

Kitui County Assembly

THE HANSARD

First County Assembly – First Session

Wednesday, 10th July 2013

The County Assembly met at 4:00pm

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

PRAYERS

(Communication from the Chair)

The Speaker: Honourable Members, there was a report I redirected the committee to prepare on the issue of Early Childhood Development (ECD) – Education. I'm not sure whether the report was prepared and tabled in the house, was it? That report was very important. Who is the chairman of that committee? *Bwana* Ngwele, was the report prepared or did you inquire into the issue?

Hon. Ngwele: Yes Sir we did inquire. On Monday we had a meeting and we...

The Speaker: Is the report ready?

Hon. Ngwele: The report is not ready Sir.

The Speaker: It's ready?

Hon. Ngwele: It's not ready.

The Speaker: Okay, thank you.

Yeah, because I was given to understand that issue is urgent, very important and it has been raised with me by several MCAs. So I would urge the committee concerned to move with speed; let us get to the bottom of the matter.

The other committee which was supposed to look into... Mulongo, your committee was to look into what? Is your report ready?

Hon. Mulongo: Thank you Mr Speaker. We met and we gave some recommendations, of which I was to come and see you and we see a way forward. So I think the report is on your table.

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The Speaker: Was there another report that we were expecting from another committee? Mwende, you were to meet; your committee was to enquire on something. Or what was it? Have you met?

Hon. Mwende: Yes we have met and we requested the Clerk to summon the minister involved in the health sector so that we can meet and talk to know where we are supposed to go in terms of the hospital levels and what is intended to the hospitals.

The Speaker: So you are on course?

Hon. Mwende: Yeah.

The Speaker: Okay. I think those were the committees. The other one was agriculture; there was something to do with... I don't think whether were waiting for a report. Were we expecting a report from you Mr Kasinga?

Hon. Kasinga: Thank you Mr Speaker Sir. No you were not expecting a report, though we met and also we made some deliberations which were supposed to come to you, I think in the course of this week.

The Speaker: Thank you. So, since we are going to have all these committees all the time, it's important when you meet I see the minutes to see what action needs to be taken, what facilitation you need from the office so that you can be facilitated to continue doing what you are doing. Don't meet and you don't let me know, and the way to let me know is to make sure I see the minutes; you insist the Clerk brings the minutes to me so that I can see where I can step in to assist you.

That is all the communication I wanted to make from the Chair. Thank you.

Next Order.

County Assembly Clerk[Ms Waema]: Messages.

The Speaker: Any messages?

Next Order.

County Assembly Clerk: Petitions.

The Speaker: Any petitions?

Next Order.

County Assembly Clerk: Papers.

The Speaker: Any papers to be laid on the table.

Next Order.

County Assembly Clerk: Notices of motion.

The Speaker: We did agree, and I think you are in agreement that we suspend the issue of motions until we go through that workshop we want to do, is that correct?

Members: Yes.

The Speaker: And we did agree on that. Thank you.

Next Order.

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County Assembly Clerk: Statements.

The Speaker: Mr Kilei I see your hand is up, do you want to make a statement?

Hon. Mwalili: Yes Sir I do.

The Speaker: A personal statement?

Hon. Mwalili: Yes Mr Speaker.

The Speaker: Okay.

Hon. Mwalili: Mr Speaker, thank you.

I know the requirement by the Standing Orders is that a statement be placed before you before its read. Mr Speaker I'm also in confusion because I don't know whether it's a statement or it's a reaction.

Mr Speaker when you stood from your chair to communicate a number of issues Mr Speaker, that was a good thing; follow up on the committees and what the committees are doing. Mr Speaker what I wanted to request through the Chair is that we have timelines on these reports, because Mr Speaker, people who do not know where they are going, they never get lost. Therefore Mr Speaker, through your Chair, I'm requesting that you direct the various chairmen and chairladies to give timelines on when some of these very important reports will be available so that at least we work on a time schedule.

Thank you Mr Speaker.

The Speaker: Thank you, although that is not a personal statement. But because we are still learning, I will allow you to get away with it. It is a good statement.

The committees please, like the committee of Mulongo, though I'm told the matter is on my desk, there is an urgent issue you need to address; the committee on early Childhood Education is very urgent because there is a matter the MCAs want to catch up with before it gets out of control. So I think it's not a luxury; it's a matter of duty. You do it and do it quickly, bring the minutes and then if we are ready, we bring the matter to the house to debate and give directions – the way forward. So I think it's a good statement Bwana Kilei. The committees, please, please do it within time. Don't take a month or two months; do it in a week or two, and if you have any difficulties with anybody including the executive members, that's why I'm here to assist you. If you are summoning someone and he is not coming or they are not coming, that's where I come in to make sure that he or she comes here, failure to which, we know how to go about it, isn't it? So, I'm here to assist you, please speed up your work.

Next order.

County Assembly Clerk: Motions and Bills.

The Speaker: Since we have no motions to debate, and since there was no business arranged for this afternoon, I will allow members to raise

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any matter they want to raise for the next few minutes, and if there is anything important we need to discuss, I will allow you to ventilate a little bit before we decide the next course of action.

Any member who wants to say something he has been wanting to say and he has not had a chance to say it in the house, with the discretion of the Speaker, I'll allow that.

Any member? Whose hand was up? This gentleman, your hand was up.

Hon. Mbivi: Thank you Mr Speaker, mine is just a question through the chair; there are some two committees which were meant to sit yesterday. And so that we take it that we also need to have some reports from those two committees. What is the fate of those committees?

That's all. Thank you.

The Speaker: My take on that one is: that is a question for the Clerk of the County Assembly, not mine; the Clerk is the one who arranges the committee meetings, so if you have any issue with the meetings, you raise it with the Clerk. Mine is a policy issue, if there is any problem, then that is where I come in. But if the question; when do they meet, why did they not meet, that one you sort out with the Clerk.

Bwana Kilonzo.

Hon. Kilonzo: Thank you Mr Speaker.

Mine is an addition to maybe the reports you have called for from various chairmen. And I'm just wondering and seeking your guidance; is it you to follow every chairman? Is it your mandate to continue following every chairman asking for reports while we know there is a committee for implementation and legislation which needs to be reporting to you what has been done and what has not been done? Maybe some guidance; some clarification there Mr Speaker.

The Speaker: Yeah, the committee has a responsibility to do certain things, but as the Speaker I have the overall responsibility for anything that happens in this institution. So if things are not moving in the right direction, irrespective of whether the chairman is there or not, I am duty-bound to follow it up to make sure it is done. But the committee has got its own responsibility.

Bwana Ngwele.

Hon. Ngwele: Thank you very much Mr Speaker.

It's just a follow up on that question; the question of reports overall. Just to appeal to honourable Members to understand that the production of a committee report in some cases, in most cases actually is a long process. When we meet on Monday and we come here on Wednesday and we don't have a report, it doesn't mean that a committee is inefficient or its ignoring the business that was referred to it by the house, its just that in some cases,

the production of a report Mr Speaker is a process. If I can use the example of the Committee on Basic Education and Skills Development that met on Monday, we just met for the first time on Monday morning. We needed information from the executive side of the government on the issues that had been raised in this house by Honourable Members, and to get that information you have to issue summons through the office of the Clerk to the officers who are concerned on that side of the government to appear before the committee. And that cannot be done within the same sitting. So even as we are saying or promising to hasten the process, we are actually waiting for persons or documents that we summoned for to be produced before us as a committee. So we'll actually need another sitting for us to be able to conclude that business and be able to produce a report. And you know reports of the house are very authoritative; if we issue reports here which are saying people who work in the executive have either broken rules or done things illegally as has happened sometimes in the National Assembly and we have heard cases where the National Assembly recommends blacklisting of certain officers, and that quite often gets done. So the reports of this house really have a lot of weight. Its things that we must do with a lot of caution and with a very high essence to the other members of the government that we are dealing with.

So I would kindly through your chair ask Honourable Members to be patient with committees that have been asked to do reports on weighty matters that have been referred to them so that we are thorough in the way we go about the meetings, we are thorough in the way we go about calling for persons and documents to appear before us. So that when we make reports available and we make resolutions based on those reports, the resolutions themselves are powerful and are also just. We don't want to rush through things, make decisions on people when we have not given them enough opportunity to make presentations to defend themselves if we are accusing them of doing certain things or not doing certain things. So Mr Speaker I would kindly urge Honourable Members to be patient with the various committees. I'm not trying to cover up for the work of any other committee, it's just to help that we understand that it's a lengthy process.

Thank you very much Mr Speaker.

The Speaker: That's a good comment. It's a very good comment.

Yes...

Hon. Munuve: Thank you Mr Speaker Sir. My worry Mr Speaker is that sometimes ago, we agreed that the Local Authorities that used to be; Kitui County Council, Kitui Municipal Council, Mwingi Town Council, had some stalled projects. And it was agreed that these projects Mr Speaker were going to be implemented. When we were going through the budget, we were informed that LATF (Local Authorities Transfer Fund) had...

The Speaker: Order! Order!

You are anticipating debate on a motion which is before this house. I think that issue is covered by a motion... is it Honourable Kilonzo or who? And by the Standing Orders, you don't anticipate debate; don't start talking on something in a motion that is before the house. So you drop that issue. If you don't have any other point, just leave that one of the stalled projects; there is a motion before the house by Honourable Kilonzo.

Yes...

Hon. Munuve: Thank you Mr Speaker, mine is a request on behalf of the members; I think the committees have started working. They are doing a good job. But unfortunately, I know most of them do not know the executive members who were actually appointed. I happened yesterday to take my breakfast with one of the executive members who was appointed but I did not know him. So I'm requesting whether we can make an informal meeting to meet with all of them so that they can know us and also we can know them.

Thank you Mr Speaker.

The Speaker: That's a brilliant suggestion. It's a very good suggestion. I think there is need, now that everybody is in place, except the Principal Officers, have they been employed? The so called Permanent Secretaries, are they in place? But at least the board members for both institutions; the executive and the assembly, the ministers... I think we need to get together to know each other, isn't it? Particularly we need to know the ministers because you'll be working with them very closely.

That's a point noted, and I'll take up the matter with the Governor to see whether we can get together in an atmosphere befitting the occasion. That's a good idea.

Anybody else with a statement?

Mr Kililiku. Oh! Sorry, Mr Mwove, sorry.

Hon. Mwove: Mine is a question; there was a statement that you made sometimes back that we needed a wall clock behind where you are seated and even the other side. I know almost 50 per cent of the members in this house do not... I'm not saying that they do not own watches, but they don't wear watches. So I'm wondering whether we are waiting for a tender for us to have the clocks at the walls? Because most of us just guess what time it is and what time we are coming. So I just wanted to ask because you made that statement - When are we going to get those wall clocks; one there, and the other one on the other side?

The Speaker: Let me do a bit of consultation.

(Consults with the Clerk amid laughter from the members)

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The Speaker: I don't know, Honourable Members, because I looked at *Bunge* and didn't see a watch or a wall clock. I don't know whether it's a tradition to not put a clock in the hall or what. I need to consult because I don't understand why we don't have one in *Bunge*?

Members: Outside!

The Speaker: Outside? Inside it is not there; not that they don't have the money or they have forgotten, there must have been a reason. Although the Clerk here tells me that's a small omission and the clocks will be here tomorrow, but I'll be hesitant to first of all ring and find out... I'll ring *Bunge* and find out why there is none.

Hon. Mulongo: It is there...

The Speaker: It's there? Inside?

Hon. Mulongo: Yes on one corner...

The Speaker: Well, if that's the case; if I confirm that it is there, ours will be here tomorrow. I'm informed that it will be here tomorrow.

Thank you.

Kasinga...

Hon. Kasinga: Thank you Mr Speaker Sir.

Mine I think is a contribution that perhaps I would want to urge my fellow members of this Honourable House to be proactive and to be watchful. We have been reading papers; we've been listening to the news about our county, in particular Kitui. And what comes out is that somebody, or some people somewhere are looking at this county perhaps in the eye of the leader of the executive, that is the president of this county, and because of their own reasons, as we have been speaking about these things before, they would to see this county perhaps fail. And this is because there seems to be nothing that is good that is being observed about this county. In one of the functions, and some of the functions that we have had, we've heard people casting aspersions on the leadership of this county. And as a county government, we ought to stand together; whether the assembly, whether the executive, we have a collective responsibility to a certain level, as we know the government which is in charge here, to be able to defend our turf. This I say not because I would want to speak it, but I think we need to raise our voices and be heard. Because if we keep on keeping quiet, at the end of the day we will look bad in the eyes of the very people who elected us and those who are casting aspersions on the leadership will look good.

We know the County Government – devolution has brought some not very good things to some people who would otherwise want to be in charge. This I say it because the constituencies now are smaller than they were before. Because the MCAs now are responsible for a little bit larger areas in terms of representation and also in terms of exercising the responsibilities they have been given under the County Government. So I

want to urge my fellow MCAs; let's speak out whenever we see issues that are so much touchy, especially those that are speaking lies. Because we know we're not very old, but already we're being told that there's no leadership in the County Government of Kitui, we do not know what we are doing here, and I don't think that really we do not know what we are doing. We have got an agenda for this county, and I believe we are going to execute it together. So let's start together and defend what is ours.

Thank you Mr Speaker.

The Speaker: Thank you. Those are the views of Mr Kasinga. Let us hear the views of... who? *Itilananga*...

Oh, sorry! I'm sorry, I must apologise! That's not your name, I apologise. It must be on record...

(Laughter)

Hon. Wambua: Thank you Mr Speaker Sir...

The Speaker: Although I know you don't mind being called that.

Hon. Wambua: I'm very much okay, very much comfortable. It adds a lot in my ward...

The Speaker: But not in this house...

Hon. Wambua: Mine is a concern of the issue raised last week by the chairman of the Budget Committee that he had secured some good time to be with the Governor. I don't know whether we should wait until we go to the workshop or whether the chance is still there, because those words which have been spoken here could be good if we are at a *kamukunji* somewhere; we as the assembly, plus the executive and we see ways we can modify our leadership in Kitui County and cover our county.

Thank you.

The Speaker: Mulongo...

Hon. Mulongo: *Asante sana Bwana spika.*

Yangu nitachangia kuhusu mambo ya bajeti ambayo tumefanya mwezi uliopita. Ni kweli tumefanya bajeti ambayo ilikuwa ya muhimu sana; ambayo inahusisha mambo ya maendeleo katika wodi zetu Bwana spika. Lakini kufikia wa'sasa, tuko na washika dau wengi na wahusika wengi ambao wanahusika nah ii kaunti yetu ambao wanadai kwamba mambo mengi katika bajeti hayakuwekwa vile yanafaa yawekwe. Nilikuwa nachangia kwamba Bwana Spika, kwa sababu wengi wanazungumza kwa kutokana na kutojua; kama inawezekana, bajeti yetu tuiweke katika mitandao. Walewanaweza kuiona katika mitandao waisome, ili wasianze kukashifu vitu ambazo hawazijui. Kwa sababu wengi wao najua hawajawahi kuiona, hawajawahi kuiskia, lakini kwa sababu wanapewa maneno na wanapewa ripoti na watu ambao hawajasoma bajeti na ambao wako na nia mbaya katika kaunti yetu, wanachangia kulingana na ile ripoti ambayo

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wanapata. Maombi yangu yangukuwa tuiweke bajeti yetu kwenye mitandao, kila mtu aweze kuisoma kwa sababu najua ni bajeti moja nzuri kabisa. Katika Kenya mzima hatuwezi kufika nambari tatu ama nne.

Asante sana Bwana Spika.

The Speaker: Now, what you are saying Mulongo, is law. It is supposed to be done that way, and in case the executive has forgotten, I'm directing the clerk to make sure they are reminded that the budget is supposed to be made public for the people to see what you have done and start talking about it.

Well, Honourable Members, I think I have allowed you a few minutes to... free time to talk on anything you want. You have said a few good things; there's one suggestion I think from Munuve, a very good suggestion which I think I'll have to take up with the governor, and I think I will develop that system where I'll be giving you, as we go on until we get enough work to do – giving you time to ventilate on a few issues either on a personal nature, on a policy nature, or a national nature, and if it's worthwhile, we discuss it a bit then we move on.

One thing I need to repeat, and please allow me to repeat several times; you'll never be a good Member of County Assembly here – you may be good in your ward, you may be good outside – but you'll never be an effective Member of County Assembly here, it doesn't matter what you know, unless you have read and understood properly the Standing Order, the County Government Act and the Financial Management Act. Those three; but most importantly the Standing Orders. *Hiyo soma! Hiyo chukua muda usome. Hiyo soma kabisa uelewe*, so that when the Speaker sometimes makes a ruling which is not within the law, you can correct him and tell him Mr Speaker... although the Speaker is not supposed to be corrected. That's the rule.

(Laughter)

The Speaker: But you can find a way of correcting him without contradicting his ruling because the Speaker's ruling is not supposed, and you know, it's not supposed to be contested. But perhaps at a later date, somehow - you are educated people – you can find a way of guiding the Speaker when he makes a mistake. So read these documents, understand them and we'll be a happy lot here and we'll be able to debate effectively.

Now, I think we have ventilated the few things we had in our minds, and since we don't have any other business, I'm inclined to adjourn the house so that we can go and do some other things other than to stay here.

Can we be upstanding?

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Honourable members, the house stands adjourned until tomorrow afternoon at 2:30pm.

The County Assembly rose at 4:45pm.