



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly – Fifth Session

Thursday, 18 May, 2017

The House met at 2.30 p.m.

(Hon. Deputy Speaker (Mr. Kennedy Ng'ondi) in the Chair)

PRAYER

Hon. Deputy Speaker: Hon Members, the attention of the Chair has been raised for the lack of quorum in the House, I direct the Serjeant-At-Arms under Standing Order No 31 (2) to ring the bell for 10 minutes.

(Quorum bell was rung)

Hon. Deputy Speaker: Order Members! Kindly let us respect Standing Order No. 34 please. Clerk do we have quorum in the Assembly? Hon. Members, we may now proceed.

PAPERS

Hon. Majority Leader (Mr. Elias Otieno): Thank you Mr. Speaker. Pursuant to Article 216 (5) of the Constitution of Kenya 2010, I beg to lay the following paper on the table of the Assembly today Thursday 18th May 2017: Commission on Revenue Allocation End Term Report.

Hon. Deputy Speaker: Thank you Hon. Majority Leader. The report of the Sectoral Committee on Children, Early Childhood Education and Vocational Training on the report of the Nairobi City County Early Childhood Education Bill, 2017?

Hon. Karen Wanjiku (Nominated Member): Pursuant to Standing Order 121 (4), I beg to lay the following paper on the table of the Assembly today Thursday 18th May 2017; the report of the Sectoral

Committee on Children, Early Childhood and Vocational Training on the report of the Nairobi City County Early Childhood Education Bill 2017.

Hon. Deputy Speaker: Thank you Hon. Karen Wanjiku.

STATEMENTS

Hon. Deputy Speaker: Hon. Leah Mumo. I am advised Hon. Leah, you did not come in good time to sign your request for statement. So you can come on the floor next week on Tuesday. Kindly find time to sign. Thank you. *(Phone rang)* Hon. Members please we don't allow phones in the Assembly.

BILLS

SECOND READINGS

THE NAIROBI CITY COUNTY TOBACCO CONTROL BILL 2017, ASSEMBLY BILL NO. 3 OF 2017

Hon. Deputy Speaker: Hon. Charles Thuo Wakarindi, is he in the House? The Member is not in the House, I direct that the second reading of the Bill to be deferred.

THE NAIROBI CITY COUNTY PUBLIC ROAD TRANSPORT AND TRAFFIC MANAGEMENT BILL 2017, ASSEMBLY BILL NO. 2 OF 2017

Hon. Deputy Speaker: Hon. Osman Adow.

Hon. Member for Eastleigh North (Mr. Osman Adow): Thank you, Mr. Speaker. Due to the prevailing situation currently politically in the country, I wish to withdraw this Bill until the next Parliament. It has become difficult for the Committee to meet and deliberate on some important issues and therefore I have been advised to withdraw it and that is what I am doing today. Thank you.

Hon. Deputy Speaker: Thank you. Hon. Members that is in order, the Bill stands withdrawn and expunged from the Order Paper. Hon. Karen Wanjiku.

MOTION OF ADJOURNMENT

Hon. Karen Wanjiku: Thank you Mr. Speaker sir. Mr. Speaker sir, I want to request that we adjourn so that we can be able to attend a requiem mass of our late sister who has left us, the mass is at 4 p.m.

Hon. Deputy Speaker: Hon. Karen I think it is in order if you give us the terms of reference on which you want the Assembly to stand adjourned for the purposes of record please.

Hon. Karen Wanjiku: Mr. Speaker sir, we can use Article 1 in the Standing Order.

Hon. Deputy Speaker: That is only applicable where it is not provided for in the Standing Order, in the event of a Member seeking adjournment in the Assembly you need to give u...

Hon. Karen Wanjiku: Maybe I can consult the Clerk for a minute.

Hon. Deputy Speaker: You are allowed.

Hon. Karen Wanjiku: Thank you, Mr. Speaker sir I am referring to Standing Order 28 *Adjournment of the County Assembly. A Member may at any time, for reasons stated, seek leave to move "That, this County Assembly do now adjourn."* And I have given the reason Mr. Speaker sir, which is to attend the Mass of our dear sister who left us.

Hon. Deputy Speaker: Hon. Members the Standing Order 28 requires the Chair under 28 (2): *If the Speaker is of the opinion that such Motion for adjournment of the County Assembly is frivolous, vexatious, or an abuse of the proceedings of the County Assembly, the Speaker may forthwith put the question thereon or decline to propose it.* Hon. Members under the (3): *the debate on a Motion under this Standing Order shall be confined to the matter of the Motion.* I will leave it upon the Hon. House to decide on this because this is a matter of losing one of our Staff Member and I would actually give the Members an opportunity to debate on this a bit and if need be then I will go with the opinion of the Members. So Hon. Karen please may you call upon a Member to second your Motion.

Hon. Karen Wanjiku: I call upon Mheshimiwa Nyangala to second the Motion.

Hon. Deputy Speaker: Thank you.

Hon. Jacqueline Nyangala (Nominated Member): Thank you Mr. Speaker, I second the Motion and as we can see in no time we will not have quorum. So because of the nature of what is happening I think everybody would like to go to the mass; something that has happened is an accident and it is a very sad thing so I think it is in order if we can adjourn and go for Mass. Thank you.

Hon. Deputy Speaker: Hon. Members is that all because I am not seeing any request displayed in my screen here? It is not guaranteed for me to put the question. Are you getting me clearly Hon. Members, maybe you don't have Standing Order with you but 28, to direct the Speaker he may or decline to propose the question? So we are in plenary already. Hon. William Abuka.

Hon. William Abuka (Nominated Member): Thank you very much Mr. Speaker, I rise to support this Motion of adjournment. The death of this young girl and a very serious staff of the County of Assembly, I think it took all of us back. For me I was more than shocked since she had a lot of respect for me, hardly would she even call me Bishop or Mheshimiwa, she would call me dad. And to come across the news of her sudden demise, I think, took all Members by serious surprise. I think it is something that nobody will be at peace to discuss any Motion, Bill or anything when a requiem mass is going on. I therefore would want to plead with the Chair that you see wisdom in the Motion of adjournment that is being presented to the Hon.

House, that we adjourn and go to stand with the family and if need be shade tears with them. I beg to support.

Hon. Deputy Speaker: Thank you. Hon. Asha, your mic is on.

Hon. Asha Abdi: Thank you Mr. Speaker sir. I stand here also to support the Motion of adjournment of this House because of the loss of this young citizen of this country. The girl has been in so many committees. She was in our committee. We were with her in Naivasha and Ruiru, and it is too sad for us to just sit here and continue with the business of the House if one of us is no longer in this world. So, I support the adjournment of the House to be with the family. And it is not only the loss of this young girl. She went with her brother and another relative who is in the hospital. So, it is very sad. It will not be good for us to sit here while others are going for a mass. Some of us will not be able to attend the funeral. So, it is prudent if we can get this chance and go for the service. Thank you Mr. Speaker sir.

Hon. Member for Kahawa West Ward (Mr. Ngaruiya Chege): Thank you Mr. Speaker sir. I take this opportunity as the MCA for Kahawa West Ward to send my condolences to the family of Margaret. It is such a great loss and I rise to support that we adjourn so that we can attend that mass. We cannot be at peace if one of us is having a Mass and we are here deliberating on issues of this county. So, Mr. Speaker, I would wish that you take your wisdom and we adjourn immediately so that we can be with that family. Thank you.

Hon. Member for Sarangombe Ward (Mr. Pius Otieno): *Asante sana Bw. Spika kwa kuweza kunipatia fursa hii ili nami pia niweze kujiunga na wenzangu kwa kuweza kuidhinisha hoja hii ya kuweza kusitiza shughuli ya bunge hii na kuweza kujiunga pamoja na familia ya mwendazake Bi. Margaret Kakuvi Muiia. Bw. Spika, ni jambo la kufedhehesha mno ya kwamba kwa kipindi cha takriban miezi mitano bunge hii ya Nairobi imewapoteza wafanyikazi wake watatu. Kama ingekuwa ni kule kwetu pengine huko natoka katika kijiji ja Kanyadwera watu wa kwetu wanasema 'inaya wagono-bofwa' lakini kwa vile hapa sio kwetu...*


(Laughter)

Hon. Deputy Speaker: Order, order Mheshimiwa Otieno!

Hon. Pius Otieno: In quotes am only trying to use stylistic devices and that is why I have said *bofwa* in quotes, sometimes when you read in newspapers or in literature material you will come to use borrowed words so those are some of the borrowed words that are only meant to spice communication and there is nothing bad about it.

So bwana Spika mimi ningeomba waheshimiwa wabunge hii waweze kukubaliana na Bi Karen ili shughuli ya bunge hii iweze kuzitishwa. Mimi nilimuelewa Margaret Kakuvi Muiia tangu alipojiunga na bunge hii, ni baadhi ya wale wafanyi kazi ambao wamejikakamua na mara kwa mara tulikuwa tunaenda naye katika Kamati yetu ya Maji na vitu kama hivyo na alikuwa mjeshi na alikuwa mtu ambae alikuwa na heshima kwa watu wote.

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Kunao watu wengine pengine wanakusalimu tu kwa sababu watu wanasalimiana lakini yeye angekusalamia kwa heshima inayotoka chini kwa roho yake. Na mimi kama Otieno ningechukua fursa hii kwa niaba yangu mwenyewe na familia yangu niweze kumuomba mwenyesi Mungu Subhana Watalamu, Mungu ambaye anahemesha neema ndogo ndogo na neema kubwa kubwa ya kwamba aweze kukubali roho ya Bi Margaret. Kama kulikuwa na makosa ambaye yeye alifanya aweze kumusamehe.

Kama kuna zile vitu ambaye pengine sisi tulikuwa tunamshikia hapa katika hii bunge amusamehe na aweze kukubali roho yake iweze kufika pale Mbinguni ili nasi siku moja tutakuja kupatana naye. Ningeomba kwa hayo machache mimi naunga mkona Hoja hii, asante sana Bwana Spika.

Hon. Deputy Speaker: Thank you. Hon. Karen

Hon. Karen Wanjiku: Thank you Mr. Speaker sir I want to thank the Members for agreeing for us to adjourn the House. I want to remind the Members where the requiem mass is, for the ones without the message if you allow me Mr. Speaker, the requiem mass for the late Fredrick Muia, the brother to Margaret Muia together with Margaret Muia will be held today at 4 pm at Our Lady of the Holy Rosary Church, Ridgeways, Kiambu Road, two kilometers from Muthaiga, opposite Ridgeways Mall. Thank you.

Hon. Deputy Speaker: Thank you. Thank you Hon. Members I am also in agreement with the House that this Assembly actually adjourns. This is because of our beloved sister whom we lost through road accident sometimes last week. It is beyond our control and we must be in agreement that this actually happened. I also want to take this opportunity as the Speaker to condole with the family and for those Members who did not find time when we went down to the coast region to bury the late Salama kindly Hon. Members let us create some time out of your busy schedule to go and mourn with the family during the time of burial, for those who will find time.

I would kindly request that the Office of the Clerk to organize and get in touch with Members who may wish to go down there, you must not necessarily be facilitated but when you are given the schedule and timing then you may find time to attend the burial.

ADJOURNMENT

Hon. Deputy Speaker: The House stands adjourned to attend the requiem mass of late Margaret Muia to Tuesday next week 2.30 pm, thank you.

(The House rose at 3.04 p.m.)