata kuna dhuluma iliyofanyika. Hasa lililozidi kutuhuzunisha ni kwamba wengi wao ni wagiriama wa hapa Kilifi. Tulihojiana pole pole hadi tukatoa suluhisho kwamba lazima haki itendeke kwao.

The Temporary Speaker (Hon. (Ms.) Maneno): Hon. Mwamtsi.

Hon. Mwamtsi: Madam Speaker, I am not a Member of the committee of labour but as an MCA and a Member of this House I have a right to defend the Constitution of Kenya. Chapter (4) of the Constitution or the Bill of Rights states that it is unlawful for one to be discriminated on anything be it employment or anything. So if the petition of the Committee on Labour truly indicates that there could be discrimination then action should be taken to those who did it so that we restore the dignity of the people of Kilifi by ensuring that there is fairness. It is bad for

somebody to be discriminated because of their colour and tribe; people should be judged by the content of their character.

The Temporary Speaker (Hon. (Ms.) Maneno): Thank you for your comments. Yes hon. Majority whip.

SECOND QUARTER REPORT OF THE DEPARTMENT OF ROADS, TRANSPORT AND PUBLIC WORKS

Hon. Mwayaa: On behalf of the Majority Leader I wish to lay on the Table of this House the Second Quarter Report as from 1st October to 31st December 2018 from the Department of Roads, Transport and Public Works.

(Hon. Mwayaa laid the Paper on the Table)

The Temporary Speaker (Hon. (Ms.) Maneno): Is the Chairperson on the Committee of Roads, Transport and Public Works within? Take up that Report and come up with a Report within 21 days in this House.

ADJOURNMENT

The Temporary Speaker (Hon. (Ms.) Maneno): Hon. Members, there being no other Business in the Order Paper, this House stands adjourned until 2:30 p.m. today.

The House rose at 10:00 a.m.