



## REPUBLIC OF KENYA

### COUNTY ASSEMBLY OF KILIFI

#### THIRD ASSEMBLY-THIRD SESSION

##### THE HANSARD

**Tuesday, 23<sup>rd</sup> April 2024**

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

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

#### COMMUNICATION FROM THE CHAIR

##### DISORDERLY CONDUCT IN THE HOUSE

**The Deputy Speaker** (Hon. Kombo): Hon. Members, you are all aware that the proceedings in this House in today's morning sitting have not been decorous and the rules of debate and other procedures have largely been breached. I am equally concerned at the very fast degeneration in propriety of manners, behavior and speeches. We have witnessed some Members creating actual disorder, using or threatening violence against colleagues and/or abusing their privilege. We have seen behavior that has bordered on disrespect for the presiding Speakers' during proceedings in this House. Some Members have exchanged insults and in the most despicable of ways. This state of affairs, which is unacceptable, will surely erode public confidence and bring the institution of the County Assembly to disrepute.

Hon. Members, I wish to appeal to you to familiarize yourselves with the provisions of the Standing Orders regarding rules of debate and order in the House and in the Committee of the Whole House particularly Standing Orders 80, 84, 85, 88, 104, 104A, 105, 106, 107A-107C and 108 of the Kilifi County Assembly Standing Orders which should provide you good guidance on the breaches and sanctions that follow. These Orders are designed to ensure that you

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exercise your privilege of free speech with good sense and good taste, maintaining courtesy of language towards other Members in debate. Personal references, unbecoming language and insults during the debate do not augur well for the House. Members are reminded of the provisions of Standing Order 84(3), which *inter-alia* states that “it shall be out of order to use offensive or insulting language whether in respect of Members of the County Assembly or other persons”.

One main duty of the Presiding Officers in the House is to maintain order and if the rules are breached or the situation deteriorates would recourse to removal of a Member from the House for a certain period, or if the situation worsens the offending Member or Members may be named and suspended from the House altogether.

#### Standing Order 104A

- (1) Defines “grossly disorderly conduct” as where “a Member concerned;
  - i. Defies a ruling or direction of the Speaker or Chairperson of Committees;
  - ii. Declines to explain or retract use of un-parliamentary words or declines to offer apologies, despite having been ordered to do so by the Speaker;
  - iii. Demonstrates or makes disruptive utterances against the suspension of a Member;
  - iv. Attempts to or causes disorder of whatever nature during an address by a visiting dignitary;
  - v. Uses violence against a Member or other person in the House or Committee;
  - vi. Attempts to or disrupts the Speaker’s Procession when the Procession is entering or leaving the Chamber;
  - vii. Attempts to or removes the mace from its place in the Chamber;
  - viii. Acts in any other way to the serious detriment of the dignity or orderly procedure of the House; or commits any other breach of these Standing Orders, that in the opinion of the Speaker, constitutes gross disorderly conduct.
- (2) In this Standing Order, ‘unparliamentary language’ means the use of words which, in the opinion of the person presiding, are deemed to be impolite, rude, abusive or inconsistent with parliamentary procedure or practice.
- (3) The Speaker may call a Member whose conduct is grossly disorderly to order and shall order the Member to withdraw immediately from the precincts of the Assembly for a minimum of five days and a maximum of twenty-eight (28) days, including the day of suspension.”

Thus, Members are reminded that certain actions that we take for granted have grave implications.

This Assembly has an obligation to espouse decorum, behavior and deportment which bespeaks of us as honourable persons and we owe this to society. We do not have a choice! I also wish to remind you that your presiding officers are your leaders, the face of your Assembly who carry your image and dignity. I encourage you to respect them and to honour their decisions.

Hon. Members, the following Members:

- i. Hon. Grace Wambui Mwangi
- ii. Hon. Elina Mapenzi Samini
- iii. Hon. Emmanuel Kombe Changawa

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iv. Hon. Samson Zia Kahindi  
breached the privileges of this House by defying the ruling and directions of the presiding Speaker and castigated the Hon. Speaker for bias and unfairness. Those acts unfortunately portrayed the County Assembly and the Office of the Speaker to serious detriment and therefore their conduct was gross and disorderly.

I now direct that when I call out the name of the Member, the Member stands in his or her place to withdraw and apologize for the disparaging remarks against the hon. Speaker, failure for the Member to withdraw and apologize will lead to this matter being forwarded to the Committee on Powers and Privileges for further action pursuant to the provisions of the County Assembly Powers and Privileges Act of 2017.

1. Hon. Grace Wambui Mwangi,
2. Hon. Elina Mapenzi Samini,
3. Hon. Emmanuel Kombe Changawa
4. Hon. Samson Zia Kahindi

*(Silence)*

So, now this matter is being committed to the Committee on Powers and Privileges for further action.

## STATEMENTS

### ROAD MAINTENANCE KIT

**The Deputy Speaker** (Hon. Kombo): I am seeing a Statement from hon. Mwambire (Mohamed). Has anyone been assigned to read on his behalf?

*(Silence)*

*(Statement deferred)*

### DILAPIDATED STATUS OF TUNZANANI DISPENSARY

**The Deputy Speaker** (Hon. Kombo): Next Order! There is a Response to a Statement sought by hon. Brown Safari regarding Tunzanani Dispensary. Chairperson Health Services Committee Hon. Mary Maneno you may go ahead.

**Hon. (Ms.) Maneno:** Thank you, Mr. Speaker, Sir. Allow me to read the Response to a Statement sought by hon Brown Safari regarding Tunzanani Dispensary.

County Assembly Statement: Tunzanani Dispensary.

The facility is situated at Tunzanani village near Tunzanani Primary School, Kilifi South Sub-County, Mtepeni Ward. We hereby confirm that the Department of Health and Sanitation Services is cognizant about Tunzanani Dispensary.

We visited the facility for support supervision on 6<sup>th</sup> October 2023 and made the following observations:

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1. More cracks for administration block, staff house and latrine.
2. Leaking roofs for both administration blocks and staff house latrines.
3. Unlockable doors for both administration block and staff house.
4. Corridor needs to be extended to reduce wall dampness.
5. Need for painting for maternity, dispensary block and staff house.
6. Need for replacement of window louvers for maternity, dispensary block and staff house.
7. Cracks on the cemented floor noted on various parts of the facility.
8. Ceiling is peeling off for both dispensary block and staff house.

The County Government of Kilifi remains committed to the objective and goals of devolution being bringing the services closer to her population. The County Government of Kilifi has prioritized health care services provision to the population, its dream of a healthy and productive population in Kilifi County. A healthy population is critical in wealth creation and contribution to the economic development.

The Tunzanani community is benefiting from the much-needed health care services and increased access to health care services from the dispensary. The dispensary has also increased access to health care services. We hereby confirm that the County Government of Kilifi is committed to renovating this health facility to ensure the community continues to benefit by way of accessing health care services for realization of value for money from the dispensary.

Recommendations, the Department of Health and Sanitation Services has put in place the following strategies for renovation of Tunzanani Dispensary block maternity staff house and latrines.

- a. The Department has developed an inventory of all its health facilities to inform them on the status and for informed decision making. The renovation of Tunzanani dispensary is included in the inventory.
- b. The Department has resolved to prioritize maintenance of existing health facilities as opposed to new projects in the FY 2024/2025 and going forward. Tunzanani is one of the health facilities earmarked for maintenance during this period,
- c. This project has been earmarked for allocation of funds during the budget allocation for the FY 2025/2026 for renovation and full operationalization for realization of the project goals and objectives.
- d. The Department has also strengthened its projects management, monitoring and evaluation by appointing a designated Departmental Project Monitoring and Evaluation Committee.
- e. The Department of Health and Sanitation Services is committed to meet all its payments and other obligations on time and in accordance with the contract.

Signed by; hon. Peter Mwarogo, County Executive Committee Member Health and Sanitation Services. Thank you, Mr. Speaker, Sir.

**The Deputy Speaker (Hon. Kombo):** So, hon. Brown Safari, the Response has been read to you and you have time to respond to that.

**Hon. Brown:** Wacha nitumie Kiswahili. Asante, Bw. Spika. Naomba nitumie lugha ya Kiswahili kwa sababu ya wananchi wangu ambao saa hii wananitazama. Nashukuru kwa mtiririko wa mazungumzo ambayo yamewekwa kwa nakala hii ya majibu. Ahadi ambazo nazona ambazo serikali yasema kwamba imejizatiti na itafanya lakini la kwangu mimi kama

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Mjumbe wa mahali pale, ningelipenda kufafanua jambo moja ama ningelipenda kusisitiza Kamati hii ihakikishe inaangalia usalama wa wananchi wetu.

Tukiangalia, Bunge hili lilianza mwaka wa elfu mbili ishirini na tatu mpaka elfu mbili ishirini na nne (2023-2024) katika msimu wa bajeti. Wakati huo ndio waliona kwamba Nyumba hii ambayo ni zahanati inavuja, madawa yako kwa masanduku chini haina hata *shelf* tena, isitoshe, madaktari na wale *staff* hawalipwi. Kitu ningelipenda kushukuru Waziri alichonifanyia wakati nilipoandika *Statement* hii ni kwamba wale wafanyikazi wadogo wamerudi. Saa hii ni Mwezi wa Pili hawajalipwa na yule Bwana askari alikua pale alikua anadai miezi 27.

Mwanadamu huyu hajalipwa na pia kwa sababu ya usemi huo wangu, amerudi saa hii anafanya kazi. Sisi ni lazima tuangalie haki kwa wananchi ambao tunawatumikia, saa hii nimeambiwa kwamba kuna *renovation* ambayo ishapangwa mwaka wa 2024/25. Saa hii tunavyosema jengo lavuja na tena ladidimia upande mmoja umezama, liko na mianya si ukuta bali hata sakafu, hiyo hali ni hali ngumu.

Kwa hivyo, ningeliomba Kamati iangazie jambo la dharura la kusaidia isije ikaonekana kuwa mheshimiwa hakuongea wakati kama kutatokea majanga mengine ya dharura. Kwa hivyo, ni jambo la kuhuzunisha kwamba ninaambiwa kuna bajeti nzima imepangwa 2025/26 ndio hayo, mambo yatafanyika. Na kwangu nitasisitiza kwamba Maulana ajalie afya na heri njema ya wafanyikazi na wale wagonjwa wasiwe na dharura yoyote lakini kusema ukweli, mahali kuko msitu na mahali pako vibaya; jengo halifai hata lilikua lafungwa lakini mimi nikalitetea kwa sababu hata ukiangalia wanasema uongezekaji wa matibabu ya watu unazidi, ina maana kwamba hospitali hii tunadhani ni muhimu sana kwa wakaaji wa pale.

Bw. Spika, ningalikuomba uhakikishe kwamba majibu haya nitasikia furaha nisikie kwamba kuna jambo limeanza lakini mimi naona kama hizi ni hadithi, samahani kama nimetumia lugha ambazo hazifai lakini hii hadithi... Poleni kama nitakuwa nimetumia lugha ambazo hazifai lakini hii ni hali mbaya. Hali iliyoko pale hairidhishi. Hauwezi kuwa mahali mnafanya matibabu na mgonjwa mwenyewe ananyeshewa. Hii hali lazima irekebishwe.

Bw. Spika, nina shukuru kwa majibu ambayo yamekuja sahihi na vile nilikuwa nikilalamika, nina amini kwamba watatekeleza. Shukran.

**The Deputy Speaker** (Hon. Kombo): Kwa hivyo, mheshimiwa Brown umeridhishwa na majibu ama?

**Hon. Brown:** Siko radhi na majibu. Upelelezi umefanywa lakini hakuna kazi ilifanyika.

**The Deputy Speaker** (Hon. Kombo): Kama hauko radhi na haya majibu ni sawa. Jambo hili nalirudisha kwa Kamati ya Afya ili liweze kuchungzwa zaidi. Asanteni.

## ADJOURNMENT

**The Deputy Speaker** (Hon. Kombo): Hon. Members, I have seen a Motion from hon. Mohamed but since he is not in the House and there is no one assigned to bring this Motion, I declare the House adjourned until tomorrow at 2:30 p.m.

The House rose at 3:23 p.m.

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