

**REPUBLIC OF KENYA**  
**COUNTY ASSEMBLY OF KILIFI**

**THE HANSARD**

**Wednesday, 28<sup>th</sup> September, 2016**

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

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

**PRAYERS**

**COMMUNICATION FROM THE CHAIR**

**NOMINEES FOR TWO POSITIONS OF THE COUNTY EXECUTIVE COMMITTEE  
MEMBER**

**The Temporary Speaker** (Hon. Kenga): Hon. Members, there is one communication that I will like to pass to you. Pursuant to the provisions of the Constitution of Kenya, 2010 Article 179 (2) (b) read together with Section 35 of the County Government Act, 2012, and the Kilifi County Assembly Standing Order 43 and pursuant to Section 8 (1) (a) of the County Government Act, 2012 respectively, the County Assembly on 20<sup>th</sup> September, 2016 received names of nominees for the positions of the County Executive Committee Member in charge of Trade, Industrialization, Cooperative Development, Tourism and Wildlife and County Executive Committee Member for ICT, Culture and Social Services, that is Ms. Zeyana Abdullah and Mr. Joseph Elvis Tinga Janga respectively. Attached with them were their curriculum vitae, academic qualifications and testimonials. These documents now stand committed to the Committee on Appointments for further dealings as is stipulated in the Kilifi County Assembly Standing Order 185(4).

Thank you.

**PAPERS LAID**

**GOVERNOR'S MEMORANDUM ON REFUSAL TO ASSENT TO THE KIIFI COUNTY  
BETTING, GAMING AND LOTTERIES BILL, 2016**

**The Leader of Majority** (Hon. Mwingo): Today being Wednesday, 28<sup>th</sup> September, 2016, I beg to lay on the Table the Governor's Memorandum on refusal to assent to the following Bill; The Kilifi County Betting, Gaming and Lotteries Bill, 2016.

*(Hon Mwingo laid the document on the Table)*

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**The Temporary Speaker** (Hon. Kenga): Thank you very much the Leader of Majority. The Kilifi County Betting, Gaming and Lotteries Bill, 2016 is now committed to the Committee on Planning, Trade and Cooperatives.

GOVERNOR'S MEMORANDUM ON REFUSAL TO ASSENT TO THE KIIFI COUNTY CHILD CARE FACILITIES BILL, 2016 AND THE KILIFI COUNTY EARLY CHILDHOOD EDUCATION BILL, 2016

**The Leader of Majority** (Hon. Mwingo): Thank you Mr. Speaker. That one is being followed by The Kilifi County Child Care Facilities Bill, 2016 and The Kilifi County Early Childhood Education Bill, 2016.

*(Hon Mwingo laid the Papers on the Table)*

**The Temporary Speaker** (Hon. Kenga): Thank you very much the Leader of Majority. The Kilifi County Child Care Facilities Bill, 2016 together with The Kilifi County Early Childhood Education Bill, 2016 are now committed to the Early Childhood Education and Children Welfare Committee in the County Assembly of Kilifi. Proceed.

GOVERNOR'S MEMORANDUM ON REFUSAL TO ASSENT TO THE KIIFI COUNTY PUBLIC ENTERTAINMENT AND AMENITIES BILL, 2016 AND THE KILIFI COUNTY ANTI-PORNOGRAPHY BILL, 2016

**The Leader of Majority** (Hon. Mwingo): Thank you Mr. Speaker; The Kilifi County Public Entertainment and Amenities Bill, 2016 and The Kilifi County Anti-Pornography Bill, 2016. Thank you.

*(Hon Mwingo laid the Papers on the Table)*

**The Temporary Speaker** (Hon. Kenga): Thank you the Leader of Majority. Once again, The Kilifi County Public Entertainment and Amenities Bill, 2016 together with The Kilifi County Anti- Pornography Bill, 2016 are now committed to the Youth, Sports and Culture Committee.

The mentioned Committees can now amend the Bills taking into account the views by the Governor or may pass the Bills without any amendments. The Committee has 14 days to scrutinize the Bills and bring a Report to the House in accordance to Standing Order No. 134.

**Hon. Kiraga:** Mr. Speaker, thank you very much. I am very sorry I had shown some interventions some few minutes ago but I think you were not able to see. I wanted to comment on what the Leader of Majority had said. There are two words, to 'lie' and to 'lay' and I do not know which one he meant. This is because he said I beg to lie, so I do not know which word is correct.

*(Laughter)*

**The Temporary Speaker** (Hon. Kenga): Thank you very much hon. Kiraga. The issue here is about his pronunciation. It is 'lay' though it matters how a person pronounces the word but hon. Mwingo is very okay.

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*(Applause)*

**Hon. Foleni:** Thank you very much hon. Speaker. My question has just been answered. I thought the Leader of Majority was lying to this House instead of laying the Paper on the Table. Thank you.

**The Temporary Speaker** (Hon. Kenga): Thank you very much. As I have already communicated, the Committees can amend the Bills taking into account the views by the Governor or may decide to pass the Bills without any amendments. The Committees have 14 days to scrutinize the Bills and are supposed to bring a Report to the House in accordance with Standing Order No. 134. Next Order!

### STATEMENT

#### THE ORDER OF BUSINESS FOR THE WEEK STARTING MONDAY 3<sup>RD</sup> TO FRIDAY 7<sup>TH</sup> OCTOBER, 2016

**Hon. (Ms.) Mwaro:** Thank you Mr. Speaker, Sir, for giving me this chance to present the Order of Business for the week starting Monday, 3<sup>rd</sup> to Friday 7<sup>th</sup> October, 2016. On Monday, 2:30 p.m. we will have a response to a Statement from the Chairperson, Transport and Public Works sought by hon. Stephen Mlanda. We will also have a response to a Statement sought by hon. Nixon Mramba from the Department of Lands, Physical Planning and Energy through the Chairperson Lands, Housing and Settlement Committee.

On Tuesday at 9:00 a.m. we will have a response from the Department of Education, Youth and Sports to a Statement sought by hon. Stephen Mlanda. On Tuesday at 2:30 p.m. we will have a Motion to the Department of Early Childhood Education, Youth, Sports and Vocational Training from hon. Japhet Nzaro.

On Wednesday at 2:30 p.m. we will have a response to a Statement from the Department of Trade, Industrialization, Cooperative Development, Tourism and Wildlife to a Statement sought by hon. (Ms.) Arafa Salim. We will also have three Bills; The Kilifi County Solid Waste Management Bill, 2016, First Reading, The Kilifi County Investment and Social Development Bill, 2016, First Reading and The Kilifi County Fire and Rescue Services Bill, 2016, First Reading. Thank you Mr. Speaker, Sir.

### BILL

*First Reading*

#### THE KILIFI COUNTY FINANCE BILL, 2016

*(Order for First Reading read-Read the First Time and ordered to be referred to the relevant Departmental Committee)*

*(Hon. Kiraga stood at his place)*

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**The Temporary Speaker** (Hon. Kenga): Yes hon. Albert Kiraga.

**Hon. Kiraga:** Thank you very much Mr. Speaker. I want to introduce a Motion under Standing Order 50 (e). I do not know whether this is the right time and I would wish this House to discuss the suspension of our fellow Members of County Assembly who were suspended from sitting in the Sectoral Committees and I beg hon. Mlanda to second this Motion. Thank you.

*(Hon. Mlanda stood at his place to second the Motion)*

**The Temporary Speaker** (Hon. Kenga): Hon. Albert Kiraga you have put a request and that request has not been granted. I do not know why you are already proposing somebody to second. Can you remove your card and then you insert please?

**Hon. Kiraga:** Mr. Speaker it might appear to be a request but I believe the Standing Orders allows...

**The Temporary Speaker** (Hon. Kenga): There is an intervention from hon. Nzaro.

**Hon. Nzaro:** Thank you Mr. Speaker. I think you should guide us on how we should complete the Order which was before us. Order No. nine pertained to Bills, the Kilifi County Finance Bill, 2016, and the process of bringing this Bill has not yet been completed. I think Mr. Speaker you can guide us on how this Bill can be read for the First Time then maybe the hon. Member can rise on that intervention to continue from there. Thank you, Mr. Speaker.

**The Temporary Speaker** (Hon. Kenga): Thank you. Okay hon. Members, hon. Albert Kiraga has raised an issue subject for debate by this Assembly but just as the contributions that have been made by Japhet Katana Nzaro, if you look at the Order Paper we were past the Motions and the Members who have been suspended have been suspended by a party and not us as an Assembly.

These are issues of a party and communication must only come from the party that they belong to that they are now ready for them to be reinstated back into their respective Committees. Therefore we are guided that we are not in a position at this time to proceed with the Motion. Now having considered the Kilifi County Finance Bill, 2016, the Speaker is going to give direction on the various Businesses that are supposed to be transacted by the Committees as we proceed with the Business of the House.

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

Yes hon. Japhet Nzaro, what is your Point of Order?

**Hon. Nzaro:** Mr. Speaker I had sought guidance on whether we should continue with the First Reading of the Kilifi County Finance Bill, 2016, because I believe it has not been read a First Time. Thank you, Mr. Speaker.

**The Temporary Speaker** (Hon. Kenga): The Kilifi County Finance Bill, 2016 First Reading has been read by the clerk.

**Hon. Nzaro:** Yes, thank you, but I think it should be on record that, that Bill is committed to the relevant Committee. That had not been made before the intervention and that is why I said we had not completed what was supposed to be done on that Bill. Thank you, Mr. Speaker.

**The Temporary Speaker** (Hon. Kenga): Okay, thank you very much. I think I had already stated that the Bill having been read for the First Time is now committee to the Budget and Appropriations Committee of the County Assembly of Kilifi who are supposed to consider

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and should be in a position to bring back a Report to the House in a Period of 20 days. Thank you very much.

### **ADJOURNMENT**

There being no other Business, this House stands adjourned until next week Monday at 2:30 p.m. Thank you.

**The House rose at 2.50 p.m.**