

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF KILIFI
THE HANSARD

Monday, 7th November, 2016

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

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

PRAYERS

PAPERS LAID

REPORT OF THE AUDITOR GENERAL ON FINANCIAL OPERATIONS OF THE COUNTY ASSEMBLY OF
KILIFI FOR THE PERIOD FROM 1ST JULY, 2014 TO 30TH JUNE, 2015

The Leader of Majority (Hon. Mwingo): Thank you Mr. Speaker. Today being Monday, the 7th November, 2016, I beg to lay on the Table of this hon. House the following Paper; The Report of the Auditor General on financial operations of the County Assembly of Kilifi for the period from 1st July, 2014 to 30th June, 2015.

(Hon. Mwingo laid the document on the Table)

The Deputy Speaker (Hon. Mwambire): That Report will be taken to the Public Investments and Accounts Committee for action.

REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENT OF THE COUNTY GOVERNMENT
OF KILIFI FOR THE YEAR ENDED 30TH JUNE, 2015

The Leader of Majority (Hon. Mwingo): Mr. Speaker, Sir. I would like to lay the following Report of the Auditor General on the financial statement of the County Government of Kilifi for the year ended 30th June, 2015.

(Hon. Mwingo laid the document on the Table)

The Deputy Speaker (Hon. Mwambire): Just the same, it will also go to the PIC/PAC. Proceed please.

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SPEECH BY THE SPEAKER OF THE SENATE

The Leader of Majority (Hon. Mwingo): The speech by the Speaker of the Senate. Mr. Speaker, it is not for debate.

The Deputy Speaker (Hon. Mwambire): Yes, this is just for Members to know that the speech is available to Members. We will not deliberate on it because it was not touching on public policy. Proceed please.

(Hon. Mwingo laid the document on the Table)

MEMORANDUM FROM THE GOVERNOR ON REFUSAL TO ASSENT TO TWO BILLS

The Leader of Majority (Hon. Mwingo): Thank you Mr. Speaker. The Governor's Memorandum on refusal to assent to the following Bills; The Kilifi County Maternal, Newborn and Child Health Bill, 2016 and the Kilifi County Vocational Training and Education Bill, 2016. Thank you, Mr. Speaker.

(Hon. Mwingo laid the documents on the Table)

The Deputy Speaker (Hon. Mwambire): The first one which is The Kilifi County Maternal, Newborn and Child Health Bill, 2016 will be handed over to the Committee on Health Services for deliberations and it will be taken back to the Assembly for debate.

The Kilifi County Vocational Training and Education Bill, 2016 will be handed over to the Committee on Scholarship and Vocational Training for deliberations and way forward.

The Leader of Majority (Hon. Mwingo): Thank you Mr. Speaker.

STATEMENTS

ORDER OF BUSINESS FOR THE WEEK STARTING MONDAY, 24TH TO FRIDAY, 28TH OCTOBER, 2016

The Leader of Minority (Hon. Pascal): Thank you Mr. Speaker for giving me an opportunity to read the business of the House starting Monday next week. On Monday, 7th November, 2016 at 2.30 p.m. we will be having a Statement by hon. Cosmas Foleni...

(Hon. Pascal spoke off record)

Okay thank you. Today's business, the Order of business starting Monday, 7th November, at 2.30 p.m. there is there is (A) Statements; one sought by hon. Cosmas Foleni to the County Executive Committee Member for Water, Environment, Natural Resources and Waste Management.

Then we will have a Statement sought by hon. Albert Kiraga Hare to the County Executive Committee Member for Water, Environment, Natural Resources and Waste Management.

Then we have a third Statement sought by hon. Said Mwachenda to the County Executive Committee Member for Lands, Energy, Housing and Physical Planning.

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(B) We will be having Papers. There will be the tabling of the Report of the Auditor General on the financial operations of County Assembly of Kilifi for the period from 1st July, 2014 to 30th June, 2015.

We are having the tabling of the Report of the Auditor General on the financial statement of the County Government of Kilifi for the year ended 30th June, 2015; and then there will be the tabling of the speech by the Speaker of the Senate by the Leader of Majority.

Finally, we will be tabling the memorandum from the Governor on refusal to assent to the following Bills; The Kilifi County Maternal Newborn and Child Health Bill, 2016 and The Kilifi County Vocational Training and Education Bill, 2016.

(Hon. Kiraga rose on a point of order)

Hon. Kiraga: Thank you hon. Speaker, I do not know whether I am following what the Leader of Minority is trying to read to this House. This is because I am reading the Order of Business for the week starting Monday, 24th to Friday, 28th October, 2016 and I am hearing things starting from today. This is because the Order Paper is talking about the Order of Business for the week starting Monday, 24th to Friday the 28th. Can we get some clarifications from whoever is concerned?

The Deputy Speaker (Hon. Mwambire): Hon. Members, if you look at the Order Paper for today, when you read the heading it is reading the order of business for the week starting from Monday, 24th to Friday, 28th October, 2016. Even before you make inquiries, I think this was a very serious typo which should not have happened. This is because we are in November and it is talking of October. But if you turn to the next page and go to the document which the Leader of Minority is reading, it is very clear because it shows that it is the week commencing on Monday, November 7th 2016, First Assembly 4th Session, 2016.

If you go by what the Leader of Minority is reading, I think it is in order. It is only the heading of today's Order Paper which is erratic. Meanwhile, let those who are concerned with printing these Order Papers to be very careful because it is giving us the wrong information especially when it goes into the website, how will people consider us? The Clerk should take very good care of it so that in future, we do not have such typo errors. Thank you very much hon. Kiraga for bringing that to my attention.

The Leader of Minority (Hon. Pascal): Thank you, Mr. Speaker, for allowing me to continue...

The Deputy Speaker (Hon. Mwambire): I am seeing some interventions. Were they for the same or for other issues? Hon. (Ms.) Mbeyu.

Hon. (Ms.) Mbeyu: Thank you Mr. Speaker. This is a very honourable House and we have a pool of clerks. They cannot just type without proof reading and bring such information to this House. Mr. Speaker, I think you need to give a warning; 24th to Friday 28th October is a long time ago. They just cannot type work, not proof read and then print it and just bring it to the House. I think we need good work done. We have very competent clerks and we do not want to see this in this House. Thank you.

(Applause)

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Hon. Kenga: Thank you very much Mr. Speaker. I am rising to seek guidance from your Office whether we are in order when we demand the Order Paper for today be withdrawn; the one that is placed before the House, so that we can have the right Order Paper Tabled. This is because you realize that just the other day, last week on Friday, we officially opened this Chamber for us to be able to conduct business and I do not think that this is the best way for us to go. Being the First Session that we are seated here as hon. Members to transact business in this newly opened Chamber, I want to believe that it is in order that the Order Paper is withdrawn so that the right Order Paper is forwarded to the Members. Thank you.

Hon. Foleni: Thank you hon. Speaker for giving me this chance. I want to urge my fellow hon. Members that this is a mistake that has been done. We know it is a typing error and therefore since we have all known that a mistake has been done, let us pardon the clerks for today. We have the Order of Business done as the way it is and then we pose this as a challenge to the clerks that next time they should be careful on the same. So that is my take hon. Speaker. Thank you.

The Deputy Speaker (Hon. Mwambire): Okay. Thank you very much hon. Members for your great concern over the issues that have occurred in our Order Paper. Let me use the Speaker's rule number one to allow the Leader of Minority to proceed with reading the business of the week. However let the clerks go back and prepare a new Order Paper which we will be using. This one should be confiscated because it does not show a clear or an acknowledgement of where we are. The fact that we have been away for short recess does not make somebody copy and paste to an extent of leaving an Order Paper of 24th to 28th October, 2016 while we are in November. So it is a very big shame to this House and the Clerk should take immediate effect on it.

The Leader of Majority kindly proceed with reading the order of business for the week, and it is this week, not next week. This has occurred hon. Members because the last Wednesday before going for the short recess the House Business Committee could not meet because of the other engagement that we had. That is the reason we had a special House Business today to make consideration of the business that we are going to undertake this week.

If we are to withdraw the Order Paper like what hon. Kenga has proposed, it will mean that whatever we have shared from the beginning we will be putting at bay. For instance, the tabling and all that because the challenge comes in when we are to read the Statement on the Order Paper of this week. The business of this week is where we have the challenge which the Clerk can rectify immediately after this sitting, so proceed the Leader of Minority, please.

The Leader of Minority (Hon. Pascal): Thank you Mr. Speaker. Although we have put the matter to rest, I would also want to point out that it is just a few papers that have that error otherwise these ones that we have here are intact. So, allow me to continue reading:

On Tuesday 9:00 a.m. there will be (A) Motion by hon. Albert Kiraga Hare. The Motion is to the Department of Health Services and (B); we will be having hon. Kiraga Hare again with a Motion directed to the Department of Health Services.

On Tuesday 2:30 p.m. 8th November, there will be again (A) Notice of Motion by hon. Teddy Mwambire directed to the Department of Health Services.

(B), there will be a Motion by hon. Foleni directed to the County Executive Committee Member, Roads and Infrastructure.

On Wednesday 2:30 p.m. that is on 9th of November, 2016 we will be having (A), Notice of Motion by hon. Teddy Mwambire. That Motion will be directed to the Department of Water,

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Environment, Natural Resources and Waste Management and (B), there will be a Motion by hon. Pascal Thuva directed to the Department of Water, Environment, Natural Resources and Waste Management. Thank you Mr. Speaker, Sir.

The Deputy Speaker (Hon. Mwambire): Okay. Next, hon. Kiraga please.

UNPLANNED SAND HARVESTING

Hon. Kiraga: Thank you Mr. Speaker. I beg to read the Statement to the County Executive Committee Member of Water, Environment, Natural Resources and Waste Management through the Chairperson Environment and Natural Resources and this pertains unplanned sand harvesting:-

Is the County Executive Committee Member in charge of Water, Environment, Natural Resources and Water Management aware that sand harvesting in Ngomeni sub-location in Gongoni Ward is damaging Kwa Thethe Bahari ya Kati road recently constructed by the County Government?

Again, what measures has the County Executive Committee Member put in place to stop the sand harvesting in the area?

Thank you so much.

The Deputy Speaker (Hon. Mwambire): Okay, thank you. Let the Chairperson make sure that he makes a follow up so that it does not take too long. The Leader of Majority should also make a follow up because there are a number of Statements which we are yet to get their responses. Hon. Foleni, please.

NOISE POLLUTION BY QUARRIES IN TEZO

Hon. Foleni: Thank you hon. Speaker. I have a Statement directed to the Department of Water, Environment, Natural Resources and Waste Management through the Chairperson Environment and Natural Resources Committee and I beg to read:-

Whether the County Executive Committee Member is aware that some quarries in Tezo Ward operate for 24 hours therefore creating noise pollution to the residents? If yes, what measures or actions has the CEC taken to this effect? Thank you.

The Deputy Speaker (Hon. Mwambire): On the same hon. Chiriba is fully aware of that, he will bring a response.

Hon. Mwachenda please.

MALFUNCTIONING STREET LIGHTS IN MARIAKANI TOWN

Hon. Mwachenda: Thank you Mr. Speaker, Sir. I beg to read a Statement directed to the Department of Lands, Energy, Housing and Physical Planning:-

Whether, the CEC Member is aware that the street lights in Mariakani town have not been working for the last three months? If yes, what action is he taking to make sure that the lights are put back to order? Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Mwambire): The Chairperson for Energy will do the necessary. Next order please.

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ADJOURNMENT

There being no other business to transact in the Order Paper, this House adjourns until tomorrow at 9:00 a.m.

The House rose at 3:00 p.m.

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