



## COUNTY ASSEMBLY OF MOMBASA THE HANSARD

Tuesday, 5<sup>th</sup> December, 2023

**Third Assembly – One hundred and second Sitting**

*[The County Assembly met at 10:13a.m. at the County Assembly Buildings]  
[The Temporary Speaker (Honourable Abdirahman Abdulkadir) in the Chair]*

### PRAYERS

**The Temporary Speaker** (Hon. Abdirahman Abdulkadir): Members, have your seats. Yes Clerk?

### COMMUNICATION FROM THE CHAIR

#### THE MOMBASA COUNTY HEALTH SERVICES BILL, 2023

The County Assembly is in receipt of a legislative proposal on the Mombasa County Health Services Bill, 2023. Honourable Members, pursuant to Standing order 110 (3)(a) and Section 21 of the County Government Act, 2012, the legislative proposal of the Mombasa County Health Services Bill, 2023 is hereby referred to the Committee on Finance, Budget and Appropriations for consideration since it is a draft money Bill. Honourable Members, this legislative proposal shall be proceeded with only in accordance with the recommendations of the Committee on Finance, Budget and Appropriations after taking into account the views of the relevant stakeholders and examining the manner in which the legislative proposal affects the current and future budgets. Thank you, yes Clerk?

### NOTICE OF MOTION

#### AMENDMENT OF THE STANDING ORDERS TO FACILITATE COUNTY EXECUTIVE COMMITTEE MEMBERS (CECM) PARTICIPATION IN PLENARY SITTINGS

Yes, Honourable Joshua on behalf of the Majority Leader, please issue the notice of Motion?

**Hon. Ong'ao:** Mr. Speaker Sir, I beg to issue a notice of the following Motion;

*AWARE THAT, the County Executive Committee Members (CECMs) are responsible for the direction and coordination of the affairs of their respective departments under the guidance of His Excellency the Governor, as stipulated in Article 179(2)(b) of the Constitution of Kenya;*

*FURTHER AWARE THAT, the current Standing orders of this esteemed County Assembly do not allow the County Executive Committee Members (CECMs) to participate in the plenary sittings, thereby limited their ability to address the inquiries and concerns raised by the Members of the County Assembly regarding their departments;*

*NOTING WITH APPRECIATION, the recent amendments made at the national level to the Standing Orders of the National Assembly and the Senate, which enable the Cabinet Secretaries to attend and respond to questions in the plenary sessions upon invitation, as per Article 153(4) of the Constitution of Kenya;*

*COGNIZANT OF, the constitutional and legal obligations of the County Executive Committee Members (CECMs) to account for their actions and decisions to the County Assembly, as enshrined in Article 185(3) of the Constitution of Kenya and Section 8 of the County Governments Act, 2012;*

*CONCERNED THAT, the lack of participation of the County Executive Committee Members (CECMs) in the plenary sittings hampers the effective communication and collaboration between the County Executive and the County Assembly, which adversely affects the overall governance structure and impedes the public service delivery in the County;*

*APPRECIATING THE BENEFITS, of allowing the County Executive Committee Members (CECMs) to participate in the plenary sittings, such as enhancing the transparency and accountability of the County Executive, fostering the self-responsibility and commitment of the County Executive Members (CECMs) to their respective departments, and facilitating the timely and comprehensive responses to the issues raised by the Members of the County Assembly;*

*REGRETING THE DELAYS, in the implementation of the projects and programs within the County, which necessitate the direct interaction and engagement between the two arms of the County government to expedite the public service delivery and address the needs and aspirations of the people of Mombasa County;*

*ALARMED BY, the potential ramifications of the absence of the County Executive Committee Members (CECMs) during the plenary sittings, such as the possible delays or incomplete responses to the questions and statements from the Members of the County Assembly, which may jeopardize the efficiency and effectiveness of the legislative process and oversight function of the County Assembly;*

*DEEPLY CONCERNED, that the absence of the County Executive Committee Members (CECMs) during the plenary sittings may also lead to a lack of clarity and consensus on the policies and priorities of the County government which may result to conflicts and misunderstandings between the County Executive and the County Assembly, and ultimately undermine the public trust and confidence in the County government;*

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*I, therefore, urge this Assembly to RESOLVE:*

- 1. THAT the Committee on Rules and Procedures undertakes an expeditious review and recommend amendment of the relevant Standing orders to the County Assembly, to provide for the participation of the County Executive Committee Members (CECMs) in the plenary sittings of the County Assembly upon invitation, in order to address the matters pertaining to their respective departments;*
- 2. THAT the County Executive Committee Members (CECMs) attending the plenary sittings adhere strictly to the rules and procedures of the County Assembly, and uphold the highest standards of accountability, integrity, and professionalism in their interactions with the Members of the County Assembly.*

**The Temporary Speaker** (Hon. Abdirahman Abdulkadir): Yes Clerk?

### **ADJOURNMENT**

Thank you. Honourable Members, this House stands adjourned until Tuesday 5<sup>th</sup> December, 2023 at 2.30pm. Thank you.

The House rose at 10:22a.m.