



**REPUBLIC OF KENYA**  
**COUNTY ASSEMBLY OF KILIFI**  
**SECOND ASSEMBLY –THIRD SESSION**

**THE HANSARD**

**Monday, 25<sup>th</sup> March 2019**

*The House met at the County Assembly Chamber,  
Malindi Town, at 2:30 p.m.*

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

**PRAYERS**

**PAPER LAID**

THE EXECUTIVE REPORTS AND FINANCIAL STATEMENTS FOR THE QUARTER  
THAT ENDED 31<sup>ST</sup> DECEMBER, 2018

**The Deputy Speaker** (Hon. Kenga): Deputy Leader of Majority? ...Yes proceed.

**Hon. Ndago:** Thank you hon. Speaker for this opportunity. I beg to lay the following Paper on the Table: -

The Executive Reports and Financial Statements for the Quarter that ended 31<sup>ST</sup> December, 2018. Thank you, Mr. Speaker.

*(Hon. Ndago laid the paper on the Table)*

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**The Deputy Speaker** (Hon. Kenga): Thank you very much the Deputy Leader of Majority standing in for the Leader of Majority. The Executive Reports and Financial Statements for the Quarter that ended 31<sup>st</sup> December, 2018 have been laid by the Deputy Leader of Majority. Is the chairperson Economic Planning, Trade and Cooperative Development present? You have 21 days to engage the Report and make sure within that period you report back to this Assembly. Thank you. Hon. (Ms.) Sidi, please proceed.

## STATEMENT

### ORDER OF BUSINESS OF THE WEEK COMMENCING MONDAY 25<sup>TH</sup> MARCH, 2019

**Hon. (Ms.) Sidi:** Thank you Mr. Speaker. Pursuant to Standing Order 41 (a), I will read the Business of the week commencing today being March 25<sup>th</sup> 2019. The Business of today has been done by the Deputy Leader of Majority.

Tomorrow Tuesday 26<sup>th</sup> March 2019 9:30 a.m. the Business will be:-

1. Statement sought by hon. Hadad Almas from the County Secretary
2. A Statement sought by hon. Peter Ziro from the County Executive Committee Member in charge of the Department of Education and ICT.

Tomorrow Tuesday 26<sup>th</sup> March 2019 from 2.30 p.m. the Business will be:-

1. A Report of the select Committee on Budget and Appropriations on the Kilifi County Fiscal Strategy Paper that will be tabled by the chairperson Budget and Appropriations Committee.
2. Then, we have a Notice of Motion on the same (Kilifi County Fiscal Strategy paper 2019) which will be done by the chairperson Budget and Appropriations Committee.

On Wednesday 27<sup>th</sup> March, 2019 from 2.30 p.m. the Business will be:-

1. A Motion on the Kilifi County Fiscal Strategy Paper 2019. It will be moved by the chairperson County Budget and Appropriations Committee. Thank you, Mr. Speaker.

**The Deputy Speaker** (Hon. Kenga): Yes kindly proceed.

**Hon. Mwarandu:** Thank you Mr. Speaker. I am standing on a Point of Order number 21(2). Mr. Speaker, towards the end of last year the Senator for Kilifi County addressed this House and the Standing Orders allows that Members deliberate on his address and it has not been done. I think it should find a way to the House Business Committee so that it can be deliberated rather than putting forward matters which are unconstitutional like the Motion that was tabled last week. Thank you.

**The Deputy Speaker** (Hon. Kenga): Your system is working, why don't you make your request? You are not Dickson Shaban, how could I have known? ...Okay proceed.

**Hon. Mramba:** Mr. Speaker I am standing on a Point of Order though the hon. Member hon. Humphrey Mwarandu is already seated but he has uttered words that are unparliamentary. He was saying that other than debating unconstitutional matters like the Motion of last week and I think Mr. Speaker he is referring to the Motion on the casuals; if that Motion was constitutional then that is why the House Business Committee allocated time for it to be debated in this assembly. If for any reason you have to differ in a Motion because it is not a must that you must support the Motion, you can either support or oppose; that is parliamentary and the meaning of a debate. When you have decided to oppose it does not mean that the Motion is unconstitutional. Kindly Mr. Speaker, let hon. Mwarandu apologies for purposes of record.

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**The Deputy Speaker** (Hon. Kenga): We have two issues on the matter raised by hon. Mwarandu. In the course of the week, we will sit in the House Business committee and see to it that the same is brought before the House for action. Two, on the issue raised by the Member for Kakuyuni Ward, kindly I want to ask hon. Mwarandu to withdraw before we proceed.

**Hon. Mwarandu:** Mr. Speaker, the hon. Member for Kakuyuni is a very senior Member in this House. I do not want to take your job but the Member for Kakuyuni is out of order. You cannot stand on a Point of Order without referring to any Standing Order. The Member should teach us, not us to teaching him; he is out of order.

That notwithstanding, these are not my words; that this Motion was unconstitutional. The Speaker said so when we were in Mombasa. He said that it was a mistake to allow a Motion that was unconstitutional to come to the House. I am referring to the words said by the Speaker, so when you say that I should withdraw it means that I withdraw something that was said by the Speaker who is the apex of this House.

**The Deputy Speaker** (Hon. Kenga): Kindly withdraw.

**Hon. Mwarandu:** I think you are going contrary to your boss; okay I am withdrawing the statement.

**The Deputy Speaker** (Hon. Kenga): Yes Hon. Ndago?

**Hon. Ndago:** Mine was to ask the Member who was on the Floor whether what was said was on record or off record? Was it discussed as a matter of this House or just some stories that you were making with the Speaker? I want to believe an official communication should come from this House not from stories in the hotels. Is the Member on the right track telling us the Speaker told him that the Motion was against the Constitution of Kenya?

**Hon. Mwarandu:** Thank you very much Mr. Speaker. First, I want to laugh off the hon. Member for Shimo La Tewa because he could not get what the Speaker said because he was not in the meeting. Two, the statement that was said by the Speaker was on record because the HANSARD was there. All the same I have withdrawn the statement, so I do not see the reason to why we should proceed with this deliberation.

**The Deputy Speaker** (Hon. Kenga): Hon. Members, I think the Member is now on record saying he has withdrawn the statement, so I do not think we need to proceed with this. What is it hon. Mramba?

**Hon. Mramba:** Mr. Speaker, apart from withdrawing what he had already said he uttered other words that the hon. Speaker said the Motion was unconstitutional. Mr. Speaker, this is a House of honour, dignity and decorum; you can not mention the name of the Speaker to have uttered those words yet it was not on record and if it was on record we need to get the Speaker to clear the air. Those words are very serious; we cannot wish away these words. A Speaker who presided over that session then went to another meeting and said the Motion was unconstitutional? I think we need evidence if indeed the Speaker uttered those words he needs to tell us and if he did not then hon. Mwarandu needs to withdraw and apologies.

**The Deputy Speaker** (Hon. Kenga): Hon. Mwarandu these words are coming from you. I think what the Speaker said was that the Motion was controversial; something controversial does not mean it is unconstitutional because you are now on record saying that the Speaker said the Motion was unconstitutional. I will still ask you to withdraw the same.

**Hon. Mwarandu:** The Speaker is on record saying that the Motion was controversial and unconstitutional. However, I have withdrawn the statements but who do I apologies to and the Speaker is not in?

**The Deputy Speaker** (Hon. Kenga): You apologies to the House.

**Hon. Mwarandu:** Mr. Speaker, I withdraw.

**The Deputy Speaker** (Hon. Kenga): What is it hon. Mwambire?

**Hon. Mwambire:** As we all know this is a House of honour and order. Hon. Mwarandu went on record saying that the Motion was unconstitutional. I was not in the House but I am sure it is about the casuals. I want to urge this House that some of the Motions that we debate in the House are sensitive; if we want to maintain this House as a House of dignity, honour and respect then we need to debate our issues and resolutions in a manner that will not witch-hunt anybody. If a Motion is passed in this House, the House honours the Motion and owns it. When a Motion is passed it is passed. If we continue with such scenario it will bring division in the House; let us respect the Numbers and if there are issues let us discuss them honourably in order to place the dignity of each and every person including this House.

## ADJOURNMENT

**The Deputy Speaker** (Hon. Kenga): There being no other Business in the Order Paper, this House stands adjourned until tomorrow 9:00 a.m.

**The House rose at 3:00 p.m.**