

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF KILIFI
THE HANSARD

Wednesday, 23rd January, 2019

*The House met at the County Assembly Chamber,
Malindi Town, at 9.30 a.m.*

[The Deputy Speaker (Hon. Kenga) in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

SPECIAL SITTING OF THE COUNTY ASSEMBLY

The Deputy Speaker (Hon. Kenga): Hon. Members, there is one communication that I would wish to make.

That pursuant to Standing Orders Order no. 26 (1, 2, 3 and 4) of the Kilifi County Assembly Standing Orders, it is notified for the information of Members of the County Assembly of Kilifi and the general public that there shall be a Special sitting of the County Assembly to be held on Wednesday 23rd January, 2019 at the County Assembly Chamber Malindi at 9.30 a.m. The business to be transacted shall be; the consideration of Kilifi County Finance Bill, 2018 and the Kilifi County Annual Development Plan 2019/2020. Dated the 16th January 2019 by Jimmy Kahindi; Speaker, County Assembly of Kilifi. Thank you.

PAPER (S)

THE COUNTY ANNUAL DEVELOPMENT PLAN

Hon. Kiraga: Thank you so much Mr. Speaker. On behalf of the County Budget and Appropriations Committee, I beg to lay on the Table of this House the following paper which is the County Annual Development Plan. Thank you, Mr. Speaker.

(Hon. Kiraga laid the paper on the table)

THE KILIFI COUNTY FINANCE BILL 2018

Hon. Kiraga: Thank you so much Mr. Speaker. Again, on behalf of the County Budget and Appropriations Committee, I beg to lay on the Table of this House the following paper on

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the Report of the County Budget and Appropriations Committee on the Kilifi County Finance Bill 2018.

(Hon. Kiraga laid the paper on the table)

NOTICE OF MOTION

THE REPORT ON THE KILIFI COUNTY ANNUAL DEVELOPMENT PLAN FOR THE FINANCIAL YEAR 2019/2020

Hon. Kiraga: Thank you so much Mr. Speaker. I beg to give notice of the following Motion;

That, this House adopts the Report of the County Budget and Appropriations Committee on the Kilifi County Annual Development Plan for the financial year 2019/2020 laid on the Table of this House on Wednesday 23rd January, 2019. Thank you.

MOTION

ADOPTION OF THE REPORT ON THE KILIFI COUNTY ANNUAL DEVELOPMENT PLAN, 2019/2010

The Deputy Speaker (Hon. Kenga): Please Chairperson budget proceed.

Hon. Kiraga: Thank you so much Mr. Speaker. I beg to move the following Motion; That this House adopts the Report of the Kilifi County Budget and Appropriations Committee on the Kilifi County Development Plan for the financial year 2019/20120 laid on the Table of this House on Wednesday 23rd January, 2019.

Mr. Speaker, before I give hon. Daniel Chai Chiriba to second, I would wish to give the following highlights on the Annual Development Plan 2019/2020. The Committee on Budget and Appropriations on its sitting looked at the Annual Development Plan (ADP) whether it conforms with the relevant laws. Mr. Speaker, we found that the ADP 2018/19 lined itself...

The Deputy Speaker (Hon. Kenga): There is an intervention from hon. Thomas (Mumba) Chengo.

Hon. Mumba: Thank you Mr. Speaker. I rise to move a Motion under Standing Order 50 (b) together with Standing Order 92. Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Kenga): The hon. Member for Tezo Ward you are out of order. Give an opportunity to the Chairperson budget to move and have the Motion seconded then your intervention can now be allowed please.

Hon. Kiraga: So Mr. Speaker, with those few remarks may I now call upon hon. Chai Chiriba to second. Thank you so much Mr. Speaker.

(Hon. Chiriba seconded)

The Deputy Speaker (Hon. Kenga): Yes the Member for Tezo please proceed.

ADJOURNMENT MOTION

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ADJOURNMENT MOTION UNDER STANDING ORDER 50 (B) AND 92

Hon. Mumba: Thanks again hon. Speaker. I rise to move an adjournment Motion under Standing Order 50 (b) together with Standing Order 92. Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Kenga): Thank you, hon. Members, the Member for Tezo ward has moved an adjournment Motion. Any seconder, yes hon. Mwamtsi.

Hon. Mwamtsi: Mr. Speaker, first happy new year to all hon. Members. I have not met some of the Members this year. I stand to support the adjournment based on the fact that the reports we are supposed to discuss today are reports belonging to the people of Kilifi County and as representatives of the people, we feel that we need more time to engage the document further while ironing the issues that we think are important in changing lives of the people of Kilifi. So I stand to support. Thank you.

(Question proposed)

The Deputy Speaker (Hon. Kenga): Kindly Members make your requests.

Hon. Hassan: Asante sana Mheshimiwa Spika kwa kunipatia nafasi hii. Nimesimama kuunga mkono hoja hii iliyoletwa ili tusitishie mswada huu. Nimesimama kuunga mkono kwa sababu hata huyo Mwenyekiti wa Kamati ya Bajeti ukimtazama inaonekana wazi kwamba hajajitayarisha. Mbali na mwenyekiti hata wale wafuasi wake ambao ni wanakamati nafikiri...

The Deputy Speaker (Hon. Kenga): Kindly take your seat there is an intervention from hon. Kiraga.

(Hon. Kiraga stood on a Point of Order)

Hon. Kiraga: Mr. Speaker, I am rising on a Point of Order under Standing Order 87. Mr. Speaker, I do not know whether he has a measuring instrument with him to support his allegations that I was not prepared to move this Motion. I have moved the Motion and I am very much equipped and eloquent, unless he has some measuring instrument. I beg you to rule him out of order. Thank you.

The Deputy Speaker (Hon. Kenga): Hon. Hassan please proceed.

Hon. Hassan: Asante sana Mheshimiwa Spika. Kwanza naomba radhi kwa Mheshimiwa mwenyekiti labda Kiswahili mara nyingine kinakuwa ni matatizo kutafsiri. Mheshimiwa Spika, sisi Wabunge wa Kaunti ya Kilifi tumechoka kuitwa vibaraka na kuwa *rubber stamp*. Watu wapange mambo yao halafu sisi tuje tupitishie kwa niaba ya watu fulani. Mwaka huu 2019 ni mwaka mpya na mambo yatakuwa mapya tutaenda na mtindo mpya. Kwa hayo machache naunga mkono hoja hii.

The Deputy Speaker (Hon. Kenga): Thank you very much. Hon. Peter Ziro, Member for Garashi.

Hon. Ziro: Asante Mheshimiwa Spika kwa nafasi hii. Mimi pia naunga mkono hoja hii ya kuahirisha mswada huu. Wakati mwenyekiti wa Kamati ya Bajeti alipokuwa anaeleza nyumba hii kuhusu mswada huu...nimemzoa kuwa mtu mkakamavu na mzungumzaji asiye na kigugumizi. Lakini mara tu aliposimama na kuanza kuleta hoja hii nimeona kigugumizi kimezidi na hapo nikajua ya kwamba dau lazama na chombo chaenda mrama. Sasa mimi naunga mkono

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kwamba tuweze kuahirisha ili kuwe na wakati mwafaka wa kupitia haya makaratasi na jinsi ambavyo hii miradi imegawanywa katika sehemu tofauti tofauti za wadi zetu. Kwa hayo nasema Mungu awabariki na asanteni sana.

The Deputy Speaker (Hon. Kenga): Thank you. There is a request from Kiraga.

Hon. Kiraga: Thank you so much for this chance. I am supporting this Motion with some reservation. Mr. Speaker, let us adjourn so that we give a second chance to the sectoral committee to work. When the ADP was committed, it was committed to the relevant sectoral committees. As the Chairperson of the Liaison Committee, I have personally told you there is need for you to call the Liaison Committee and one of the agenda was how best can we help the sectoral committees perform their duties when it comes to such papers. Most of these papers have got some timelines and as a Budget committee we work under restrictions. The Public Finance Management Act stipulates that we treat the sectoral committee as stake holders in the budget making process.

(Hon. Hassan stood on a Point of Information)

I do not want to be informed Mr. Speaker, let me finish up. We have the Sectoral Committee as stakeholders...

The Deputy Speaker (Hon. Kenga): We have an intervention from hon. Hassan, please hon. Kiraga take your seat. What is your Point of Order?

Hon. Hassan: Asante sana Mheshimiwa Spika. Unajua sasa nazidi kuchanganyikiwa kwa sababu Mwenyekiti wa bajeti ndiye aliyetusomea Mswaada wake sasa ameungana na sisi kutaka kuahirishwa kwa Hoja hiyo; sielewi. Asante.

The Deputy Speaker (Hon. Kenga): The Chairperson is very much in order. He is supporting the adjournment Motion as a Member so please conclude.

Hon. Kiraga: Thank you Mr. Speaker, for protecting my dignity. The Budget and Appropriations Committee under the Public Finance Management Act, 2012 has to treat the sectoral committee as one of the stakeholders. We are also treating Kilifi citizen forum and Muhuri as one of the stakeholders and most of these stakeholders have to appear before the committee to give out their Report and if we do not get any Report from the sectoral Committees...

(Hon. Ziro stood on a Point of Order)

The Deputy Speaker (Hon. Kenga): Please there is a Point of Order from hon. Ziro.

Hon. Ziro: Thank you Mr. Speaker; I think the Member on the floor is confusing the whole scenario. If he is telling us that when he was coming he knew very well that the document was defective then why did he take the opportunity of tabling that document before this house?

The Deputy Speaker (Hon. Kenga): Please take your seat. I will urge Members to accord respect to any Member who is on the floor. The hon. Member who is also the Chairperson for Budget and Appropriations has not said that the document is defective and he even went ahead to say that he is very much equipped and ready to even proceed with the debate but because Members have put forward an adjournment Motion, it is up to you Members to either agree with the adjournment or reject the adjournment Motion for the business of the Assembly to proceed. Therefore, please mark your words; he has never said the document is defective so you are out of order. Hon. Kiraga please, conclude for other Members to make contributions.

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Hon. Kiraga: Thank you Mr. Speaker. In fact, I have stated by saying we adjourn so that we give a second chance to the sectoral committees; those were my opening remarks and I think the Member is advised. So the point I am driving at is, let us have the Chairpersons of the sectoral committee work when there is a document which needs to be worked upon by the sectoral committee. It is high time the Chairperson of the relevant sectoral committee take up their duties very seriously. We need to have mature debates in this House and move this county to a higher level. With those few remarks, I beg to support the adjournment Motion. Thank you.

(Hon. Mwamtsi stood on a Point of Order)

Hon. Mwamtsi: Mr. Speaker, is the Member who has just left the floor, in order to purport that the Chairpersons of this hon. House are not working?

The Deputy Speaker (Hon. Kenga): Thank you. I think the message that was going out to Members is that there are timelines that are supposed to be met. Therefore, we need to make sure that any document that comes before the House and committed to the committees led by our able Chairpersons we meet the timelines given out. Hon. Renson Kambi (Karisa) please proceed.

Hon. Karisa: Asante Mheshimiwa Spika. Ninaomba kama watu wamechangia Mheshimiwa Spika, usisimame katikati na usitetee mtu. Nasimama kuunga mkono hoja iliyoletwa na Mheshimiwa wa Tezo, kwa sababu naona yaliyopendekezwa hapa hata tukiyapitisha tena yatarudi kwetu na lawama. Kama ulivyosikia akinena mwenyekiti, anajua kabisa kulikuwa kuna mchango kutoka kwa wenyeviti wa kamati lakini hawakuhusishwa. Mimi nasema kwamba tukipitisha mambo kama haya itakuja kuwa tatizo kwa sababu yale ambayo yameangaziwa hapa kwa mfano, katika Wizara ya Barabara, zimeangaziwa barabara zile ambazo ziko katika miji mikubwa peke yake. Tukiangalia mashinani nikipeana mfano, wewe kama mjumbe wa Adu, mali zile ambazo zinatoka Changoto haziwezi kutoka kwa sababu ya barabara na hapa haikuangaziwa.

Wananchi wakianza kulalamika, itarudi hapa hapa ikiwa ni lawama kwako. Kwa hivyo, naona ikiwa tutapata muda zaidi kamati ziweze kukaa na *Chief Officers*, kusudi yale mapendekezo yatakayopelekwa katika kamati ya bajeti yawe ni mapendekezo ambayo kamati imekaa na yatakuwa yameangazia kila pahali. Nasimama kuunga mkono hoja iliyoletwa na Mheshimiwa wa Tezo.

The Deputy Speaker (Hon. Kenga): Thank you. Hon. Matsaki.

Hon. Matsaki: Asante Mheshimiwa Spika. Pia mimi nimesimama kuunga mkono ile hoja iliyoletwa na Mheshimiwa wa Tezo. Mheshimiwa Spika, nataka niwe tu mchache wa maneno. Ukweli ni kwamba kama mwenyekiti wa bajeti alivyozungumza mambo ya bajeti yanaenda na wakati wake. Kwa hivyo, wakati tukisema tunaunga mkono ili kamati husika zihusishwe kikamilifu ili tunapokuja bunge kusiwe na kuvutana pia ningomba tupatiwe muongozo.

Nina imani kuwa Bw. Mwanengo ana muongozo; yeye hayuko hapa lakini tupewe muongozo ili kuwe na ule uharaka wa kujadili yale maswala nyeti. Kusema kweli kuna maswala nyeti ambayo sisi kama wajumbe wa Kaunti hatuwezi kukubaliana nayo. Kuna mambo hayataenda kama vile ilivyo na nataka niseme tuna Mwenyekiti wa Bajeti ambaye ana ufahamu wa yale ambayo yanatakikana kufanyika. Mara nyingi mimi husema sisi ni binadamu; sisi si malaika, unapoota kidole mwenzako kwa sababu hafanyi vizuri vile vidole vyengine vinakuangalia wewe.

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Mambo ya bajeti ni mambo magumu na naomba kama bunge tumuunge mkono Mwenyekiti wa Bajeti na wanachama wake. Huenda ikawa katika ile kamati ya bajeti kuna shida; kadri tunavyoendelea itabidi wakati mwengine tuingilie kati tuseme kama kuna shida.

Hii kama kamati inatakikana wanakamati wote wa Bajeti wazingatie mirandi inayopelekwa katika *sub county* zao. Ule muongozo ulioletwa wa kuchagua mtu mmoja kila *sub county* kusema kweli kuna wengine kama Mwenyekiti wa Bajeti alivyozungumza hawafanyi kazi zao ndio maana mara nyingine twazozana. Ripoti imeletwa bungeni; ni wangapi wanachama wa Bajeti wako hapa?. Kwa sababu ni wao watupatie muongozo wazungumze yale ambayo wanafikiria. Wanaochangia sahii ni watu wawili watatu hali kamati zina watu tisa; tunazungumza nini?

Ninaunga mkono na pia ninaomba mambo ya kukaa yafanywe haraka na yafanywe wakati huu ambao tuko likizo. Haina maana sisi tunapitisha vitu hapa watu wameficha mambo ambayo baadaye kama bunge tunalaumika; miradi haionekani katika sehemu ambazo tunaongoza. Nafikiri kwa hayo machache nimesimama kuunga mkono.

The Deputy Speaker (Hon. Kenga): Thank you. Hon. Deputy Leader of Majority, please proceed.

Hon. Ndago: Asante sana Mheshimiwa Spika. Yangu yatakuwa mafupi sana. Kwanza nasimama kumuunga mkono Mheshiwa Mumba kwa hoja ambayo ameileta kwa sababu mbili. Sababu ya kwanza; sisi kama wawakilishi ambao tuko katika kamati tofauti kuna mambo mengi ambayo tunafaa turudi tukayazungumze na kuyapitia kwa kina kama alivyozungumza Mheshimiwa Matsaki; haya ndiyo maisha ya mtu wa Kilifi lazima tuyaheshimu tumfanyie kazi mtu wa Kilifi vile inavyostahili.

La pili, nataka kuunga mkono maneno yaliyozungumzwa na Mheshiwa Matsaki ya kwamba, kamati ya Bajeti inafanya kazi yake vilivyo lakini itakuwa si vyema kamati ikae ipitishie mambo yaletwe bungeni halafu tukifika hapa mambo hayako sawa. Kitu cha kwanza tumepoteza pesa za mtu wa kilifi; kuanzia kule ambako vikao vilifanyika mpaka kwa *advertisement* ambayo iliwekwa kwa gazeti. Hizo ni pesa za mnyonge mtozwa ushuru zilitumika.

Hii ni kwa sababu upande wa *executive* hauna heshima na upande wa bunge, ndio maana leo ni kama tumepoteza muda. Ikiwa jambo limeonekana katika kamati halifai, ni vyema zile kamati nyengine zijue mapema kabla lisifike huku, maana likifika huku ni hasara zaidi. Inakugarimu wewe na inagharimu mwananchi na tena inagharimu serikali yetu. Hivyo basi nakuomba Bw. Spika tusiendeele kupoteza muda; uulize swali halafu sheria ifwate mkondo wake. Nasimama kuunga mkono ya kwamba turudi katika kamati zetu tofauti tofauti na tukalijadili hili swala kwa kina. Asante sana.

The Deputy Speaker (Hon. Kenga): Thank you very much. Hon. Members, a Motion has been moved, seconded and debated.

(Question put and agreed to)

Next order...

BILL

Second Reading

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THE KILIFI COUNTY FINANCE BILL, 2018

The Deputy Speaker (Hon. Kenga): The Chairperson Budget Committee, proceed.

Hon. Kiraga: Thank you Mr. Speaker. I beg to move;

That the Kilifi County Finance Bill 2018 be now read a Second Time. Before I call upon hon. Chiriba to second, I would wish to give the following highlights on the Finance Bill. Mr. Speaker, the Finance Bill is very much paramount to this county because it is the document that is going to authorize the relevant Government entity to collect the various taxes from the people of Kilifi. Mr. Speaker, the budget committee looked at the nitty gritty of the changes which were effected by the various departments comparing the previous Finance Bill that was of 2017. Mr. Speaker, with those few remarks I call upon Hon. Chai Chiriba to second.

(Hon. Chiriba seconded)

(Question proposed)

The Deputy Speaker (Hon. Kenga): Thank you very much. Hon. Members, the Motion on the Kilifi County Finance Bill, 2018 has been moved and seconded. I now propose that the Kilifi County Finance Bill, 2018 be read a Second Time. There is a Point of Order from Thomas Chengo. Please proceed.

Hon. Mumba: Thank you Mr. Speaker. I once again rise to move a Motion understanding Order 50 (B) read together with Standing Order 92. Thank you.

The Deputy Speaker (Hon. Kenga): Thank you. Who is your seconder?

Hon. Mumba: Hon Hassan.

(Hon. Hassan seconded)

The Deputy Speaker (Hon. Kenga): Yes Hassan proceed.

Hon. Hassan: Asante sana. Mheshimiwa Spika, nimesimama kuunga mkono hoja hii iliyoletwa na Mheshimiwa kutoka Tezo kwamba hili swala tulipatie mda. Mheshimiwa Spika, utaungana na mimi kwamba wiki iliyopita serikali kuu ilitoa takwimu za matumizi ya pesa za kaunti. Kwa kweli takwimu bado iko chini sana; sisi kama Kilifi Kaunti tumetumia pesa kidogo sana. Zile tumepewa hatujazitumia hata nusu huku tunakimbilia *kurequest* pesa nyengine. Mheshimiwa Spika, kila mmoja awajibike katika majukumu yake na kila mmoja ahusishwe kikamilifu ndio tupate mwafaka mzuri ili Kilifi iendelee kung'ara. Kwa hayo machache nimesimama kuunga mkono.

The Deputy Speaker (Hon. Kenga): Thank you. Hon. Members, the Motion has been moved by the Member for Tezo and seconded by hon. Hassan, the Member for Matsangoni Ward. I now propose that the same is ready for debated.

(Question proposed)

Hon. Karisa: Asante Mheshimiwa kwa kunipa nafasi hii. Nasimama kuunga mkono hoja iliyoletwa na Mheshimiwa wa Tezo. Nataka kusema hata kama ni mambo ambayo tunaongeza ili kupata ushuru zaidi lakini mambo hayo ni lazima kamati ziwe zimehusishwa na

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yale mapendekezo yaweze kujadiliwa kikamilifu maana tukiangalia hata katika sekta ya Kilimo kuna ongezeko la bei za mapembejeo. Hayo ni mambo ambayo pengine sio kila mmoja wetu hapa anaufahamu wa hayo mambo, kwa sababu sisi tunajua bei kutoka kitambo ni elfu moja hapa tunaona imewekwa elfu moja na mia saba. Mimi nasimama kuunga mkono.

The Deputy Speaker (Hon. Kenga): Thank you Hon. Members. The Motion has been moved, seconded and debated.

(Question put and agreed to)

ADJOURNMENT

There being no other business on the Order Paper, this House stands adjourned until further notice.

The House Rose at 10:10 a. m