

# Kitui County Assembly

## THE HANSARD

First County Assembly – First Session

Wednesday, 7<sup>th</sup> August 2013

*The County Assembly met at 9:30am*

*[The Speaker (Hon. George Ndotto) in the Chair]*

### PRAYERS

*(Communication from the Chair)*

**The Speaker:** I have the following communication to make:

I want the committees, the chairmen of the committees, as soon as possible to make proposals for their meetings during the recess; if we will go for recess. And I want those proposals to be given to the Clerk so that he can draw a schedule of meetings during the recess for all the committees, bearing in mind that there are some committees which will be out of the county for seminars. Various committees will be going out of the county for seminars starting next week. So I want the chairmen to give proposals on how they will be meeting; their proposals for meetings during the recess. The proposals should be given to the Clerk so that we can draw a schedule during the recess.

Next Order.

*(MOTION: Honourable Alex Mwendwa Munyoki)*

**The Speaker:** Honourable Mwendwa Munyoki.

**Hon. Munyoki:** Thank you Mr Speaker.

Mr Speaker Sir, I beg to seek leave to move the following Motion to rescind yesterday's decision on the membership of the various committees of this house, pursuant to Standing Order number 46 (ii) (a) and reintroduce the following Motion:

THAT pursuant to the provisions of the Interim County Assembly Standing Orders numbers 154, read together with Standing Order 191 and further noting provisions of standing Order 155 and 156 (i), I kindly beg to

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present the list of the nominated of members to serve in the County Assembly Select and Sectoral Committees for the approval.

### **Select Committee members:**

#### COUNTY ASSEMBLY BUSINESS COMMITTEE

1. Hon. Ruth Kinyumu
2. Hon. Titus Ndemwa Mbiti

#### SELECTION COMMITTEE

1. Hon. Phoebe Kisee

#### COUNTY ASSEMBLY BUDGET & APPROPRIATIONS COMMITTEE

1. Hon. Mrs Mary Ndumbu
2. Hon. Jackson Nzangi Mwanduka

#### IMPLEMENTATION & DELEGATED LEGISLATION COMMITTEE

1. Hon. John K Nyamai
2. Hon. Angelina M. Kanza
3. Hon. Irene C. Muvea

### **Departmental/Sectoral Committee members:**

#### AGRICULTURE, WATER & IRRIGATION

1. Hon. Jane Mueni Muli
2. Hon. Rhoda Wambua

#### BASIC EDUCATION, TRAINING & SKILLS DEVELOPMENT

1. Hon. Jemimah Mbiti
2. Hon. Yestantinah M. Chawana
3. Hon. Mrs Mary Ndumbu

#### LANDS, INFRASTRUCTURE & URBAN DEVELOPMENT

1. Hon. Irene C. Muvea
2. Hon. Mary Mbandi
3. Hon. Alex Mutambu Nganga
4. Hon. Beatrice V. Musyoka

#### TRADE, INDUSTRY, ICT & COOPERATIVES

1. Hon. Mrs Mary Ndumbu
2. Hon. Colleta Kimanzi
3. Hon. Mary Mbandi
4. Hon. Angelina M. Kanza

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### CULTURE, YOUTH, SPORTS & SOCIAL SERVICES

1. Hon. Catherine Kasimu
2. Hon. Alex Mutambu Nganga
3. Hon. Jennifer N. Munuve

### HEALTH & SANITATION

1. Hon. John K. Nyamai
2. Hon. Mary Mbandi
3. Hon. Beatrice V. Musyoka
4. Hon. Jennifer N. Munuve
5. Hon. Yestantinah Messi Chawana

### ADMINISTRATION & COORDINATION OF COUNTY AFFAIRS

1. Hon. Jennifer N. Munuve
2. Hon. Jemimmah Mbiti
3. Hon. Catherine Kasimu
4. Hon. Phoebe Kisee
5. Hon. Deiys M. Mukala

### FINANCE & PLANNING COMMITTEE

1. Hon. Jamhuri Mwangi - Chairperson
2. Hon. Dominic K. Kauthi - Vice Chairperson
3. Hon. Boniface M. Katumbi - Member
4. Hon. Stephen K. Wambua - Member
5. Hon. Patrick M. Mutua - Member
6. Hon. Joyce M. Mutemi - Member
7. Hon. Phoebe M. Kisee - Member
8. Hon. Jane M. Muli - Member
9. Hon. Rhoda Wambua - Member
10. Colleta Kimanzi - Member
11. Hon. Alex M. Nganga - Member

### ENVIRONMENT, ENERGY, MINING, NATURAL RESOURCES & TOURISM

1. Hon. Stanislaus Mulongo - Chairperson
2. Hon. James M. Munuve - Vice Chairperson
3. Hon. Mwendwa Munyoki - Member
4. Hon. Anthony K. Muthui - Member
5. Hon. Felix K. Kinuva - Member
6. Hon. Titus M. Kasinga - Member
7. Hon. Titus N. Mbiti - Member
8. Hon. Allan K. Kavindi - Member

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9. Hon. Jonray N. Ngava - Member
10. Hon. Kalovo Musau - Member
11. Hon. Ruth Kinyumu - Member

Mr Speaker Sir, I beg to move.

**Hon. Ngava:** Thank you Mr Speaker Sir.

Mr Speaker Sir, I beg to second the Motion to be approved by this honourable house.

Thank you.

The Speaker: Honourable Members, I wish to propose the question: That this house rescinds yesterday's decision on the membership of the various committees of this house, pursuant to Standing Order number 46 (ii) (a) and reintroduce the following Motion:

That pursuant to Interim County Assembly Standing Order number 154 as read together with Standing Order number 191, further noting provisions of the Interim Standing Order number 155 and 156 (i), the list of the nominated members to serve in the County Assembly Select and Sectoral Committees to this assembly be approved.

The following list of nominated members to serve in the County Assembly Select and Sectoral Committees be approved.

Anybody who wants to contribute, the Motion is on the floor now for debate. Anybody who wants to say something about the Motion? Honourable MCA for Migwani.

**Hon. Mutua:** Thank you Mr Speaker.

First I thank our mover for bringing this Motion again. Just to start on, I think we have Honourable Members who were nominated to join us in this house. They add great value to this house and also we need them to support us in various areas as pertains their contributions to build our county. Mr Speaker, we have already gone through the names and I stand to support the Motion.

*(Applause)*

**Hon. Mutua:** I think there might be some areas in which we need to amend; these pertain the balancing. I support it, and I support for the committee to come up with the amendments of balancing so that we may continue. I think we are now towards our recess and during that time, we shall be having some meetings, and we might even have some induction courses. If we fail to include our members, those courses will be done in their absence, and they will be left out. I request this house to approve this Motion.

Thank you.

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*(Applause)*

**The Speaker:** Who is this? Honourable Mulongo, or is it Jamhuri?

**Hon. Mwango:** Thank you Mr Speaker.

Mr Speaker Sir, I stand to support the Motion, in the sense that yesterday there was an objection to the Motion. It wasn't out of ill will Mr Speaker, but what we wanted was balancing of all members of this assembly Mr Speaker. There was nobody who was in a mischievous motive at the time. Mr Speaker, I can see there is somehow some balance in all committees, because we are all Honourable Members of this house, Mr Speaker we need an equal share in this assembly Mr Speaker.

So Mr Speaker I stand to support and say that all is not well if there is something that we can see and agree to sit and amend the same to have the balancing of these members in all committees Mr Speaker. I wish we can do the same and have an equal share in this floor.

Thank you Mr Speaker, I stand to support the Motion.

*(Applause)*

**The Speaker:** Honourable... let's give the... is this Mwende?

**Hon. Mwende:** Thank you Mr Speaker.

Mr Speaker, there were amendments that were to be made yesterday; the amendment on Ministry of Environment, Energy, Mining and Natural Resources and Tourism. Mr Speaker, I can remember very well Honourable Mbula talked of gender balance in this Ministry. We have ten men, which is good, and only one lady. Is that constitutional? Mr Speaker as we were talking about this kind of amendment yesterday, it is as if we went astray, and it is as if we were not supporting our fellow members. But we needed these ladies; the Honourable Ladies who came into this house recently to be in this committee Mr Speaker. And I'm requesting those who are making amendments to amend that thing so that we may say yes to the Motion.

Thank you Mr Speaker.

**The Speaker:** Honourable Kililiku.

**Hon. Kililiku:** Thank you Mr Speaker. Mr Speaker I stand to support the Motion.

Mr Speaker this Honourable House would be doing disservice to this county if at all we once again say that we are not approving this Motion on points of amendments. Mr Speaker, let it be known that if at all there is any discrepancy within what is tabled for us to go through, Mr Speaker we can later sit and amend. Mr Speaker, our Honourable Members who are our

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brothers and sisters, we would be doing an extreme disservice to them and to this county again if at all we go to our recess if when they...

**The Speaker:** Honourable Mwanduka! There is someone on the floor! Consult quietly if at all you have to consult!

**Hon. Kililiku:** Thank you Mr Speaker.

I was saying it will be great disservice if we go for recess when our colleagues are still not members of any committee and citing the fact that as we go on for recess, committees will be meeting. Mr Speaker, I do support that we approve this Motion, with any amendments, maybe later, but for now we do approve.

*(Applause)*

**The Speaker:** Mrs Mbandi.

**Hon. Mbandi:** Thank you very much Mr Speaker.

I'm happy that the nominated MCAs have been suggested to be included in these committees. Mr Speaker, I think since it was the nominated MCAs who were being considered, and we have no problem Mr Speaker; as MCAs we have no problem, the only problem we had has been corrected because it was *Mheshimiwa* Rhoda who was in one committee. I don't see why there is an issue. If there were issues, it was the nominated MCAs who should have raised it Mr Speaker.

Thank you.

**The Speaker:** Honourable Members, with that statement you still want to continue debating on this Motion?

*(Members agree that more input into the Motion is necessary)*

**The Speaker:** Alright. Honourable Kasinga.

**Hon. Kasinga:** Thank you Mr Speaker Sir for the chance to contribute to this very important Motion. I say very important because we have our colleagues joining us and indeed joining us in the very important stage of business of this house and that of the county; that of the committees. Mr Speaker Sir after what transpired yesterday, we want to thank all those who sat down and this Motion has come back. Thankfully, the Standing Orders provide for us to have this Motion back, and as it is, as it has been said and one of the nominated members has spoken, we need them to be in the committees so that we can work together. What I want to bring to the attention of this house, is that there is a committee called the Selection Committee that actually has played a crucial role together with the Whips in preparing this list. When we are approving these names here, we are not saying that there will be no changes later, because there could

be an occasion where one member moves from one committee to the other, but with the approval of this house. So let's have the Selection committee being given work to do; let's approve the list as it is now, give it to the house, the members begin to work. If there are any changes, any amendments to be made, let the Selection Committee be able to do that.

Thank you Mr Speaker Sir.

*(Applause)*

**The Speaker:** Well, I think it's time that we... Mutemi you want to say something?

**Hon. Mutemi:** Thank you Mr Speaker.

Mr Speaker, as the house and as many of us have an opinion, we need these Honourable MCAs who have been nominated to join in various committees; we need them and indeed if it was not for lack of balance, we would have approved the Motion the first day. The confusion which was there is the one which made us not to approve it outright because we have got no issue; we don't benefit when we have members who sit in this honourable house and they don't contribute to the committees. We need them to contribute. Mr Speaker, yesterday the same occasioned, today if I go through the list, I can see the maximum is some few; two or three of the nominees have gone to the maximum of three committees. I can see the rest are getting two committees. Mr Speaker I don't understand the question of 'later', 'later' has no definite time in English Mr Speaker. And Mr Speaker, what occasions the Select Committee, what prohibits the Select Committee to take 20 minutes...

**The Speaker:** Order! Order! Order Honourable Mutemi! Order!

Sit down! I don't think whether you should mislead the house. And I will not allow you to do that because the places were enough for two in each committee and a balance of about two or three. Unless you are saying that balance of two or three should not have been allocated. Which in case it is not fair because in this honourable house there are members who are in four committees, and you are not asking why they are in four committees and others are in two committees. As a matter of fact, my directive as the Speaker is as soon as possible, the Select Committee in consultation with the Whips must meet and sort out the list; the issue of committees because there are members who are in four committees while there are others in two committees, so that we harmonise. At least everybody should be in three committees as far as the list can go.

*(Applause)*

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**The Speaker:** Thank you Mr Mutemi. You can continue.

**Hon. Mutemi:** Thank you Mr Speaker...

The Speaker: So don't mislead the house because the places were allocated to those who were there. Unless you say if they went two, two, two, nobody should get three. In which case these ladies can also ask you who are here who are in three should also drop one, one, so that you are all equal two, two until the list is harmonised. And I don't want to open that floodgate.

**Hon. Mutemi:** I think Mr Speaker you are in my spirit. I wanted to have a definite time Mr Speaker. I want assurance that they are going to do that and we see fairness. Because as it is stated in George Orwell's book 'The Animal Farm' "all animals are equal". I tend to think we are all equal here. I'm not calling ourselves animals, and I don't want to go beyond and say "all animals are equal, but some animals are more equal than others"

*(Laughter)*

**Hon. Mutemi:** But I think fairness is so important for us all.

Thank you Mr Speaker.

**The Speaker:** Thank you.

I give you my undertaking Honourable House; the Select Committee under my guidance will have to do that, because if there are members in four committees, first or all it is illegal – it is against the Standing Orders. Secondly, why should you be in four committees while others are in two? I think the list has to be cleaned up.

And with that I will put the question, I hope you are ready to make a decision on this. Let me read it:

Mr Speaker, I beg to seek leave to move the following Motion to rescind yesterday's decision on the membership of the various committees of this house, pursuant to Standing Order number 46 (ii) (a) and reintroduce the following Motion:

THAT pursuant to the provisions of the Interim County Assembly Standing Orders numbers 154, read together with Standing Order 191 and further noting provisions of standing Order 155 and 156 (i), I kindly beg to present the list of the nominated of members to serve in the County Assembly Select and Sectoral Committees for the approval.

As many as are of that opinion say AYE!

**Members:** AYE!

**The Speaker:** And may as many as are of the contrary opinion say Nay!

*(Silence)*

**The Speaker:** The AYEs have it!

*(Applause)*

**The Speaker:** Now, Honourable Members we will bring the list of the committees when its cleaned up for your approval, because there will be certain changes; some members will be dropped, others will be added. But we'll bring that list for your approval.

Now, I want to make this announcement: Friday is a Public Holiday, I think you all know that. Idd is a Public Holiday, and normally on Fridays we have our *Kamukunjis* where we iron out our issues which we can't discuss in the plenary sessions. So I was of the opinion that we move our *Kamukunji* to tomorrow afternoon instead of Friday because we can't meet during the holiday. We move our *Kamukunji* to tomorrow afternoon. Tomorrow in the morning there are two committees meeting, which ones? Lands and Procedure; there are two committees meeting in the morning, and I was suggesting we have a meeting of our *Kamukunji* tomorrow afternoon, which means we must move the Motion of adjournment today afternoon. So I'm alerting the house to be prepared. I'm asking the Majority Leader to move the Motion of adjournment of the house this afternoon so that you don't say that you have been ambushed. The Motion of adjournment for us to go and rest for a few days before we come back, and then tomorrow afternoon we reserve it for final housekeeping before we go for recess; we have our *Kamukunji*. Otherwise if we do not have it tomorrow, I'm afraid we cannot have it, because we can't convene a meeting on a Public Holiday.

So I direct that we have a Motion of adjournment this afternoon, and the *Kamukunji* will be tomorrow afternoon.

I thought that would be the best thing to do, unless you don't want the *Kamukunji* tomorrow, but it is important because there are issues for housekeeping. You want the *Kamukunji* tomorrow afternoon? Because there are small issues to discuss before we go on recess if you approve the Motion this afternoon and you need to do that before we leave.

*(Honourable Kilonzo catches the eye of the Speaker wanting to make a contribution on the matter)*

Order! This is not a *Kamukunji* Honourable Kilonzo. You are such an Honourable Member of this house, you cannot overlook that one; this is not a *Kamukunji* to discuss. We are not discussing, I'm just giving the direction as the Speaker.

Can we adjourn the house now?

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Honourable Members, the house now stands adjourned until this afternoon at 2:30pm.

*The County Assembly stood at 10:15am.*