

REPUBLIC OF KENYA
KITUI COUNTY ASSEMBLY
SECOND ASSEMBLY- SECOND SESSION
OFFICIAL REPORT

(THE HANSARD)

Friday 5th October, 2018. (Special Sitting)

The County Assembly met at 1:35 p.m. in the Newly Built County Assembly Chambers

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

PRAYERS

COMMUNICATION FROM THE CHAIR

1. WELCOME ADDRESS ON THE OFFICIAL OPENING OF THE KITUI COUNTY ASSEMBLY CHAMBERS

The Chief Guest of Honour – The Rt. Hon. Kenneth M. Lusaka, E.G.H., MP, Speaker of the Senate, H.E. Governor Kitui County – Madam Charity Kaluki Ngilu, Other Excellences present, Senators, Members of Parliament, Speakers of County Assemblies, County Commissioner, Sitting and Former MCAs, All officers of National and County governments, Distinguished guests, Ladies and Gentlemen. Good afternoon!

Before I say a few things that I wish to say, allow me to recognise the delegations in the house. All the people who have come to celebrate this occasion with us. With us in the chamber, we have Professor Muluvi (The Vice Chancellor-SEKU),The County Commissioner-Mr Kimitu, other leaders include ;Simon Mundu (Board Member),Dr Musangi Mutua (Board Member),Hon. Dr.Makali Mulu (M.P -Kitui Central),Hon Muluvi(Former M.P-Kitui East),Hon.Irene Kasalu (Women Representative Kitui County),Hon Benard Kitungi (Former M.P-Mwingi West).

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor, through the Clerk, County Assembly of Kitui.*

We have various officers who are ministers in our County Government; Mr.Kakundi,Mr.Mumo,Ms.Nguli,Mr.Musau,Mr.Kisangau,Mr.Musyoki,Mr Makau.We also have Hon. Mutula Kilonzo (The Senator Makueni County),our distinguished son in this Country-Hon.Nzamba Kitonga,Former Deputy Governor-Peninah Malonza,the current Deputy Governor-Dr Wathe. The list is not complete because power went off before it was completed. Therefore I recognise all the others present. I want to read the names of the various County Assembly Speakers who are with us here and have come with their delegations:

1. Hon. Jimmy Kaindi-Kilifi County
2. Hon. Michael Kadenge-Tana River County
3. Hon. James Wahome Ndegwa-Nyadarua County
4. Hon. Mathew Lohome-Marsabit County
5. Hon. Joseph Kaberia-Meru County
6. Hon Florence Mwangangi-Machakos County
7. Hon. David Kiplagat-Baringo County

There are others present who are not in the list because power went off while typing the list, like I know my younger brother from Makueni County is present.

I take this great opportunity today, to welcome you all to commemorate this historic occasion of officially opening the New Kitui County Assembly Ultra-Modern Chambers. This is the first County Assembly sitting to be held in this Chamber upon relocation of the County Assembly sittings from Kenya Forestry Research Institute (Kitui Offices) to the new County Assembly Chambers vide Gazette Notice No. 10021 of Friday 28th September, 2018.

Honourable Members, you are aware that the sitting was necessary to facilitate the official opening of the Chamber as resolved by the Assembly through a motion that was passed yesterday 4th October, 2018 (afternoon) on an additional sitting day of the County Assembly.

Honourable members, it is important to appreciate that the County Assembly over the period has not been conducting her business in a conducive legislative environment which can also offer space for Public, Media and other stake holders. Notwithstanding the challenges, it has been a successful legislative journey in making laws that have been necessary for effective performance of the functions and exercise of the powers of the County government as articulated in Article 185 of the Constitution.

Honourable members, the completion of this new chamber is a great milestone to effective legislation in that it has not only provided a modern facility to the members for effective legislation but also created some space to other allowable persons into the Chambers during proceedings.

Honourable members, it has called for an utmost commitment propelled by a deliberate desire for effective legislation to develop such kind of a facility. This has not been a walk in the park amid the budget constraints and other challenges associated thereto. However, the

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor, through the Clerk, County Assembly of Kitui.*

Construction of this outstanding project has come to an end and we are hereby assembled to witness it's a grand opening.

With great pleasure, I therefore welcome you again to this significant occasion ,“**The Grand opening of the Kitui County Assembly Ultra-Modern New Chamber**” .I will make more elaborate remarks about this chamber outside. This was made for official purpose inside the chambers.

Mr. Speaker: Next order.

2 .ADDRESS BY THE HON. SENATOR-KITUI COUNTY, HON. ENOCH KIIO.

Thank you Mr. Speaker for giving me this opportunity to participate in the official opening of the Kitui County ultra-modern Assembly Chamber. Mr Speaker Sir, allow me to most sincerely congratulate both arms of the County Government of Kitui-the Executive and the County Assembly for initiating, constructing and completing such a magnificent Chamber. I must also congratulate the Hon. Members of the County Assembly of Kitui for their patience as they undertook their legislative, representative and oversight roles in a not so conducive environment. Hon. Members that is now in the past and the future looks bright.

We are gathered here Mr Speaker, to not only bear witness but to also participate in the writing of history at the official opening of a landmark building and Assembly chamber that will without doubt put our county on the national legislative map. I'm convinced Mr. Speaker that this chamber will soon begin to attract delegations from other County Assemblies to borrow a thing or two in terms of architecture and interior décor. Having said that, I can confirm to members and the Speaker that actually today you have already received the first delegation of visitors from the County of Bungoma who are coming to look at how beautiful your chamber is through my Speaker (Hon .Lusaka-Speaker to the Senate).

Mr. Speaker, I want to thank every person who participated in any way to the achievement of this milestone and to you all I say thank you. I must also very humbly thank my own speaker – the Speaker of the upper house of the National Parliament -The Rt. Hon. Sen. Dr.Kenneth M. Lusaka for finding time out of his very busy schedule to be with us today.

Mr. Speaker, on 16th December 2017, Hon.Lusaka, you were in Nguni in Mwingi Central to launch the first ever Goat Auction in Kitui County. You are here today to open this magnificent chamber and on 7th and 8th December of this year, you have committed yourself to mobilise Senators to accompany you back to Nguni to the Second Annual Cultural Festival and Goat Auction. In our culture Mr Speaker, names carry everlasting messages about the people who bear them and I know the same is true for your ancestry in the “Mulembe Nation”. In my case" Wambua” is a natural name of a male child born during the rainy season. In Western Kenya, I would be called “Wafula”.

Now that you have been here frequently ,Mr. Speaker, and there is no indication that you are about to stop the visits any time soon, I shall be asking our elders to consult the oracles of the

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor, through the Clerk, County Assembly of Kitui.*

caves, valleys and forests to seek approval to name you “Musyoka” which is natural name who goes and comes back. The crowning ceremony will done in Nguni in December this year.

(Laughter)

Now to more serious business, I want to challenge my brothers and sisters, the Hon. Members of this house, to match the quality and impact of their debates with the status of this chamber. Research has shown that the working environment in any organisation contributes a great deal to the productivity of the personnel. This chamber creates a Perfect environment for robust vibrant debates. All conducted in public interest without fear, favour or malice. I’ve gone on record and I want to repeat that the quality of leaders in the County Assembly of Kitui is comparable to the very best there is in any other Assembly we have in the Republic. May each one of you Hon. Members step out of any real or imaginary shackles and speak out consistently and virtually for the great people of your respective wards who brought you into this chamber.

I challenge Hon. Members to ride on the success story of the Senate visit to Uasin Gishu and occasionally leave the comfort of this chamber to meet the electorates on the ground. Go and seat in Mutha ward and resolve the conflict in real time between camel herders from Tana River County and our farmers. Do the same in areas where our people are facing similar challenges including Kyamatu, Kasiluni, Sosoma just to mention but a few. As your Senator, I give you my assurance in the presence of my speaker and Hon. Senators in the Speakers gallery, the senate is more than willing to help you build the capacity to undertake such sittings. I will stand with you.

Back in the Senate, I want to give you my firm assurance that I will be properly guided by Article 96 of the Constitution of Kenya 2010 to defend the interest of Kitui County beginning with our people, our resources and our Government. In this regard, when Senate house business committee finally puts the bill on the ward Development fund in the order paper, I will be in the forefront in supporting this initiative to reinforce a share of development fund for each ward in this county. Devolution would suffer under our watch if we allow it to stagnate at the County headquarters. WE must have the courage to push development further down to the people in a structured way that is not dependent on the decision of a few people at the top.

Finally, we all know that the National Executive has proposed and pushed through the National Assembly budget cuts for county governments to finance the Big Four Agenda. The CRA is currently working on amendments for revision of Revenue Bill to reflect the proposed changes. I want to go on record as I say that I do not support any reduction of funds already allocated to the counties. So at the opportune time when that matter arrives on the floor of the Senate, I will pronounce myself on this decision. The 9 billion Kenya shillings are proposed cuts in the 2018/2019 financial year which are already factored in the county Government budgets should be sourced from the budgets of the National executive and especially from those ministries whose function have been devolved.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor, through the Clerk, County Assembly of Kitui.*

Lastly Members, I want to wish you well as you continue with debates in this chamber. I want to ask, urge and challenge you to rise above party politics. I want to assure you that at the end of the day, after 5 years of our stay in this chamber-because I intend to visit this chamber very often-the people out there will not want to know which party you belonged to. They will want to know what contribution we actually made to their development in this county because this is the seat of power to the county Government of Kitui as is the case in any other County Government. Thank you and God bless you.

(Applause from the floor of the house)

The Speaker: Next order.

3. ADDRESS BY HER EXCELLENCY, THE GOVERNOR, KITUI COUNTY MADAM CHARITY KALUKI NGILU

Thank you. Our Chief Guest Hon. Kenneth Lusaka, Speaker of the Senate;
Hon. George Ndotto, Speaker of the County Assembly of Kitui;
Hon. Members of the National Assembly and of the Senate;
Our distinguished hosts – the Hon. Members of the County Assembly of Kitui and your families who have come to join you here;
Hon. Members of the first Kitui County Assembly (*are you here? Please welcome back to town!*);
County Executive Committee Members, Chief Officers and staff of the County Executive;
Distinguished Guests, Ladies and Gentlemen; Good afternoon.

Thank you Mr Speaker and the Honorable Members of the County Assembly for inviting us to be your guests today on this great occasion of the official opening of the new Kitui County Assembly chamber.

On behalf of the County Government of Kitui, on behalf of all the people of this County and on my own behalf, let me take this opportunity to congratulate you Hon. Speaker for your effort and achievement in putting up this modern County Assembly chamber. Let me note that this is the single biggest infrastructure project ever completed in our County since its inception 5 years ago.

It is a great milestone not only for the County Assembly but for all of us as a County Government.

I know that it is also a great personal achievement for you Mr. Speaker, because you conceptualized this project way back in 2013 when you served your first term as Speaker of this Assembly.

Indeed, if it wasn't for civic action by civil society that led to court injunction and some considerable delays, you would have completed this project long time ago. Nevertheless, you now have a great new chamber for the Honorable Members to work from.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor, through the Clerk, County Assembly of Kitui.*

Honorable Speaker, you know that citizen participation in governance processes is very important, and is in fact a key requirement in our Constitution.

With this new chamber the people of Kitui now have an opportunity to stay informed on the business of the Assembly, and of the County Government.

I want to urge the people of Kitui to spare time to come here on a regular basis and witness the important processes of legislation, budgeting and policy making as is your theme of today “Taking debate to the next level”

Honorable Speaker, even as we celebrate this new chamber let us also remember that the measure of our service as leaders is not so much about putting up air conditioned buildings with leather seats and deep carpets, good furniture, good as they may be.

The true measure of our service is how we transform the lives of the ordinary men, women, youths and children in the villages.

For me, it is to ensure that we enable women to put food on the table and have adequate water closer to their homesteads;

It is to ensure that our people in the village have access to affordable quality healthcare.

It is to ensure that the children attend and stay in school.

It is to ensure that our youth acquire the skills necessary for them to find work and earn a livelihood.

It is to ensure that the people we lead can get out of poverty and enjoy a decent life of dignity.

Mr Speaker, my five pillar development agenda aims at developing this County in a way that is very different from what has been attempted in the past.

We have made a conscious paradigm shift where we are using the resources and factors of production in this County to transform the lives of our people in simple but very significant ways.

Our county is 30,570 square kilometres of land. We have 1.5 million people who can provide the much needed labour. We have capital of over 11 billion shillings annually from devolved funds and our own revenues. We can access technology locally and internationally. These factors form a very strong foundation for us to transform Kitui, not brick and mortar development.

Mr Speaker, what we need is leadership. We need transformative and passionate leadership that we must provide to connect and optimize on these other factors of production.

It is a leadership that appreciates that the way we have done things in the last 55 years since independence has not worked.

As Albert Einstein famously said, *“Insanity is doing the same thing over and over again and expecting a different result”*

We need a leadership that understands that for us to transform we need a complete paradigm shift and to apply ourselves to addressing the root causes of our poverty and not the symptoms. I believe

that this kind of leadership is seated here in this Assembly and we have what it takes to transform our County. Let us all rise to the call

What we achieve in this County and when we achieve it will depend critically on the kind of leadership that we provide to our people, and whether all these leaders assembled here today remain supportive of each other, and faithful to the promises that we have given to our people.

I want to take this opportunity to thank you Honorable Speaker and Members of the County Assembly, for the support that you have given us so far to our development programmes by passing various pieces of legislation and through statutory approvals of our budgets.

Your contributions have gone a long way to increase the value to our work and transform the lives of our people.

For example, the Kitui County Health Insurance Cover (K-CHIC) whose regulations you approved just about 2 months ago is really a great boon to improving the health care of our people.

Mr. Speaker I am proud to announce that as of now the registration for K-CHIC has passed 70,000 households in just less than two months since its launch.

This is a great milestone, and these Honorable Members have contributed in no small way to this achievement by supporting our launch and roll out campaigns. I thank you very much.

The other pieces of legislation that this Assembly has passed recently like the Emergency Fund, the Climate Change Fund and the Kitui Municipal Charter have gone a long way to enabling our work and the growth of the County in various sectors.

Thank you, Mr Speaker and the members, for approving the Kitui Municipal Board. Following your approval, the World Bank has acknowledged our effort and Kitui is one of the very few Counties that will access the grant towards urban support this financial year. Over and above everything Mr. Speaker and Honorable Members, we have a shared responsibility of making sure that we deliver on the promise of devolution to our people.

We have to deliver to the men, women, youth and children of this great County, the water, the food, the health care, the education, the business opportunities, the women's rights, the youth training that we promised to them, otherwise Musangis and history will judge us very harshly.

Honorable Speaker of the Senate, I thank you very much for making time to be our Chief Guest today. I must thank you also for your transformative leadership in the Senate, and especially in helping the Senate to re-discover its role as a champion for County Governments, and not its detractor.

Perhaps some individual Senators still need reminding that their role is to nurture and promote County Governments and not to undermine them. I have confidence that you will remind those who need reminding.

Finally Mr. Speaker, now that you have this great new place, I need to make a date to come back soon.

If you allow, I need to come back here, exactly a month from now on Tuesday November 6th to address the Honorable Members of the County Assembly and the people of Kitui County in the State of the County Address.

I thank you all very much. God bless you. God bless Kitui-the Mbee Nzei County. God bless Kenya.

The Speaker: Next order.

4. ADDRESS BY THE CHIEF GUEST, RT. HON. SEN. KENNETH M. LUSAKA, EGH, MP AND SPEAKER OF THE SENATE

H.E Charity Ngilu, Governor, Kitui County, Members of the County Assembly of Kitui, Members of Parliament, CECs, Visiting Delegations, colleague Senators present-for the record purposes-Sen Mutula Kilonzo Jnr, Sen Kabaka, Sen Kasanga, Sen Argura from Marsabit and also the Senator from Kajiado. Just like you have been told, I have a delegation from Bungoma including one member of the County assembly, Former member of the Assembly and other politicians. I brought them here to come and benchmark and see what other people are doing and even if I don't say anything else, I want to say congratulations to the leadership of Kitui. I want to thank my Senator and the Governor for inviting me to come and grace this occasion.

Allow me to begin with the words of Marcel Proust: *"The only real voyage of discovery consists not in seeking new landscapes, but in having new eyes."*

I want to applaud the people of Kitui County for having new eyes and electing one of the first three Female Governors in Kenya; when history is written, you will go down as a County for being among the first. You also have a good number of both elected and nominated female MCAs. Indeed one of your own serves as the Vice Chair of The County Assemblies Forum which serves all The Forty Seven County Assemblies. Knowing how the field of gains for elected women in Kenya remains unstable, I must congratulate you as a County for embracing gender parity.

Mr. Speaker, the County Assembly is the most critical stakeholder in county government and is key not only to service delivery but most primarily for sustaining the existence of counties as stipulated in the constitution. The demands on the members' time and support is high not just because of the expectations of the electorate but mainly because of their proximity to the electorates. As a legislature, you lay the foundation for the execution of development your County in time and space and you shall be so judged by the precedents that you set in aligning legislation to performance.

I want to urge you to let your institutions interact with each other without undue individual influences. Looking at your strategic plan, it is clear that the Executive Legislative Agenda has been well thought out and blended. It is not a coincidence that your second most important lesson

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor, through the Clerk, County Assembly of Kitui.*

learnt is “Devolution is the way”. I also note that your core values are; commitment, Professionalism, Integrity, Diligence, and Inclusiveness. Further, you promise to be at the forefront in the implementation of the County Integrated Development Plan, the Kitui Vision for Economic and Social Transformation 2025.

Your mission statement: *“To facilitate and ensure holistic growth of the County through appropriate legislation, effective representation and objective oversight”* assures us that you are not only moving in the direction, but that your focus is right.

Your interaction with one another forms the basis of the growth and development of our agenda both as elected leaders and as members of the County. The greater good that both arms of government must seek is seamless service delivery to the people who elected you into office; it is one of the greatest vehicles that will help you fulfil your mandate.

Mr Speaker, as a Senate, we have played a pro-active role in providing an enabling environment for effective and efficient operations of the counties, both the executive and the legislative arms of government. Our most recent achievement is our inaugural sitting in Uasin Gishu County. We got an opportunity to engage with both the Executives and the Assemblies to chart a course that ensures that the legislative agenda mirrors the Executive Agenda. Further, we shall be considering joint policy direction on governance issues such as compliance reporting in regards to annual reporting and adherence to Access to Government Procurement opportunities.

We found a dire need for a more robust implementation of public participation; I want to say here without fear of contradiction that “wananchi” are hungry to engage with the elected leaders; some just want to be heard. As a Senate, we shall continue to support county assemblies through capacity building programs to ensure that they have the requisite knowledge and experience to discharge their duties well. The primary oversight role of the county assembly must put the citizen’s and the country’s interest first. We must seek to have local engagement for National issues. Looking at your new chamber, I will not be surprised if the first Senate sitting in Eastern is done in Kitui County

To further strengthen our capacity building role, our very own Centre for Parliamentary Studies and Training (CPST), which has in the past offered training to Members and Staff of Parliaments and regional assemblies, recently bid successfully to host the East African Parliamentary Institute. EAPI aims at enabling beneficiaries better appreciate their role and place in the overall context of the Parliamentary system, leading to informed articulation of issues in relation to Parliamentary affairs. As our anchor chambers in devolved governance oversight, I want to assure you that the County Assemblies will be the first direct beneficiaries of this institute.

The Senate and the County Assemblies have a collective responsibility to safeguard devolution as well as the constitution through oversight. I urge you to have a good understanding of the constitution, the standing orders and procedures so as to effectively discharge your legislative and oversight mandate. Devolution must be a key focus; service delivery must be the core mandate and thus should be effectively and efficiently delivered. Inclusivity in decision

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor, through the Clerk, County Assembly of Kitui.*

making is key for co-existence and harmony in the counties in the whole nation. Let us all promote good governance –financial prudence, transparency and accountability’. The Senate should be the last resort for all county matters. It is worth noting that the periodic reports from The Counties – both the Executive and the Assemblies are lagging behind in submission to the relevant bodies and as such, tracking progress and compliance becomes tedious and lengthy.

Before I conclude, I just want tell you that I delayed this morning because we had taken the division of Revenue Amendment Bill for His Excellency to ascend. He has ascended which means, more funds are going to the counties especially in Agriculture and Urban Funds as well as Health. Let us use this money prudently .Sometimes we read very huge figures and then we don’t see anything on the ground. I’m applauding you because this is something we can see, we can touch I’m a witness. If we are going to put up a health facility, please let the health facility that is there be commensurate with the amount allocated for it. As I was mentioning to H.E the Governor, looking at Kitui County Leadership, we are so blessed because your Governor has been a Cabinet Secretary, your Speaker has been a cabinet secretary. My Senator is a very articulate debater and any matter that comes from Kitui, he is always in the forefront and puts a lot of pressure on me. With this kind of leadership and focus and less politicking and less talking, you will go far.

I’ve always talked to members of county assemblies and told them that it’s time we rebrand ourselves and make the people feel we can deliver. So a question is to be put today, tomorrow or after one year whether they feel us, the answer should be a yes. We are the ones to do that. We are the leaders today and looking at this chamber, it is going to attract people. The competition is now going to be very tough. In as much as we celebrate, everybody now will want to come here. You have put a rope around your neck so you must really prove why you want to come back .Who would not want to come and sit in such a chamber? The ball is in your court, you must play your role in oversight. When the county assemblies are playing their role, even the role of the senate will be easier because we all carry out oversight but the first point of call in terms of oversight is the county assembly. When you are carrying out oversight, let it be objective. Let us not use it to fix the executive or victimise the CECS.Lets not use it to stall the executive-let’s use it objectively.That what I want to ensure in Senate.

When we are doing oversight, anybody coming should see objectivity in what we are doing. The last 5 years we used it to fix each other. In the process a lot of counties did not grow. The MCas armed themselves with impeachment, Governors armed themselves with protocol Your Excellency, and Senators armed themselves with oversight. They would summon Governors etc. Instead of working together as a family we spent a lot of time fixing each other.I think that was a learning curve this is the time now to work.

We have no reason not work together since we are a family of devolution and when the history of this country is written, let it be written that we did our best. Somebody said that if you are sweeper, sweep such that when somebody comes let them remember that there was a sweeper who swept well. This is our opportunity we don’t have any other time to transform Kitui. The lives

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor, through the Clerk, County Assembly of Kitui.*

of the people are in your hands .You can count on my support. You know the kind of passion I have on the counties because I have been a Governor myself, now I'm a Speaker. I have been a permanent Secretary. I have gone round and I have a wealth of experience and as I talk I do so with full knowledge that we can transform this country. Let us use this chamber to transform the lives of our people.

As I conclude, I will leave you with the words of Harvey Firestone: ***“The growth and development of people is the highest calling of leadership.”*** Let your greatest duty be the development of your County. **THANK YOU!!!**

ADJOURNMENT

The Speaker: Just a minute, before we adjourn the House, I told you there are people who were not on my list and apologise on behalf of the assembly for example Hon.Mbai-the M.P Kitui East, Senator for Machakos Hon. Kabaka, Senator Godana from Marsabit, Nominated Senator Kasanga-Nominated senator Mary and may be many more others who were not recognized, my apologies.

Hon. Members, the house now stands adjourned until next week on Tuesday 9th October 2018 at 2:30 p.m.

The County Assembly rose at 2:22 p.m.