



## COUNTY ASSEMBLY OF KILIFI

SECOND ASSEMBLY –THIRD SESSION

### THE HANSARD

Tuesday, 12<sup>th</sup> February, 2019

*The House met at the County Assembly Chambers  
Malindi Town, 9.00 a.m.*

#### PRAYERS

#### PAPERS

REPORT FOR DEPARTMENT OF GENDER, CULTURE, SOCIAL SERVICES AND SPORTS

**The Deputy Speaker** (Hon. Kenga): Yes, the hon. Leader of Majority please proceed.

**The leader of Majority** (Hon. Mwathethe): Thank you Mr. Speaker, Sir. I wish to lay on the Table of this House the following documents; the second quarter (October-December 2018) Report for Department of Gender, Culture, Social Services and Sports.

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

REPORT FOR DEPARTMENT OF DEVOLUTION, PUBLIC SERVICE AND DISASTER MANAGEMENT

**The leader of Majority** (Hon. Mwathethe): I beg to lay on the Table of the House the second quarter (October-December 2018) Report for Department of Devolution, Public Service and Disaster Management.

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

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## REPORT FOR DEPARTMENT OF HEALTH SERVICES

**The leader of Majority** (Hon. Mwathethe): I beg to lay on the Table of the House the second quarter (October-December 2018) Report for Department of Health Services.

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

## REPORT FOR DEPARTMENT OF TRADE, TOURISM AND CO-OPERATIVE DEVELOPMENT

**The leader of Majority** (Hon. Mwathethe): I beg to lay on the Table of the House the second quarter (October-December 2018) Report for Department of Trade, Tourism and Co-operative Development.

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

**STATEMENT**ORDER OF BUSINESS FOR THE WEEK STARTING TUESDAY 12<sup>TH</sup> FEBRUARY 2019

**Hon. (Ms.) Sidi:** Thank you Mr. Speaker, pursuant to Standing Order number 41 (2) (A), I rise to read the programme of the County Assembly business for the week commencing Tuesday 12<sup>th</sup> February, 2019.

Today from 9:30 a.m. the business was papers which has been done by the Leader of Majority. From 2: 30 p.m. the business will be:- Papers; Tabling of the Report of the Select Committee on County Investments and Accounts on Financial Statements of Kilifi-Mariakani Water and Sewerage Company Limited for the financial year ended 30<sup>th</sup> June, 2016. That will be done by the Chairperson: County Investments and Accounts Committee.

Tabling of the Report of the Sectoral Committee on Pre-Primary Education and Vocational Training on the status of ECD projects in Kilifi County that will be done by Chairperson on Pre-Primary Education and Vocational Training Committee.

Notices of Motion; One; this House Adopts the Report of the select Committee on County Investments and Accounts on Financial Statements of Kilifi-Mariakani Water and Sewerage Company Limited for the financial year ended 30<sup>th</sup> June, 2016. The same will be given by Chairperson County Investments and Accounts Committee.

Two; that, this House Adopts the Report of the Sectoral Committee on Pre-Primary Education and Vocational Training on the status report of ECD projects in Kilifi County again that will be given by the Chairperson on Pre-Primary Education and Vocational Training Committee.

Three; that, this House Adopts the Report of the Sectoral Committee on Agriculture, Livestock and Fisheries on the First and Second Quarter Reports for the Financial Year 2017/2018 from the Department of Agriculture, Livestock Development and Fisheries laid on the table of this House on Monday 3<sup>rd</sup> December, 2018, the same will be given by the Chairperson Agriculture, Livestock Development and Fisheries Committee.

On Wednesday from 2:30 p.m. the business of the day will be; Motions:- One; that, this House adopts the Report of the County Budget and Appropriations Committee on the Kilifi

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County Annual Development Plan for the Financial Year 2019/2020, laid on the table of this House on Wednesday 23<sup>rd</sup> January, 2019. That will be moved by the Chairperson; County Budget and Appropriations Committee.

Bills: The Kilifi County Finance Bill, 2018, Second Reading. Then we will have the Committee of the Whole House on The Kilifi County Finance Bill, 2018. Finally, the Kilifi County Finance Bill, 2018; Third Reading. That is the business for the week.

Thank you, Mr. Speaker.

### MOTION

#### APPROVAL OF THE LEGISLATIVE CALENDAR FOR THE SECOND ASSEMBLY THIRD SESSION, 2019

**The Leader Of Majority** (Hon. Mwathethe): Thank you Mr. Speaker. I would like to move a procedural Motion that pursuant to provisions of Standing Order 25 of the County Assembly of Kilifi Standing Orders, this County Assembly approves the legislative calendar of the county assembly (regular sessions) for the Second Assembly Third Session, 2019. I call upon hon. Mwayaa to second.

*(Hon. Mwayaa seconded)*

**The Deputy Speaker** (Hon. Kenga): Thank you very much Leader of Majority and the Majority Whip. Hon. members the procedural Motion on the approval of the legislative calendar for the Second Assembly Third Session 2019 has been moved and seconded and is now ready for debate.

*(Question proposed)*

**The Deputy Speaker** (Hon. Kenga): Hon. Mwayaa.

**Hon. Mwayaa:** Asante Mheshimiwa Spika. Kalenda hii ambayo imefika mbele yetu huwa ni ya kawaida na inaonyesha vizuri siku ambazo tunafanyia kazi mwananchi tukiwa hapa bunge na pia zile siku ambazo ni za *recess* huwa zinaandikwa *recess* si za mapumziko bali ni za kurudisha majibu kule kwa yule mwananchi ambaye alituchagua. Kwa hivyo ni muhimu tuiptishe vile ilivyo ili kwamba siku za kufanya kazi hapa bungeni tuzifahamu na zile za kwenda kurudisha majibu kule kwa mwananchi ambazo zinaitwa *recess* pia tuzijue. Naomba waheshimiwa waipitishie kalenda hii vile ilivyo kwa sababu inatupa mwongozo wa kufanya kazi. Asante.

**The Deputy Speaker** (Hon. Kenga): The members wishing to make their contribution please make your requests. Yes hon. Pascal Jacob Tuva

**Hon. Pascal:** Thank you, Mr. Speaker, for giving me an opportunity to also contribute on the matter before this House. Mr. Speaker, an organized House must have a time table or a calendar for its events to actually take place.

Mr. Speaker, we are from a recess; a very long recess in fact and we have had a lot of interaction with our people and many activities outside there. Now that we are back we need to put our house in order and put our events in a planned form so that we can work for the betterment of the services that the people down there deserve.

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So it is good of us to actually go with this plan that is before this house so that we can be better placed to move from one activity to the other. Therefore, I support the adoption of this matter before us. Thank you.

**The Deputy Speaker** (Hon. Kenga): Thank you! The member for Matsangoni ward...

**Hon. Hassan:** Asante sana mheshimiwa Spika kwa kunipatia nafasi hii na mimi pia niweze kutoa hisia zangu. Mimi nimesimama kuunga mkono hoja hii iliyoko mbele yetu na cha msingi zaidi mipangilio ya yale mapumziko yetu kwa sababu wengine wetu kama sisi ni wasafiri na unapopata ratiba kama hii ya mwaka mzima pia inakuwa ni muhimu kujipanga.

Mheshimiwa spika utakubaliana na mimi kwamba tuko na shughuli nyingi sana za kufanya hasa hii likizo inatajwa kwa kiingereza *recess* na hasa ukizingatia kutekeleza jukumu linaloitwa *oversight*. Kwa hivyo mimi nimesimama kuunga mkono hii hoja mia kwa mia.

**The Deputy Speaker** (Hon. Kenga): Thank you! Leader of Majority kindly make your final submissions.

**The Leader of Majority** (Hon. Mwathethe): Thank you Mr. Speaker. I would like first to say thank you to those who stood to support this motion. Mr. Speaker, it is in order as a House to be expectant of our dates when and where shall we be and what we shall be doing. Therefore Mr. Speaker, a schedule of our activities has been outlined and it is supposed to be found on the last page of our order paper for today for the perusal and information of all members so that everybody and anyone can know when we are doing what. Therefore, Mr. Speaker, I had no much to do with this, except the fact that...

**The Deputy Speaker** (Hon. Kenga): There is a point of order from the member for Gongoni.

*(Hon. Kiraga stood on a Point of Order.)*

**Hon Kiraga:** Thank you so much Mr. Speaker. Mr. Speaker, I wish to remind the Leader of Majority Standing Order 25(2) and I wish to read because I think as an Assembly probably led by the mover of this Motion we have been doing an illegality and I wish to read this standing order. "The calendar of the County Assembly once approved shall be published in the county gazette, County Assembly website and at least two papers of nation circulation".

Mr. Speaker, I think we've not been doing what the Standing Orders says and this can be seen by the time we are doing some business in this County Assembly we expect the gallery to be full but since the public are not aware of our calendar just because it has not been published in the newspapers.

That is why Mr. Speaker we are seeing almost every day the gallery being empty and it is because the Leader of Majority has not taken that initiative of respecting Standing Order 25 (2) and I wish this time round the Leader of Majority is going to obey this Standing Order. Thank you so much.

**The Deputy Speaker** (Hon. Kenga): Thank you! Even before the Leader of Majority respond to the issues you are raising, I wish to confirm to Members that the provisions as given out by the Member for Gongoni have been fully observed by the leadership and the County Assembly at large.

You need to make sure that you follow on this issue otherwise it is confirmed that the Assembly has observed and is committed to observe the provisions of the Standing Orders. Thank you very much. Now proceed Leader of Majority.

**The Leader of Majority** (Hon. Mwathethe): Thank you Mr. Speaker. In my final submissions I was almost through but again I was interrupted by a point order. Mr. Speaker, Order number 25 of our Standing Orders sub-order 2 requires that the calendar once approved shall be published in the website and at least two dailies of nation circulation but Mr. speaker the baseline here is ‘once approved’ and we are now in the process of approving the schedule therefore there is no way it can be put in the website or the dailies before it is approved.

Therefore Mr. Speaker, I was waiting that the House approves, then such an interruption on a later date maybe appears, that we approved but it is not in the dailies, that we approved and it’s not in the website, that would be a task... and above all Mr. Speaker that task doesn’t rest on my shoulders...

**The Deputy Speaker** (Hon. Kenga): What is it member for Gongoni?

**The Leader of Majority** (Hon. Mwathethe): It rests on the shoulders of the administration which is the Clerk and his team.

**Hon Kiraga:** Bwana Spika, nafikiri mnenaji hajanielewa ile hoja yangu iliyokuwa nimelenga ya kwamba tumekuwa na haya mambo hata lile bunge lililopita na bunge hili pia si mara ya kwanza tunafanya haya. Kitu ni kwamba tutapitisha lakini baada ya kuipitisha hii kalenda inatajikana iwekwe kwa magazeti na kwa mtandao wa bunge saa hii tayari mheshimiwa Spika, ukienda kwenye mtandao ule hata zile nyingine pia huwezi kuziona. Sasa ndio nasema baada ya kufanya kupitisha mambo haya tuyatekeleze ili wananchi wetu wajue tunafanya nini hapa.

**The Deputy Speaker** (Hon. Kenga): Proceed Leader of Majority.

**The Leader of Majority** (Hon. Mwathethe): Mr. Speaker, the honourable Member for Gongoni is putting the cart before the horse; there is no way this thing can go to the website before it is approved. You should call me to task in the afternoon, or tomorrow, and above all I don’t think that he thinks I am the one to put this schedule in the dailies. You see once a Motion has been approved it become a property of the assembly and it is a normal procedure thereafter follows. Therefore if it was an advice I take it humbly and you have all heard it but it does not actually rest on my shoulders. Thank you, Mr Speaker, for those few remarks.

**The Deputy Speaker** (Hon Kenga): Thank you very much Leader of Majority for your contributions. Honourable Members, a Procedural Motion on a previous legislative calendar for the Second Assembly Third Session 2019 has been moved, seconded and debated.

*(Question put and agreed to)*

## COMMUNICATION FROM THE CHAIR

### LIASON COMMITTEE MEETING

The Liason Committee Members are meeting after this session.

### MEETING OF ALL HON. MEMBERS WITH THE SPEAKER AND THE CLERK OF THE COUNTY ASSEMBLY

Hon Members before we meet as a Liason Committee Members, there shall be a *Kamkunji* of all hon. members and this will be dressed by the Speaker and the clerk of the county

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assembly. So once we are through with the business of the House remain behind as we conduct the *Kamkunji* lead by the Speaker and Clerk of the county assembly.

Thank you very much.

### ADJOURNMENT

There being no other business on the order paper this House stands adjourned until today at 2:30pm. Thank you.

**The House rose at 9.24 a.m.**