

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF KILIFI

THE HANSARD

Tuesday, 13th June, 2017

*The House met at the County Assembly Chamber,
Malindi Town, at 2.30 p.m.*

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

PRAYERS

PERSONAL STATEMENTS

Hon. Mwambire: Mr. Speaker, Sir. I stand under Standing Order No. 80 to give my personal statement. Today being the 13th day of June, 2017, this marks the end of my appearance in the plenary session because tomorrow I will not be around.

Mr. Speaker, I wish to congratulate you especially on the manner as to how you have been managing this Assembly. It was very difficult to know how best we could handle the affairs of this Assembly since we had no reference. The cooperation that we have had with the Members in this Assembly has enabled us to move in a well connected manner to the extent of being position two last year in the operations of County Assemblies across the County.

Being the Deputy Speaker, there were a number of challenges that we came across but I am happy that Members have been understanding in one way or the other to an extent of reaching this far. I believe the next Assembly will be in a position to get references of how we have been handling our affairs and to know how best they can arrange or come up with desired public transformative engagements. I believe out of such engagements, the great people of Kilifi will get the best bet for their wishes.

It was not easy; it has not been easy and it will not be easy for a Member to come to this Chamber without the goodwill of the people. I take this opportunity to thank the great people of Vitengeni and Sokoke Ward for enabling me to join this Assembly. I am now almost marking 10 years of representation. It was not that easy. I am happy. I was elected even before I got married and I spent five years as a bachelor. I am very thankful to hon. Nzaka who was my best man in my first marriage. It encourages me and gives me a direct link to this Assembly and as I am going to the National Assembly, I have very high hopes and I know the design of the Standing Orders being the Vice Chairperson of the Procedure and Rules Committee. We have made the best Standing Orders which would allow me at some point to even visit this Assembly even if it means sitting at the Speaker's Gallery or even the public gallery, I would be very much obliged because I know it is part of understanding what is happening in this county.

Let me take this opportunity to wish the colleagues who did not make it in the nominations in one way or the other all the best. I know it is not easy but again since they had

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

that courage and know how we have formulated the foundations of this great Assembly, let them not shy away from coming even sitting in the public gallery and follow up the issues being deliberated in this Assembly. I will equally do the same whether I make it or not because the deliberations that we are getting in this Assembly assist in shaping the whole county.

We have been having challenges in public participation and I know as Members who have been here, we will be in position now to inform the public so that they can follow up all details of deliberations, so that we can be in a position to make sure that even the oversight role goes on well. It has been very difficult Mr. Speaker, especially in implementing our oversight role because the public has not been sharing information that could assist this Assembly to up its game but now that some of us are going to other quarters, we will be in a position to give them clear directions on how issues are being handled at the Assembly.

I know it will not be that easy because, when we will be coming at some point we will have to be ushered in with a visitor's card which may be something that we never believed but that comes when change should be embraced but we will be coming to share the details. There is also an opportunity which is coming especially for the Members who did not make it in the nominations they should start preparing going through the Standing Orders because I know immediately after elections there will be some inductions and this will be a very good opportunity for Members with experience like my brother hon. Lawrence Kilabo and the rest.

The County Assembly Service Board should consider them coming to the Assembly and give the new Members the experience that they had in formulating the foundation of this Assembly. I have mentioned hon. Kilabo because he is very keen on my speech; he normally relaxes his eyes when he is in the Assembly but today he is very active and that is a very good indication Mr. Speaker which means that if you give these Members an opportunity to guide the new recruits that we will get out of the election, then we will get the best Assembly ever. I do not want to take much time; mine is just to give thanks to the Assembly and all Members whom we have been working together with, we will be meeting under completely different capacities but let that not remove the cordial relationship that we have been having together.

I am still the Teddy you know and I believe hon. Elina Mbaru will not shy away from me when I will be a Member of National Assembly and her as a Member of County Assembly. We are equally having new Standing Orders at the National Assembly which I will have to cope with but I believe we will be sharing a lot for the betterment of the great people of Kilifi.

As I will be there Mr. Speaker, I know my role will not be assisting the counties but I will be looking at the National Government. Mr. Speaker, let me assure you that incase there will be any issues that requires my attention especially the issues of devolving funds or transferring funds from the National Treasury to the counties, let me be posted so that I can be in a position to even push my colleagues at the Senate to make sure that counties make sufficient monies to implement the functions that are devolved. I will not be there as a gate keeper of the funds that are supposed to come to the counties but I will be there to make sure that the Senate also works day and night to make sure that the operations of the counties are smooth especially Kilifi County. I will not be there to oversight the counties but I will be there to oversight the National Government. I will also be very interested to know what is happening in the counties and I believe those Members who will make it will make sure that they keep me posted for the betterment of our great County. With those few remarks, let me say thank you and let us meet on the ground as the rubber will be meeting the road. Thank you.

The Speaker (Hon. Kahindi): Thank you, hon. Teddy Mwambire for that Personal Statement. We also take this opportunity to wish you all the best as you endeavor to your next journey. Hon. (Ms.) Mbeyu, you also want to make a Personal Statement?

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

Hon. (Ms.) Mbeyu: Thank you, Mr. Speaker. May I take this opportunity too, under Standing Order No. 80, to thank you for the guidance you have given me throughout my term here and what I would wish is for this House to pray for each other.

Mr. Speaker, I will not be here too tomorrow. I will be on my way to Bamba but I wish each of us good health, a very peaceful campaign and ask for your support as I will be going for the campaign of women representative of Kilifi County and I wish every Member in this House all the best. I will not say so many words; you know me and I know if we work hard together you will make me achieve this dream of becoming the women representative in Kilifi County. You will have your own sister in the National Assembly and I think we will achieve the best in Kilifi County. Thank you so much Mr. Speaker for your support. I am still looking forward for your support until the 8th of August. Be blessed.

The Speaker (Hon. Kahindi): Thank you very much hon. (Ms.) Mbeyu. It is good that the two Members have opted to give their personal Statements since they are going a notch higher and the least that I can say as the hon. Speaker is that I wish you all the best in your endeavors and certainly we will also be very proud if we have one of our own sitting in the August House; all the best to all those who are going on that journey. Hon. Foleni, you are also going to the National Assembly?

Hon. Foleni: Thank you, hon. Speaker. I wanted to seek for some advice. Is it well if you give us some time to congratulate my mother in-law hon. (Ms.) Mbeyu and even Teddy Mwambire because this is the only opportunity that we have as a House.

The Speaker (Hon. Kahindi): Unfortunately when you look at Standing Order No.80, it says when a Member rises under Standing Order No.80 they are given time and whatever they say is not to be subjected to debate or any discussion.

Hon. Foleni: Thank you hon. Speaker.

The Speaker (Hon. Kahindi): Yes, so we stand guided. I have also only wished them well and it was a brilliant idea for them to make those Personal Statements because come rain come sunshine it is already clear that they will not be coming to this House so it is good that they have also taken their time to thank everyone.

COMMUNICATION FROM THE CHAIR

VISITING STUDENTS FROM NGERENYA SECONDARY SCHOOL

The Speaker (Hon. Kahindi): Now, before we proceed to the Report, we have guests in the Speaker's Gallery and I want to take this opportunity to acknowledge their presence. These are visitors from Ngerenya Secondary School and they are here for a study visit to enable them appreciate the work of the Assembly. As a tradition, we will call their names out and they will stand up, we will acknowledge them and then we will have one or two minutes for Members to welcome them then we proceed. So we have:-

1. Joseph Chengo
2. Peninah Kasiwa
3. Joyce Khonde
4. Suleiman Baya
5. Stanley Kahambi
6. Dama Kayaa
7. Albert Kazungu
8. Margaret Karisa

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

9. Brian Faida
10. Grace Anzazi
11. Jennifer Ngari
12. Mackson Pole
13. Gideon Katana
14. Philemon Nzaro
15. Alice Ponda
16. Elizabeth Kenga
17. Jeremiah Chai

They're accompanied by;

- | | |
|-----------------------|-------------------|
| 18. Mercilyn Mwamuye | -BOM Vice Chair |
| 19. Alfred Jola | -PA Chair |
| 20. Deche Mwatsuma | -PA Member |
| 21. Diana Mwavita | -Deputy Principal |
| 22. Joyce Charo | -School Bursar |
| 23. Patience Mwaringa | -School Secretary |
| 24. Bernard Chelanga | -Teacher |
| 25. Nixon Kaniala | -Teacher |
| 26. Mbaru Mwanyamba | -Teacher |
| 27. Khonde Gona | -Teacher |
| 28. Pius Gona | -Teacher |
| 29. Irene Mwendu | -Teacher |
| 30. Esther Chadi | -Teacher |
| 31. Cornelius Kahindi | -Teacher |
| 32. Selina Bahati | -Teacher |

On behalf of the County Assembly of Kilifi and on my own behalf, I welcome you to the Assembly and wish you well.

(Applause)

I will give five minutes only for Members to welcome them. Yes hon. Foleni.

Hon. Foleni: Thank you, hon. Speaker, Sir. I am hon. Cosmas Foleni MCA Tezo Ward where Ngerenya Secondary comes from. On my own behalf, I would like to take this opportunity to welcome the good teachers and good students of Ngerenya Secondary School. I know for a fact they are here for a bench making tour.

Gone are the days when students from Kilifi used to travel all the way to Nairobi to seek more knowledge about parliamentary proceedings. Due to the fact that we have a devolved system of Government within Kilifi County, I am happy to say that the gap that was there a long time ago has been able to be bridged because they no longer need to travel long distances to seek some studies. Mr. Speaker, I also applaud my school for the good performance that they have shown within the ward, it is something that I am proud of.

As a Member of the County Assembly in that particular ward, I want to say that our dear teachers and students have embraced education now that education is the most powerful tool that can change the lives of the students. That is why I have been preaching as the area MCA and I have no doubt that the students will be great men and women in this Republic. I want to give a Bible verse to both the teachers and students; Proverbs 4:13, as we get out of here may we please

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

read that Chapter of the Bible it will help you as far as educational matters are concerned. Thank you hon. Speaker. I beg to sit down.

The Speaker (Hon. Kahindi): Thank you very much hon. Foleni for your welcoming remarks. Teachers and students from Ngerenya this is the newly refurbished County Assembly of Kilifi, one of its kind in the region and thanks to the Members of this County Assembly we have all made it what it is today. You are very lucky and fortunate because tomorrow marks the end of the term of the Members of the County Assembly in terms of coming to the Chamber and sitting because the Assembly will be adjourning indefinitely until you go and re-elect them.

I am sure you all teach in Ngerenya but you come from different wards, so the gentlemen and ladies sitting here are the ones who have been representing your interests and I am sure from where they are seated you will go back and decide whether you need to bring them back, which I think you will because they are here to deliver to the people of Kilifi.

I want us to embark to our normal business of the day and we had a Motion which had been read, had it been seconded? Let us move to order now, hon. Stanley Kenga.

MOTION

ADOPTION OF THE REPORT ON THE ACTIVITIES OF THE COUNTY PUBLIC SERVICE BOARD FOR THE YEAR 2016

Hon. Kenga: Thank you very much, Mr. Speaker, Sir. I wish to move a Motion for the Adoption of the Report of the Labour and Social Welfare Committee on the activities of the County Public Service Board for the year 2016:-

THAT, this hon. House adopts the Report of the Labour and Social Welfare Committee on the activities of the County Public Service Board for the year 2016 laid on the Table of this hon. Assembly on 30th May, 2017. I wish to call upon hon. Elizabeth Tabu Ngala to second.

(Hon. (Ms.) Ngala seconded)

(Question proposed)

The Speaker (Hon. Kahindi): Yes hon. (Ms.) Elizabeth Ngala.

Hon. (Ms.) Ngala: Thank you, Mr. Speaker for this opportunity. I stand to support the adoption of this Report, for two or three reasons. Despite the fact that this Board had a lot of challenges during the year 2015/2016, in this Report it managed to proceed with its work as given and we find that they managed to employ quite a number of people within its various wards. There were issues that they had like budgetary allocations and difficulties in the ability to get the required qualifications from specialized jobs but all the same, they managed to employ 531 officers in the public service and also promoted 149 members of staff.

The Public Service Board is in the process of preparing a human resource plan which would assist them in performing their job very well, and this human resource plan also would assist in advising the various departments in the County so that they are able to know what to do within the Departments because various departments are going to them and asking them to employ people not actually knowing how many people they want but with a human resource plan it will have guide lines on how and what is required to be done.

Right now Mr. Speaker, we have the Board only accepting the number of staff a Department wants without actually verifying and with the help of the Committee we were able to

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

tell them they need to go to the various departments and actually authenticate the numbers required. That would only be done through a very clear organogram in every Department because without an organogram they would not be able to know the exact number of staff they require. Once they advertise these positions, we told them to inform through writing or other means so that the County Assembly knows how many staff are going to be employed within the county so that as the County Assembly discusses, then they will be able to know exactly how many staff are required in the county.

We also told them that when they do the recruitment process, they should be able to have a mechanism to have a method of distributing the number of staff they take from various wards so that it is very clear and we do not have problems of people complaining of missing out on employment, but if after the interviews they are able to bring the Report to the Assembly we will know immediately and we would not have these problems or complaints. Apart from this advice and plan of the County Public Service Board, sometimes it is said that the minority are forgotten, this does not happen because they are forgotten but because of various issues like lack of the required qualifications that we were talking about. We told them to make sure each and every community is represented fairly. Thank you, Mr. Speaker.

Hon. Mwambire: Thank you, very much. I take this opportunity to support the adoption of the Report with the following reasons. When I was going through the County Public Service Board (CPSB) Report, I discovered that out of the jobs that were advertised, there is a big gap between those who applied and those who were employed. This gap exhibits the deficiency that we have in the county.

Initially we used to assume that everything is okay in our county. I do not blame the CPSB because the role goes beyond the county and it requires even the Country to take a great role to make sure that we breach this gap. If you look at the Health Department, there are a number of professional deficiencies in these docket because most people did not study in certain special courses in regard to that Department.

If you are looking for specialized doctors, you will find that you will not get even an applicant. This is an indication that we need to sit as leaders and see how best we can encourage young people to diversify in the professional part of this County.

We should also look at how best we can assist; we have been talking about challenges for instance, the challenge of minorities in this County. It is now high time to set aside some funds which we will use to sponsor a number of them, so that they can go to school and get the papers that are required, so that when it comes to employment we get everybody to be on Board.

I was looking at the second biggest assumed minorities in Ganze who are the Kaumas; how many doctors and engineers do they have and looking at how they applied. We discovered that we are completely lacking such people in that field. Even when you look at the Chonyi who are the second largest in the County, you will find that there is a professional gap. This is an indication that we need a total overall re-scheming of the young people to engage in studying of different professionals so that they can be in a position to attain the 70% Constitutional requirement for county local employment, because 30% is supposed to come from outside but if you look at the number of doctors in the county who are employed, we could not meet the 70% requirement. This is something very serious which as leaders we should scheme on how best we can curb it.

The other challenge that I have seen in the Board, which now we are discovering that the Board is moving very fast; is the interference from the Salary and Remuneration Commission (SRC) they have put the bar especially for those working at the county level. We have a number of officers who were seconded from the National Government to the county but if you look at

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

their job groups and the salary that they are supposed to be paid by the counties, there is a big difference which shows that most of them in a short span will have to leave the counties to go back to the National Government. This need to be harmonized otherwise it will be a big impediment. Look for instance at those who were seconded to come and serve like the sub-county administrators, they are equivalent to Deputy County Commissioners.

If you look at their salary and among other issues as recited by the SRC, you will find that the Deputy County Commissioners are better off than the Sub-County Administrators and these are officers who were seconded. If you look on how they can be promoted, it is not very clear and this makes it difficult for the CPSB to have a clear way of handling such officers. These are some of the challenges that we are facing at the moment which I believe the Senate and the National Assembly will look into it so that they can harmonize the job groups and salaries because regardless of where one works, the professional requirement is the same. For instance a High Court advocate being employed by the County Assembly and somebody at the Attorney General's Office...even the service should be somehow equivalent so that it can be clear because these are at the government level.

These are the same challenges which we have discovered that the CPSB is currently facing because people are claiming that I cannot pretend to be going back to my mother county yet the salary will be minimal and there is no clear way of promotion. That is why they are shying away from coming back home and the intention of having counties was to make sure that people get to work for their counties. These are some of the issues that the Board tried their best to work on. What is important currently is for Members to read the Report and come up with recommendations that they can use to transform our county. I stand to support the adoption of the Report.

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

Hon. (Dr.) Chitibwi: Thank you, very much, Mr. Speaker, Sir. I would first like to say that I stand to support the adoption of this Report and commend the Committee which has been dealing with these issues. It is one of the Committees that have done quite a job bringing regular Reports. I commend the Committee and the CPSB. Unfortunately, many of our Committees or Departments do not give us the Reports that we need regularly but as we adopt this Report and going forward, I hope many of us are going to see after August, Mr. Chairperson, I know you have done a good job and I pray for you that you will be back to see this happens.

There are a number of issues which the CPSB has left pending and in my mind I think those ones were urgent. Rationalization of staff has to date has not taken place. In the Departments as they stand now, they do not have any structure to know the gaps in the professionalism and numbers. I believe this is an area that the CPSB should take into account. This Assembly has also done a good job to make sure that casuals were absorbed to permanent employment; we still have casuals in the Department and I wonder under what authority these casuals are employed.

I want to commend hon. Mramba and his Committee on Implementation. They have followed up these issues but there is a lot of stone walling from the Department. There is no reason why we should be having these casuals in the public service particularly in Kilifi County, when one year ago all the casuals that had been inherited were permanently employed. It appears that there is no control on the human resource issues of this department, so any senior person can on their own, decide to employ casuals without authority from the concerned. When these officers were called, many of them gave various reasons which to us were not satisfactory but at the end of the day what action has the CPSB taken? No officer in government is allowed to

employ without authority. This is where I believe the CPSB has been relaxed and they should be proactive on this matter.

We have a number of casuals dealing with very sensitive issues in the government and some of them in fact were involved when we had issues of procurement and financial matters and we were asking why should we maintain casuals doing very sensitive jobs in the government? I believe the Board should be taking very serious action and very soon on this issue. It is leakage of government money and how can you take action on a casual? Also, an issue that I believe should be looked into quickly by the CPSB is a core duty of the County Government; ECD teachers. These were interviewed more than a year ago and to date they have not been employed. It is an issue that those representing the people in this Assembly are the ones who made the questions out there; it needs to be resolved very quickly.

Finally, one very unfortunate thing that Kilifi County should look into, we are saying that we should employ the youths and I can say the County Government has done well through the CPSB in employing the youths but what we are seeing is very unfortunate. Contractors are saying that they have to give something to be given a job and this is no longer a secret. This time contractors are doing jobs and waiting for a very long time so the personnel issue, the quality, qualifications and the ethics of those employed should be an issue to be looked into by the CPSB. Thank you very much for allowing me to make these remarks.

The Speaker (Hon. Kahindi): Thank you. Hon. Members, a Motion has been deliberated on the adoption by the Committee on Labour.

(Question put and agreed to)

BILL

First reading

THE KILIFI COUNTY APPROPRIATION BILL, 2017

(Order for First Reading read- Read for the First Time and ordered to be read the Second Time today)

BILL

Second reading

THE KILIFI COUNTY APPROPRIATION BILL, 2017

Hon. Mangi: Hon. Speaker, Sir, I beg to move that, The Kilifi County Appropriation Bill, 2017, be now read a Second Time. I call upon hon. Onesmus Karisa Gambo to second. Thank you, hon. Speaker.

(Hon. Gambo seconded)

(Question Proposed)

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

Hon. Gambo: Thank you, Mr. Speaker, Sir. I would also like to support the Second Reading of this Bill so that it can pave way for the funds put in the budget to be used. We have been tirelessly working for the budget and finally passed it yesterday but still we should have the Bill passed so that the funds can be used. If you check in this Bill, the funds here will help develop our county and the recurrent funds need to be used for the salaries, for county assembly services, the headquarters officers, among others. I am urging my fellow Members to pass this Bill. Thank you Mr. Speaker, Sir.

Hon. (Ms.) Mbeyu: Thank you Mr. Speaker, Sir. I rise to support the Second Reading of the Bill; this will enable us to use the budget that was passed in this House yesterday. Most of the activities have stopped until we pass this Appropriation Bill. It's the appropriate time; we are looking into having most of our projects being finished at least before August when elections are going to take place. Without this, we may not be able to express what we have done concerning the projects to the people. Most ward projects are stuck and contractors are asking for money for them to finish up these projects. By passing this Bill, we will be off before August... Thank you.

The Speaker (Hon. Kahindi): Hon. Stanley Kenga

Hon. Kenga: Thank you very much, Mr. Speaker. I am also rising to demonstrate my support for the Second Reading of The Kilifi County Appropriation Bill, 2017. I was looking at the development expenditure that is coming to a total of four billion shillings because this is Ksh3.923355879 which is almost four billion. Yesterday when I rose to support the adoption of the Report by the Budget Committee, I highlighted the issues especially the issues of development where I sighted the past administrations of the National Government where our three presidents had a combined total of 49 years; Mzee Jomo Kenyatta having taken 15 years of leadership of the country since independence, hon. Daniel Toroitich Arap Moi having taken 24years of leadership and Mwai Kibaki having taken 10years, being a total of 49years of the administration. Mr. Speaker, the much that we have been able to gain out of the 49years from independence compared to the much that we have gained through devolution for the four years that devolution has been in operation is much greater than what we have been able to realize as Members of Kilifi for the past 49 years.

Mr. Speaker, Ksh4 billion will be pumped into development in the various sectors like I am seeing. A lot has been put in the issues of water and education even though we also have the challenge that...because we have the visitors at the gallery and they are from Ngerenya Secondary School and you know that we have all along wanted the secondary education to be devolved to the counties so that we are better placed to handle the issues of secondary education but we are limited because so far that function has not been devolved.

Again, we have been able to put a lot of resources in the education sector and even engage the National Government to allow us to give out scholarships; the issue of ECDs (Early Childhood Education) and the issue of Polytechnics which are mandates of the County Government. Therefore, passing the Kilifi County Appropriation Bill, 2017 gives us an opportunity to finally go to the last stages where we pass it and once this one is passed, gets the approval of the House.

We know that once the Governor assents to the Bill we have now an Act that is in place and we are able to utilize the funds that have been set. These funds are going to change the face of Kilifi; already we are seeing great things happening. Mr. Speaker, *mambo yabadilika* because of devolution and as ODM (Orange Democratic Movement) team we are saying *mbele pamoja* because ODM as a party has been at the forefront of making sure that we achieve devolution. Thank you.

The Speaker (Hon. Kahindi): I wanted to rule you out of order but...

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

(Laughter)

Okay, let that pass.

(Question put and agreed to)

(The Bill was read a Second Time and Committed to a Committee of the whole House today)

COMMITTEE OF THE WHOLE HOUSE

(Order of Committee Read)

(The Speaker (Hon. Kahindi) left the Chair)

IN THE COMMITTEE

(The Chairperson (Hon. Mwambire) took the Chair)

THE KILIFI COUNTY APPROPRIATION BILL, 2017

The Chairperson (Hon. Mwambire): Welcome to the Committee of the Whole House. As you now know, the rules are relaxed so a Member can speak more than once. Kindly be attentive so as the Clerk reads through the Clauses so that we can conclude within the shortest time possible.

(Clause 3, 4 & 5 agreed to)

(The First Schedule agreed to)

(The Second schedule agreed to)

(Clause 2 agreed to)

(The Short Title agreed to)

(The Long Title agreed to)

Yes, I now call upon the Mover to respond.

Hon. Mangi: Hon. Chairperson, I beg to move that the Committee do Report to the House its consideration of the Kilifi County Appropriation Bill, 2017 and its approval thereof without amendments. Thank you Chairperson.

The Chairperson (Hon. Mwambire): Thank you very much hon. Members. We have come to the end of our Committee of the Whole House which is also the last one in this Assembly. So, let me take this opportunity to congratulate you for the cooperation that we have had in all the Committees of the Whole House among other Committees and let me believe all of

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

you will make it and put the bar much higher than where we have been. May God take extra care of each one of us.

(Question proposed)

(Question put and agreed to)

(The House resumed)

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

REPORT AND THIRD READING

THE KILIFI COUNTY APPROPRIATION BILL, 2017

Hon. Mwambire Mr. Speaker, Sir, I beg to Report that the Committee of the Whole House has considered the Kilifi County Appropriation Bill, 201 which is Assembly Bill No. 3 of 2017 and approved the same without amendments.

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

Hon. Mangi: Hon. Speaker, Sir, I beg to move that the House do agree with the Committee in the said Report. Thank you Mr. Speaker, Sir.

(Question proposed)

(Question put and agreed to)

Hon. Mangi: Hon. Speaker, Sir, I beg to move that the Kilifi County Appropriation Bill be now read the Third Time. Thank you Mr. Speaker, Sir.

(Hon. Mwambire seconded)

(Question proposed)

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

Hon. Mwambire: Thank you very much Mr. Speaker, Sir. Looking at the budget and the finer details, it is very clear that the county is becoming more comprehensive and it has even denied itself so that to add up the development budget. Looking at the progress that we are having, it is now evident those who have been complaining or those who have been pretending to be against the government are now getting confused because when they speak they claim that they go through a number of bill-boards and the bill-boards indicate projects and looking at the budget currently, it has even indicated that we had insufficient funds and allocated funds to complete those projects.

There are also so many projects which have been considered and this shows there is a shot Kilifi will be a very beautiful County. I am looking at how Malindi will be in the next one year seeing how the roads have been allocated a lot of money and that will be tarmacked with floodlights among other developments that will take place. This is an indication like my good friend hon. Stanley Kenga says, devolution has brought a lot of goodies to this county.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

If you look at the budget, every ward at least has a number of millions that will be pumped into different projects and this is a very good indication. I call upon hon. Members even though this is a competitive affair it is good to have a Governor who understands the county rather than somebody who does not understand. We have been seeing some of the aspirants giving comments which do not go well with the operations of the county and even the good will of the people which we have. It is good to make sure that we get somebody who understands the language that we have used to put a foundation. It is good because if you go to the County Government laws...

The Speaker (Hon. Kahindi): We have a Point of Order from hon. Mlanda.

Hon. Mlanda: Thank you Mr. Speaker, Sir. Maybe the hon. Member who is on the Floor please clarify who the Governor he thinks is better-off than the rest? Thank you.

Hon. Mwambire: Mr. Speaker, Sir, it is a very good question though I will not mention names but I am going to mention some of the manifestos that I have come across, when I read one of the manifestos of the aspirants...

The Speaker (Hon. Kahindi): Order! Hon. Teddy Mwambire, let us not get into manifestos. We are looking at the Report of the Committee and as to whether the Assembly should be able to adopt it; let us not get political on a budget making process.

Hon. Mwambire: Thank you very much Mr. Speaker, Sir. As *Kilifians*, we need to make sure that every corner of the county is considered when it comes to budget allocations and this is very important because I have looked at how Sokoke Ward has been transformed and how the larger Ganze Constituency, Magarini, Kaloleni, Kilifi South, Kilifi North, Malindi have been transformed and even the allocations that are contained in this budget and this is a clear indication that in the next three years if there would be consistent disbursement of funds from the National Treasury to the counties, then I am very okay because I know most of the functions will be undertaken with great concern.

Mr. Speaker, Sir, I think what is remaining now is to make sure that all the constitutional functions that are supposed to be undertaken by the county should be released with immediate effect because this budget shows a clear indication. I am looking at the roads which were being held by the National Government which were called rural roads, urban roads, KWS (Kenya Wildlife Service) roads...and the way they have been captured in this budget is an indication that the county is very transformative because it has put money to tarmac roads, grade them and other developments.

I am looking at the infrastructural development that has been anchored in this budget. This is an indication that this is not just a county which is consuming but it is a county which is transformative and with these few remarks, I call upon hon. Members to make sure that they are elected because they have been doing a great job, not forgetting to re-elect the Governor so that the good job can continue. I know Jubilee Members like hon. Mlanda have issues but that is the position because we want this county to go forward. Thank you.

(Hon. Mlanda stood on a Point of Order)

The Speaker (Hon. Kahindi): Yes.

Hon. Mlanda: Point of Order Mr. Speaker, Sir. Let the Member apologize because I am not in Jubilee (Party); I am an independent Member of the Assembly in the next coming elections. Let him withdraw. I am not in Jubilee. Thank you.

The Speaker (Hon. Kahindi): Yes hon. Teddy Mwambire I think it is fair to put people where they belong. He has disowned Jubilee, so now where is he?

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

Hon. Mwambire: Mr. Speaker, Sir, we are in an Assembly where we are using Standing Orders. The Standing Orders of the County Assembly of Kilifi does not recognize an Independent Member when he is elected; let him be very clear where he will belong. Whether he will be in NASA (National Super Alliance) or Jubilee Party so that he can be incorporated in a Committee...

The Speaker (Hon. Kahindi): That is a matter of the future hon. Teddy Mwambire.

Hon. Mwambire: Yes but it is in the Standing Orders. How can I claim that I will be an Independent and the Standing Orders do not recognize an independent Member?

The Speaker (Hon. Kahindi): You are out of Order, hon. Teddy Mwambire! I rule you out of Order hon. Teddy. What hon. Mlanda has simply said is that you have put it on record that he is a Member of the Jubilee party and he has put it back to you that he is not and the record indicates where he is not a matter of...

Hon. Mwambire: I am very sorry Mr. Speaker, Sir. I had not realized that he resigned from Jubilee but initially he had defected from ODM to Jubilee.

The Speaker (Hon. Kahindi): Okay, yes hon. Foleni you have a Point of Order?

Hon. Foleni: Hon. Speaker, Sir, I wish to reiterate that this is a House of honour and it is actually unfortunate to have a hon. Member of Sokoke Ward, the Deputy Speaker, bringing politics into this House as he contributes to the budget. I believe in the words *tuko pamoja*...

The Speaker (Hon. Kahindi): You are out of Order hon. Foleni. We are probably all together in this; you are out of Order. Yes let us hear hon. Mramba.

Hon. Mramba: I had only risen on a Point of Order because hon. Mlanda is currently an independent candidate but is supporting the re-election of President Uhuru Kenyatta so therefore he is presumed to be in Jubilee because of that.

The Speaker (Hon. Kahindi): Okay having said that, let us hear another contribution from hon. (Ms.) Mbeyu.

Hon. (Ms.) Mbeyu: Thank you Mr. Speaker, Sir. I rise to support the adoption of this Report. Mr. Speaker, looking at this Bill, I think we are home and dry once it is passed in House. We are looking at a figure of almost Ksh 11.9 billion which is the gross county budget. As I hand over Kibarani Ward for the benefit of our visitors here who are my immediate neighbors, Ngerenya Secondary. I recognize the principal here, all the students and the Board members. I have my mum up there mama Mbeyu.

Mr. Speaker, as I handed over Kibarani, I know all the projects will be completed. There is a polytechnic which is just about to take in students and God willing by August it will take in students from all over in Tezo, Kibarani and Sokoni Wards. I think we will have our youth better placed in Kibarani Polytechnic. For almost one year, there is a pending stalled dispensary; it is out of this budget that this project is going to be completed and I know I will hand over a better Kibarani than the way I found it before.

I am hon. (Ms.) Mbeyu, the incoming Women Representative Kilifi County and I need support from the gallery and the Members in this House. Thank you, Mr. Speaker.

The Speaker (Hon. Kahindi): Politicians will always see any opportunity that comes around. Give a microphone to a politician and they will surprise you. Now you are doing campaigns; you are out of Order hon. (Ms.) Mbeyu. Yes hon. (Dr.) Mzungu Chitibwi.

Hon. (Dr.) Chitibwi: Thank you very much, hon. Speaker. I stand to support the adoption of this Bill. I know we are enabling this Government to complete its solemn duty but to do so I want to thank my fellow Members of this House. We all know the process that we went through. It was very difficult but at the end of the day we came to an agreement and this is what we have for the people of Kilifi.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

I would also urge the Executive that we have been given this weapon for them to execute what the people of Kilifi want. I wish and request them to execute what the people of Kilifi want. Let them listen to the people because when we talk of public participation, it is very important in this era of devolution. This Ksh11.9 billion is not small money and I hope at the end of this financial year, we are going to have devolution devolved up to the village level because we are supposed to be having village administrators which up to now has not been done. I know some of it may be deliberate, some may have been due to other issues but if we do not have up to the village structures in Kilifi yet I know many counties have got the village structures, I do not know what we are doing with devolution.

I want to thank our Governor for what he has done so far and this money we are giving it to the incoming Governor, if it will be Governor Kingi, I will be very happy but what I know is devolution is a product of people who have devolution at heart. I want to assure you if you give this devolution and this Ksh 11.9 billion to a Kadu Asili Government you will see *Majimbo*. Thank you very much.

(Laughter)

The Speaker (Hon. Kahindi): Okay, Order! Order hon. Members! Why are you getting so excited about politics and yet tomorrow is your last day in this Assembly? Hon. Members, yes hon. Stanley Kenga.

Hon. Kenga: Thank you, very much Mr. Speaker, for again availing me this opportunity to make my contributions. You have seen me getting over the other side of the Chamber to consult hon. Foleni, the Member Tezo Ward. The visitors at the Gallery come from his Ward and I was consulting, I wanted to know if there is anything which has been set aside in the budget to take care in the various challenges that they are facing as people of this great County of Kilifi and especially areas of Ngerenya.

I am happy to learn that the adoption of this Report will be able to help the people of Kilifi especially Ngerenya area as they realize their dreams of addressing the water challenges that they have in the area; that millions of shillings have been set aside to address this great challenge. I am happy again to even hear from hon. Foleni that were it not for devolution there would not have been any hope for the people of Ngerenya but the fact that we are in a devolved system of governance to the people and especially for our visitors.

Mr. Speaker, today we are talking of Ngerenya, without devolution Ngerenya would have not have gone to the HANSARD but at least this is an opportunity. Therefore I beg to support. Thank you very much.

The Speaker (Hon. Kahindi): Hon. Teddy Mwambire, you have a Point of Order?

Hon. Mwambire: Yes hon. Speaker, I think, it is now in order for hon. Foleni to pass over to NASA so that he can support it.

(Laughter)

The Speaker (Hon. Kahindi): Yes hon. Foleni?

Hon. Pascal: Thank you, Mr. Speaker. It is not hon. Foleni but I used his card.

The Speaker (Hon. Kahindi): Okay, you used his card? Okay.

Hon. Pascal: Yes, I am using his card. Mr. Speaker, let me take this opportunity to actually congratulate the Committee which brought this matter to this Assembly. Mr. Speaker,

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

we understand this is a culmination of a process which started yesterday up to today and we are almost winding up the passage of this bill.

Mr. Speaker, if you critically go through the items in this Bill you see the Departments of Health, Roads and Public Services are sectors which have really been taken care of as far as the allocations are concerned. We understand that these are the Departments that are the heart of the people of Kilifi County. We know that the health sector has been a challenge especially the people of Kilifi have had various challenges in health and looking at the allocation which has been set aside, it is an indication that this County Government is really concerned about the health of their people.

Again, if you look at the Road Department which has suffered for so many years because as we all understand we always had to wait for what would be resolved in the National Government during the olden days where a single road would feature in the budget of a whole sub-county but as we sit here as hon. Members of this great County Assembly of Kilifi, we are able to actually sort issues on our own and this is because of devolution.

That is why I am calling upon many of us and especially those sitting at the National level to ensure that they give space to devolution because this is the only opportunity that those wards from the rural areas of this county can have a taste of the various challenges that we feel; for example Mwanamwinga, Kayafungo and many Wards that are in the remote areas. If they are not taken care properly in terms of allocation, then there is no way out a farmer in the rural areas would be able to transport his produce to the market. This has been catered for by the expansion and development of the new roads that have brought relief to the farmers. After many consultations we had in this House, almost all wards got an equal share of the resources that had been allocated for the county by the National Government and the County Government itself. I call upon hon. Members to support the adoption of this Bill.

The Speaker (Hon. Kahindi): Thank you, hon. Pascal. Yes hon. (Ms.) Mbeyu.

Hon. (Ms.) Mbeyu: I want to add to what hon. Kenga has said that Ngerenya Secondary is one of the beneficiaries of the Scholarship Fund. As the outgoing Chairperson of the Scholarship Fund Committee, I have gone to Ngerenya Secondary when I was still the Chairperson of the ward Committee and handed over a cheque to the students. Almost 40% of the students in Ngerenya Secondary are from Kibarani ward so they are beneficiaries of the Scholarship Fund. I stand for education; I wish them well and wish all the Kibarani students apply for the Scholarship. Thank you, Mr. Speaker.

The Speaker (Hon. Kahindi): I hope you will also remember them with your County Development Fund (CDF). Hon. Members, a Motion has been moved as to whether the Appropriation Bill be read for the Third Time; the same has been deliberated. I now put the question.

(Question put and agreed to)

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

ADJOURNMENT

The Speaker (Hon. Kahindi): Thank you, hon. Members, having been read for the Third Time, that Bill is now ready to be taken to the Governor for his assent. I would like to take this opportunity to thank you for having successfully passed the budget that will govern the next incoming Government of the County of Kilifi. I know it has been a long journey for you to sit

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

and deliberate on this but I am also rather glad that there has been cooperation. I am aware that you are fully engaged at the ward level and the fact that you have been able to sacrifice that time to come and do what is best for everybody in the county, I appreciate that.

In the absence of any other business in the Order Paper, I move to adjourn the House till tomorrow in the afternoon. Thank you very much.

The House rose at 4:50 p.m.