

**REPUBLIC OF KENYA**

**KITUI COUNTY ASSEMBLY**

**SECOND COUNTY ASSEMBLY- SECOND SESSION**

**OFFICIAL REPORT**

**(THE HANSARD)**

**Tuesday 27<sup>th</sup> February, 2018**

*The County Assembly met at 2:55 p.m. at the Temporary Chamber within the Kenya Forestry Research Institute Offices (Kitui Regional Branch).*

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

**PRAYERS**

**(THE ORDER PAPER WAS READ)**

**COMMUNICATION FROM THE CHAIR**

**The Speaker (Hon. G. Ndotto):** Hon. Members, before I welcome our Senator to address the County Assembly, I take this opportunity to inform you that the Senator is accompanied by other Senators and Members of the National Assembly. I will recognise them by calling their names and once I do that kindly the Honourable Senators and Members of Parliament, wave in order for the Members of the county assembly to see you.

1. Sen. Mutula Kilonzo Jnr- Makueni County
2. Sen. Ole Kina- Kajiando County
3. Sen. Kabaka- Machakos
4. Sen. Kasanga- Nominated
5. Sen. Omanga- Nominated
6. Hon. Gideon Mulyungi- MP Mwingi Central
7. Hon. Charles Nguna- MP Mwingi West
8. Hon. Makali Mulu- MP Kitui Central

Kitui Senator-Hon. Enoch Kii Wambua, the Honourable Senators and Members of Parliament accompanying you as well as the Honourable Members of the Second County Assembly; Distinguished Guests; Ladies and Gentlemen; Good afternoon.

Honourable Members, today's sitting is informed by provision of the County Assembly Standing Order No. 21 (1) which states that; ***"The Speaker may, in consultation with the Leader***

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*of the Majority and the Leader of the Minority Party, allow the Senator of the County or a visiting Governor or other such visiting dignitary, to address the County Assembly on such occasions as may be appropriate.”*

Therefore, we are dignified today by the presence of our Senator-Hon. Enoch Kiio Wambua.

Hon. Members, the presence of our Senator in this House is a clear indication of his interest and dedication not only to this Assembly but the county at large. I am sure that by working together, we will be able to make this county a model for good governance and socio economic development.

Hon. Senator, today, this House is keen to listen to your inaugural address. We appreciate your visit, which tells us that you are ready to amicably work with us to realize the benefits of devolution and prosperity.

As the legislative arm of the County Government of Kitui, this Assembly is aware of the enormous task that lies ahead of us. However, I want to assure you that the Hon. Members are up to the task. We shall continue to undertake our legislative mandate as per the Constitution in order to steer our county forward.

Hon. Senator, I wish to inform you that this House is composed of 54 knowledgeable and experienced members both elected and nominated and who voluntarily left their previous careers and heeded to the higher calling of service to the people of Kitui. Out of these, 36 are men and 18 are women.

Wiper Democratic Movement is the Majority party with 30 MCAs while the Minority party NARC has 13 MCAs. The Independents are 5, Jubilee 3, Muungano 2 PPK 1. This far, I am proud to say that members of this Assembly have shown competence, resilience, and dedication to their new mandate.

Hon. Senator, since inception of the Second County Assembly on 7<sup>th</sup> September 2017, the Members legislative capacity has continued to grow in anticipation of the work that lies ahead. We began on the right footing in matters oversight, representation, and legislation. With regard to oversight, several sectoral committees have undertaken inspection on county projects and are currently compiling reports on their findings. Two other sectoral committees are out on the same mission. Recently, the Assembly passed a Motion on regulation of charcoal trade in the County. The House resolved to support the County Government’s embargo on the illegal activity.

We will do more legislation to uplift our county. The drought situation in our county, which we are all aware of, has negatively impacted on residents’ lives as well as environmental degradation. Hence, urgent measures need to be taken to curb the menace in order to avoid a disaster in future.

Hon. Senators, as an institution, this Assembly, has not escaped challenges. One of them is sitting space as you can clearly see. The room we are occupying now does not bear the semblance of an ideal debating Chamber. However, we are looking forward to shifting to the modern Chamber after construction work is completed.

Hon. Members, Article 96 of the Constitution highlights the fundamental role of the Senate as that of protecting the interests of counties. I congratulate the Senate for the leadership provided so far.

It is now my pleasure and privilege to invite the Kitui Senator Hon. Enoch Kiio Wambua to address the House. Welcome Sir. Thank you.

**SEN. ENOCK KIIO WAMBUA'S MAIDEN SPEECH TO THE COUNTY ASSEMBLY**

**Sen. E.K. Wambua** (Kitui County): Thank you very much Mr. Speaker Sir for the opportunity to address this Honourable House. I will be very brief. I have a written speech, which I will read, and thereafter make a few remarks. I thank each Hon. Member here present for making the choice to avail yourself and listen to me. *Asanteni sana*.

Mr. Speaker, I have come in the distinguished company of Hon. Senators and Members of the National Assembly. I thank you the Honourable colleagues for the great respect you have bestowed on me and indeed on the County Assembly of Kitui. This is, without doubt, the way to go, it is the way of the future.

Mr. Speaker, in the Second Schedule of the County Governments Act, there is a provision for the Senator to address his/her County Assembly. So it can be said, and correctly so Mr. Speaker, that I am here to fulfil a legal obligation.

Mr. Speaker, this assembly and the office of the Senator of Kitui County share very important roles in the best interest of the County Government of Kitui. The same Mr. Speaker is true of all county assemblies and all senators in the 47 counties in the country.

The legislative role of the County Assembly Mr. Speaker is so important to the extent that it makes laws necessary for the effective performance of functions and exercise of power of the County Government of Kitui. Of course honorable members of this assembly are also mandated by the Constitution and the law to oversight the Executive arm of the government. This important function is clearly stated in Article 185 (3) of Constitution of Kenya (2010).

Mr. Speaker, each one of these members is a monitor of county resources in their respective wards and indeed in every corner of the county. In this respect Mr. Speaker, this assembly - as part of its legislative role and mandate - must continuously and consistently receive, debate and approve plans for the management and exploitation of county resources. This provisions is explicitly stated in Article 185 (4) (a) of Constitution of Kenya (2010).

I am happy Mr. Speaker that recently this assembly approved a motion to ban unregulated trade in charcoal and sand in Kitui County. My only concern on this matter Mr. Speaker is that the resolution of this assembly came long after a policy statement had been issued and effected by the Executive. Going forward Mr. Speaker, I would advise that proper procedures and timely consultations be undertaken for a smooth running of affairs in our county.

Mr. Speaker sir, we must all commit to the conservation of our environment and sustainable exploitation of resources within our county. The next step after the ban of the unregulated trade of charcoal and sand Mr. Speaker is a very important step.

We all know Mr. Speaker Sir that thousands upon thousands of families especially in Kitui South, Kitui East, Mwingi Central, Mwingi North and some parts of Kitui Rural have entirely relied on proceeds from charcoal burning to place a meal on the table, educate their children, pay for medical treatment and virtually take care of their daily subsistence. As leaders, we must urgently and in oneness of mind find and make available other sustainable sources of livelihood for our people.

Mr. Speaker Sir, the leadership of Kitui County which this honorable assembly is central part of, must have the courage to stand firm in the protection of our environment and

resources. Equally important, we must naturally be sensitive to the wishes, interests, welfare and aspirations of our people. Striking a healthy balance between the two variables Mr. Speaker is what will define the quality of our leadership.

I wish to remind this assembly through you Mr. Speaker that the County Government of Kitui, and indeed every county government in this country, consists of the Executive and the County Assembly. Article 176(1) of Constitution of Kenya (2010) is clear about that distinction. None of these two arms is subject to the other. None can work in isolation.

Mr. Speaker, the complementary role of the office of the Senator of Kitui County and the County Assembly of Kitui cannot be gainsaid. In the execution of the mandate of the office of the Senator of Kitui County Mr. Speaker, Article 96 (1) of the Constitution of Kenya (2010) charges me to represent my county in the Senate, protect the interests of my county in the Senate (and outside the Senate) and protect the interests of the County Assembly of Kitui in and outside the Senate.

As stated above, Mr. Speaker, the County Government of Kitui consists of this honorable Assembly and the Executive arm headed by the Governor. So Mr. Speaker, and for the avoidance of doubt, it is my constitutional responsibility to take care of the interests of this Assembly and the Executive.

A review of the Senate Hansard reports will show that my commitment to this role is beyond reproach. And for me to continue to be effective in the protection of these interests Mr. Speaker, I urge this Assembly and the Executive arm of the County Government of Kitui to share information especially on matters of policy, human resources and the management of public finances committed to your charge.

I urge this assembly through your office Mr. Speaker to help me establish and entrench proper and effective channels of information sharing as we pursue win-win outcomes for the great people of Kitui County. My office fully commits to doing our part to ensure smooth flow of information.

I am sadly aware Mr. Speaker that this assembly is yet to approve the list of chief officers submitted to your office by the office of the Governor of Kitui County. Details as to what the challenge could have been are yet to be shared. Mr. Speaker, I plead with this assembly to play its role in ironing out whatever issues stand in the way of the said approval. Further delays on this front Mr. Speaker and Hon. Members would only serve to curtail proper functioning of the Executive arm of the County Government of Kitui. But the delay Mr. Speaker, in and of itself, is sufficient testimony that information flow and proper consultations are not taking place between the Executive and the Assembly. Let us all in one accord, Mr. Speaker, seek to cure this anomaly so as to serve our people better and avoid costly delays in service delivery. If Mr. Speaker Sir, justice delayed is justice denied, then it should follow that service delayed is service denied.

Mr. Speaker Sir, I am aware that last week your assembly passed a supplementary budget as requested by the office of the governor. It is only four months Mr. Speaker to the end of the 2017/2018 financial year. This assembly and my office play a complementary role in carrying out oversight on the functions of the County executive. Duty calls us Mr. Speaker to execute this mandate objectively and without malice, prejudice or ill-will. We could choose to be proactive in the exercise of this constitutional mandate. This way we shall avoid unnecessary conflicts in the discharge of our mandate.

It would therefore Mr. Speaker Sir, serve our people much better if all of us

found time and reason to sit both formally and informally to brainstorm and help develop guidelines towards better absorption of funds within the remaining period of time. Failure to do this will only serve to deny our people the much needed service from each one of us.

Mr. Speaker, there is every likelihood that the Senate would soon be debating a bill on a proposed Ward Development Fund. On this matter Mr. Speaker and Hon. Members, when the Bill finally comes up for debate, you can rest assured that the voice of the Senator of Kitui County in support of this initiative will be loud and clear.

As a matter of fact Mr. Speaker, I am in consultation with relevant authorities to consider drafting a Bill or amend excising legislation to allow county assemblies a level of autonomy in the management of their budgets. It is not practical for county assemblies to be effective in their oversight role over the Executive and yet continue to rely on the same Executive for their exchequer.

Mr. Speaker, I appeal for harmony across the political divide in this Assembly. Let us pursue unity of purpose as we serve our county. We must stand united in every good and desirable effort meant to make Kitui County a better place for our people, our visitors and, indeed for all of us.

Soon Mr. Speaker, the IEBC will be embarking on an important nationwide exercise. The commission will be presiding over a review of boundaries for wards and constituencies across the country. This assembly Mr. Speaker will be required to play a critical role in this all-important exercise. I urge members to engage the public fully and properly to correct glaring disadvantages in the existing boundaries within our wards and constituencies. Mr. Speaker Sir, my office will work very closely with the leadership and residents of each of our 40 wards and 8 constituencies to achieve the best outcomes in this exercise.

Lastly and very important Mr. Speaker Sir, the County Assembly of Kitui should, as a matter of urgency, appropriate more money towards the emergency fund in view of the food deficit situation prevailing in our county. Our people Mr. Speaker are starving as a result of recurrent rain failures. We must unite in seeking ways of feeding our people. On this issue Mr. Speaker, every leader in this county must be ready to act to relieve the burden of hunger from the people who elected us. This is my solemn plea to this Hon. Assembly; it is my charge to each of one us. Thank you Mr. Speaker and the Hon. Members of the County Assembly of Kitui. To God be the Glory. Thank you.

Mr. Speaker Sir, if you allow me, I will make some comments about my speech. I have gone round this county and visited most of the wards and discovered that scarcity of food has become a serious issue. That should be a concern to all of us.

There are families which are going for several days without food. Livestock are also affected including mine due to lack of water. There is a big problem.

I want to say without any fear of contradiction that this Assembly has the best brains in the county and should through your guidance find a way of easing the suffering of our people. It is not enough to sit here and make laws although that is part of our job description. Laws are meant to guide operations.

So, Hon. Members I urge for consultation between elected leaders and the County Executive with a view to allocating more money towards the emergency fund to feed our people in view of the looming hunger. This Assembly would be quite in order if it pushes for suspension of implementation of capital projects so that feeding those threatened by hunger remains the focus. Devolution will make sense to the rural folk only if they are able to feed themselves and

their families. Building mega roads, big houses or acquiring state-of-the-art vehicles is meaningless to them.

Mr. Speaker, I challenge the Assembly to come up with legislation which will uplift the lives of our people.

To sum up Mr. Speaker, environmental conservation is a global concern. I have seen people outside this county demonstrating over the ban effected on charcoal burning and transportation. I want to go on record by stating that those demonstrations are doomed and meant to make our people poorer. I urge this House to take a firm stand on the ban on charcoal trade and sand harvesting. I know the Assembly has passed a Motion on the matter but that will not provide the final solution to the problems we face as a county. I know that most of our people have since time immemorial relied on charcoal burning and sale of sand to meet basic needs of life. That is the fact of life. There could be Members of this House whose livelihood was catered by the sale of either charcoal or sand harvesting and that is a fact of life.

Mr. Speaker Sir, as we pursue conservation of the environment, we must urgently find alternative means by which the families affected by the ban will survive. If that is not done, then we shall be killing our people and I believe that is not the motive of the embargo. Let us conserve the environment and also take care of our people. I know a solution will be found if the Assembly gets fully involved in the matter. We should have a win-win situation in terms of preserving the environment and catering for the affected families.

Having said that Mr. Speaker, I will end how I started by thanking the Members for patiently listening to my either short or long speech. Thank you for finding time to listen to me. And to my colleagues, thank you so much for your company and driving all the way from Nairobi to attend this function. I feel much honored. Thank you Mr. Speaker Sir.

*(Foot thumping)*

**The Speaker (Hon. G. Ndotto):** Well, that is the end of the address by our Senator and with that we have come to the end of the Order Paper. We can now adjourn the House.

*(The Members stood up in their places)*

### **ADJOURNMENT**

Hon. Members the House now stands adjourned until tomorrow morning at 9 a.m.

**The County Assembly rose at 3:30 p.m**

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