

**REPUBLIC OF KENYA**  
**KITUI COUNTY ASSEMBLY**  
**THIRD ASSEMBLY- THIRD SESSION**  
**OFFICIAL REPORT**

**(THE HANSARD)**

**Wednesday 4th December, 2024**

*The County Assembly met at 2:47 p.m. in the County Assembly Chambers*

*[The Speaker (Hon. Kevin Kinengo Katsiya) in the Chair]*

**PRAYERS**

**The Speaker (Hon. Kevin Kinengo Katsiya):** Hon. Members, we may proceed with the Order Paper. Next order!

**MESSAGE**

MESSAGE FROM HIS EXCELLENCY, THE GOVERNOR, AS IT RELATES TO THE  
MEMORANDUM ON THE KITUI COUNTY SUPPLEMENTARY APPROPRIATION BILL 2024,  
KITUI COUNTY BILL NO.5

Honorable Members allow me to issue a communication from the Chair; Communication No. 56 of 2024; Communication on the Governor's message as relates to the memorandum on the Kitui County Supplementary I Appropriation Bill, 2024 (Kitui County Bills, No.5).

Honorable Members, as you all may recall, The Kitui County Supplementary Appropriation Bill, 2024 was passed by this House on 27<sup>th</sup> November, 2024 and subsequently, forwarded to His Excellency the Governor for assent in accordance with the provisions of Section 24 (2a) of the County Governments Act 2012 and Standing Order No. 134 (1).

Honorable Members, according to Section 24 (2) of the County Governments Act 2012, the Governor has a window of Fourteen (14) days from the receipt of a Bill to either (a) assent to the Bill or (b) refer the Bill back to the County Assembly with a memorandum outlining reasons for the referral

In this instance, however, his Excellency the Governor opted for the latter, which is, referring the Bill back to the House, and submitted a Memorandum to the office of the Speaker on

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29<sup>th</sup> November, 2024 in accordance with section 24 (2b) of the County Governments Act 2012, of expressing reservations and declining to assent to the Kitui County Supplementary Appropriation Bill, 2024.

Honorable Members, upon such a referral, and as provided for under Section 24 (3) of the County Governments Act, 2012, the County Assembly may, following the appropriate procedure under this section, (a) amend the Bill, taking into account the issues raised by the governor. That means agreeing with the memorandum. Or (b), pass the Bill without amendments. Passing the Bill without amendments means disregarding the memorandum and passing the Bill again, the way it was passed, the Appropriation Bill.

Honorable members in the event of an amendment, it is crucial to note the following provisions of the law pertaining the passage of the Bill a second time. Basically, a memorandum is where the Bill is referred back to us to pass it a second time. So, these are the various legal provisions; -

(a) Section 24 (4) of the County Governments Act 2012, as read together with Standing Order No. 34 (7) envisages that; *“If the County Assembly amends the Bill, taking into consideration the issues raised by the Governor, the Speaker shall within 14 days submit the Bill to the Governor for assent”*. This means where the County Assembly agrees with the Governor in his memorandum and now amends the Appropriations Bill. So, after we do so, within 14 days, the Speaker shall submit the Bill back to the Governor.

(b) On the other hand, as stipulated in Section 24 (5) of the County Governments Act 2012 as read together with Standing Order No. 134 (8); *“If the County Assembly passes the Bill a second time, without amendments or with amendments which do not accommodate the governor's concerns by a vote supported by two thirds of the members of the County Assembly, the Speaker shall within seven days, resubmit the Bill to the governor, and the governor shall within seven days, assent to the Bill”*. This is now where the memorandum comes and the members do not agree with it in full, or maybe they make a few amendments. But that has to be done by a vote of not less than two thirds of the members of this House,

Honorable members, in accordance with Standing Order No.134(4), and in order to ensure a comprehensive review and thoughtful deliberation of the governor’s memorandum, I hereby commit it to the County Budget and Appropriations Committee for thorough examination and subsequent report to the Assembly. I subsequently direct that the committee retreats to undertake this noble task. Thank you.

Hon. Members, having officially committed the memorandum to the Committee on Budget and Appropriations, allow me to say the following with regards to the procedure.

The issue, which I want to specify is that the timelines, so that we are very sure we don't miss. Because if you don't adhere to the timelines, then it means the memorandum will pass as it is. So, we have to really comply with the timelines. We need to be guided by the Standing Orders. Standing Order No. 134 (3) and Section 24 of the County Governments Act, which now provides a scenario where the Governor submits a memorandum, and when the memorandum comes, the Speaker is required to commit it within seven (7) days. So, it came on 29<sup>th</sup>, today is on 4<sup>th</sup> so, we are within the seven (7) days.

I have committed. So, that one we have complied. If we had not committed today, then we will be now failing to respect what the law says. And if I would have committed after seven

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days, then it would mean it is done unprocedurally. So that's why I had to commit today, so as to comply with the law, because I have to commit it within seven days and I should commit the same to the Committee on Budget and Appropriations. Now the Committee has 21 days to work on the memorandum and submit the report before the House. Chair Budget, I've seen you consulting with your active member, Hon. Mutune and the other members of the Committee. Hon. Kalenga, I see you.

So, committee on Budget, you have a maximum of 21 days to work on this memorandum. I believe you shall take less days, but you have 21 days. So make sure that you comply within 21 days. And when you bring the report to the House, I wanted to explain those scenarios where the Committee... We shall be voting on the Committee's report. If in the report by the committee, the committee agrees fully with the memorandum, then members will be voting. If you vote yes, you be voting to support the committee's report. If the committee also amends a few sections of the of the memorandum and now we are voting to support the report, and we vote yes, then it means if there is a vote of more than two thirds, that will mean that the memorandum by the Governor has been defeated. So, a vote by the House will be a vote on the Committee's report. That needs to be very clear; a vote by the members will be a vote on the committee's report.

And any member of this House can bring an amendment if may be a member does not agree with the report by the Committee. Any member can bring an amendment. So this is not the sole duty of the Committee. Maybe the committee may make some recommendations which other members are disagreeing. So, the committee brings a report within 21 days, and the report is tabled; the report can be passed as it is. It can be defeated. If a report by the Committee is defeated, it means the memorandum of the Governor has passed. So, it's good for us to know how important this process is to ourselves. Of course, if the committee agrees with the memorandum by the Governor, then the same shall be submitted to the Governor within 14 days, and the Governor should ascent to it.

If the committee disagrees with the by the Governor, and their report is supported by two thirds of the members, then it means that the memorandum has fallen, and the Governor has, within seven days, ascent the Bill to law. And the law says "shall". "Shall" is compulsory. He has to ascent the Bill to law.

Honorable Members, I want to advise you that budget making is a negotiated process. Let us continue negotiating with the County Executive.

The County Executive brought a proposal, which the County Assembly amended. It appears that the County Executive has not been comfortable with the amendments by the County Assembly. That's where the Governor within the law is given the right to submit a memorandum. So it's upon this House to make the decision. That's why I always tell you, Hon. Members, and even if people don't like when I try to empower you, I'll continue empowering you, because I serve you.

The County Assembly is more superior to the County Executive. Let them take that to the nearest bank. The County Assembly and the law the way it is, the County Assembly is more superior to the County Executive. That's where the governor asked to revert back to us. Even if it disagrees with it, it is us to make the final decision.

Members I want to I tell you one thing; you are elected here by your people to represent them. Please represent them. Don't represent interests of some officers in the County Executive

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or even the entire County Executive. You are not elected by anybody in the County Executive. You were elected by your people to represent them. Please honor that constitutional duty of representing your people.

Those who are nominated, you are nominated to represent a particular category of people in this country; youth, women, people with disabilities and marginalized. You were not nominated to represent anybody in the County Executive. You are nominated not to represent any political party in this country. You are nominated through a political party to represent a particular category of people. Please do so. God, who is in heaven, is watching you. If you want to be compromised by a few coins, a few promises, projects. Call it all, then you fail to respect the God given duty of representing your people, God is watching. God is watching Hon. Members. And I always tell you the truth without any fear, favor or contradiction.

I plead with you, Chair Budget, at your Committee level, bring a good report. If you don't bring a good report, any member here has a right to amend that report. So, let's not think that the Committee on Budget will be compromised to agree fully with the memorandum and feel to do what the people want. That report can be amended on this floor. Do this House a good job.

But also, as you do that, allow negotiation. We are open to negotiation. But the negotiation must be from somebody who is willing to negotiate without intimidation. We can't be bullied by the County Executive. You have your 21 days. Nobody should bully you on when to bring this report to this House. The County Executive must respect that.

I want to appreciate you Members. This morning, you approved the report on extending our calendar for two weeks. I believe Chair Budget kindly and your Committee, within those two weeks, let us finish everything. Even if you have 21 days, just try please. You know, a memorandum, just like a Bill, we can deal with it in a day. So you negotiate, bring a report here, and Members be very vigilant. Office of the Clerk, I direct you with immediate effect, avail copies of the memorandum to the Members. Members, make sure that you have a copy of the Memorandum. Go look into it. When you come here debate on behalf of your people.

*(Hon. Boniface Mukwate entered the Chambers)*

*(Hon. Kalamba Musau Stood at the Bar)*

Hon. Kalamba please take your seat. You know Hon. Katula entered before I allowed him. Hon. Katula because you are a ranking member, just go back and come in again. You entered before I allowed you to enter. I was making my communication. You just entered.

*(Hon. Sylvester Munyalo Stood at the Bar)*

*(Hon. Boniface Mukwate bowed and re-entered the Chamber)*

Hon Sylvester you can come. Yeah, you can come.

*(Hon. Sylvester Munyalo entered the Chamber)*

Thank you.

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So Members, I want just as your leader to just advise you harmoniously. Honorable Sylvester, you are a ranking Member. I've just communicated the Governor's message in the memorandum to the Committee on Budget. Please do us a good job.

I want to be on record on Hansard, that I read the memorandum which is violating Section 130, of the PFM Act as amended by section 11(4) and (5) of the CARA,2021 where Governor wants to take away Assembly re-vote of Ksh. 100 million.

Whoever is advising the Governor should advise him correctly, that you can't on broad daylight violate a law which you say you participated in making. Let him be advised accordingly by those who talk to him.

The Committee on Budget, I want to challenge you. Hon. Sylvester you always say that the County Executive can violate any law, but as in the County Assembly, we can't really dare violate the law. The law is very clear. All Assembly unspent funds in the first Supplementary Budget should be fully re-voted. The Governor wants to take back, take away that money? And they want to politicize? Ah, no! We can't accept that. If members, you fail to defend the Assembly, and if you fail to defend the law, we shall go to court.

It is the court which helps in upholding the laws of this land. The County Executive must respect the law. The County Assembly should not support the County Executive when it is violating the law. Members, I want to challenge you as your leader, and I'm very serious. I'm a lawyer of good standing in this Country, and the law is very clear. Members, the law is very clear. We can't allow impunity to prevail in this County and in this County. Members, the challenge is on you. Let us negotiate about other provisions in this budget.

When I say so, I'm given all names. Oh, there's the Speaker- these contracts. I found this contract here, we are only implementing. Members, the challenge is on you, but I want to assure you, as the Chair of the County Assembly Service Board, whichever decision we shall make, we shall go to court to uphold the rule of law.

The law must be respected, and let this message be passed accordingly to the County Executive. We respect the County Executive, but we are not inferior to them. We are co-partners in this County Government. The County Executive Members cannot operate without us. They cannot. If they feel they can, we can adjourn *Sine Die* and then they continue. If they feel they can. I have the power to adjourn this House *Sine Die*. If they feel they can continue without us, let them continue.

But I want to request you, please members, we have a legacy to leave in this Country. We don't know about 2027. Those who are threatening you about 2027 it is only God who knows about 2027. Nobody knows about 2027 here. People are even trying to threaten you, to instill fear on you. Be firm. If you really fail to be firm, we shall be finished by the County Executive. Nobody in the County Executive cares about you. Nobody. I can tell you for sure, nobody in the County Executive. They will approach you with so many stories. How they will support you and take projects to your ward. It is not a favor. In the next budget making circle, Chair, budget... Chair, Budget, I'm talking to you and your members, in the next budget making circle, we must do the will of the people. Whatever people will say during the public participation, we must do that; not what the county executive wants.

We are not here to serve the County Executive. We are here to serve the people of Kitui County. As your leader, I will not relent. I don't fear anybody. I only fear God Himself. And of

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course, I respect you. You are my bosses. I have to respect you, but I have to advise you accordingly. Whatever somebody has been promised there in the County Executive, tell them you have a duty to serve the people of Kitui County. Don't, beg from the county executive. This Constitution from Article 174 to Article 200, the County Assembly is superior to the County Executive. They don't want to hear that. Look at the County governments Act from Section Eight to Section 30. It talks about the County Assembly, because a county government without a Parliament cannot exist.

Do your work of legislation, of representation and of oversight. Don't do your work of representing the County Executive. Represent the people who brought you here; not the County Executive. We don't hate them, but let them do what people want to be done.

I don't care whatever will happen to me. I have been threatened. I don't care about those threats. I don't fear anyone. Let them come to me. But I have God who is in heaven.

Members I want to appreciate, even when you are electing me, I did not come here with any *godfather*. No *godfather* supported me. You are my *godfather*. That's why I stand firm and protect you. When you see me being firm, it is because you are my *godfather*, and God who is in Heaven is my father. Not a few people who think they are very powerful, who want to intimidate us. Power is given by God and only Him can take it away.

As we speak right now, members, let me say this then I can sit down. The Minister for Finance who is supposed to approve payments for this County Assembly has refused to make that approval.

The Controller of Budget (COB) approved our salaries on Monday. Since Monday, there's a form called Form C which the ministry is supposed to sign. Since Monday, up to date, he has not signed it. Requisitions for allowances for Ward forums and all those other payments, were taken to his office on Monday. Today is Wednesday, just a simple signature. He has not done so. Impunity! I will write to COB, and COB can exempt that part of the minister signing for the Assembly to be paid, because we can't be really threatened or bullied by a minister whom we approved here in this Assembly. We will not accept that, that is impunity of a minister trying to intimidate the County Assembly, trying to think that we shall relent. No! We can never accept to be bullied Hon. Members, and those who talk with them, let them know that we don't fear them, especially myself. I don't fear them.

Members, let us do our work as they do their work. This memorandum has come to us. Let us do justice to the people of Kitui County. Let us do the will of our people, not a few individuals who think they are very powerful. Thank you very much and may God bless you.

Next Order!

## STATEMENTS

### SCHEDULE OF PLENARY BUSINESS FOR THE WEEK ENDING ON 13<sup>TH</sup> DECEMBER 2024,

*(The Designated member of County Assembly House Business Committee)*

**The Speaker** (Hon. Kevin Kinengo Katsiya): Let us skip order No. 7, we deal with order No. 8 first, so defer that one.

Next Order!

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**MOTION**

MOTION ON APPROVAL OF MEMBERSHIP TO THE SPECIAL COMMITTEE ON THE REMOVAL FROM OFFICE OF THE COUNTY EXECUTIVE COMMITTEE MEMBER, CECM FOR FINANCE, ECONOMIC PLANNING AND REVENUE MANAGEMENT. MR. PETER MWIKYA KILONZO.

*(Hon. Harrison Maluki-Leader of the majority Party)*

**The Speaker** (Hon. Kevin Kinengo Katisya): Yes, Majority Leader. You may proceed.

**Hon. Harrison Maluki:** Thank you, Hon. Speaker and my colleague members of the County Assembly. Good afternoon. I beg to move a motion on approval of membership to the special committee on the removal from office of the County Executive Committee Member, CECM for Finance, Economic Planning and Revenue Management. Mr. Peter Mwikya Kilonzo.

Hon. Speaker that pursuant to the provisions of Section 43 A of the county governments act 2012. This Assembly hereby approves the motion on the membership to the special committee on the removal from office of the County Executive Committee Member CECM for Finance, Economic Planning and Revenue Management, Mr. Peter Mwikya Kilonzo as follows:

1. Hon. Jeremiah Musee Mutua
2. Hon. David Masaku Munyau
3. Hon. Jacqueline Kate Kalenga
4. Hon. Fridah Maua Mutinda
5. Hon. Peter Kitonyo Mwanza.

Hon. Speaker, that further, the mandate of the committee shall be to investigate the matter and report to the Assembly within a period of 10 days. Hon. Speaker, before I call a seconder for this motion, this is a motion on the composition of the five-member committee who are supposed to carry out further investigation into the allegations which were on the motion which was tabled here yesterday.

Hon. Speaker from where I sit, I believe that the Members of this committee are competent enough. They will do inquiry into this matter, and I know they will bring a report to be debated in this County Assembly.

Therefore, I request all of you, we support, we approve the membership of this committee. So, that they can get to work do inquiry and report back to this house. And I know the members who have been mentioned in this motion are equal to this to the task.

Therefore, I request you kindly to support this motion. Hon. Speaker, with those few remarks, I would like to request Hon. Ismail Mwamisi, the able MCA for Mutha ward to second this motion. Thank you, Hon. Speaker.

**The Speaker** (Hon. Kevin Kinengo Katisya): Thank you, Majority Leader. Hon. Mwamisi, Member for Mutha Ward.

**Hon. Dominic Mwamisi:** Hon. Speaker, thank you for this air time that you've given me. I rise to second the motion that has been placed on this August House by Hon. Majority Leader, and say I request the members to support it.

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Looking at the names Hon. speaker, I see the names of great honorable ladies and gentlemen of this great house who are able to instill and pass on justice for the Kitui County. Hon. Speaker, I see the names of people of high equality to this honorable House who are going to stand out honorable speaker, and make sure that justice prevailed for the Kitui county. Thank you, Hon. speaker. I second.

**The Speaker** (Hon. Kevin Kinengo Katisya): Thank you Honorable Mwamisi, allow me now to propose the motion on approval of membership to the Special Committee on the removal from office of the County Executive Committee Member, CECM for Finance, Economic Planning and Revenue Management, Mr. Peter Mwikya Kilonzo.

Motion moved by the Chairperson of the Committee on selection Hon. Harrison Maluki Mawia, and seconded by Hon. Dominic Mwamisi.

*(Question Proposed)*

Hon. Members, I want to open debate before I put the question,

Hon. Godfrey. Oh, sorry, your boss is also switching on his microphone? Honorable Boniface, Katula, please. Then after yourself, then Hon. Ndagara,

**Hon. Boniface Katula:** Thank you, Mr. Speaker, for seeing me. Mr. Speaker, I rise to support this motion on the composition of the committee that is going to investigate the matter of one Peter Mwikya Kilonzo, Minister for Finance. The moment I saw the names proposed, I tried to see and investigate about each and every member, and I realized the team is firm and they cannot be compromised.

Mr. Speaker, looking at one Honorable Masaku, his father is a pastor, and he must be true, because he fears God. Looking at Hon. Kalenga Jacqueline, he hails from the media, and you cannot threaten a media person. Hon. Jeremiah was born in a family whereby they were intimidated, so he knows how to survive. So Honorable members, I want to congratulate you, and I support the motion. Thank you.

**The Speaker** (Hon. Kevin Kinengo Katisya): Thank you, majority chief whip. Hon. Ndagara, you know I have to respect House leadership. Deputy Speaker, please take the floor.

**Hon. Nzilu Nzioka:** Thank you very much, Honorable Speaker, mine is very simple, to support the motion and also to appreciate you, honorable speaker, for the well-balanced committee. I've just looked at it and how selfless it is. It has factored in the independent members, member from the minority side, member from the majority, member from the small parties. Honorable speaker, it is a well-balanced committee, so that every function of the assembly is represented in the committee.

My clarion call is with the committee to make an informed decision guided by the evidence on record so that it can report to this House on time. Thank you very much, honorable Speaker, I support.

**The Speaker** (Hon. Kevin Kinengo Katisya): Thank you, Deputy Speaker, you will have to wait again, because the minority whip is senior to you. Hon. Minority Whip, please take the floor.



**Hon. Sylvester Munyalo:** Thank you Mr. Speaker. I'm standing being guided by our own standing orders No. 62 (1) (2) (3) (4), about the removal which has been adhered to by the Constitution under our own standing orders.

**The Speaker** (Hon. Kevin Kinengo Katisya): Please repeat the Standing Order.

**Hon. Sylvester Munyalo:** Standing Order No. 62 from number one to ten. Basically, the whole of Standing Order No. 62.

Mr. Speaker Sir, we have no chance of breaking the law. I am very satisfied with the way that Standing Order has been adhered to as far as the impeachment of the CECM is concerned.

Mr. Speaker Sir, I am on Standing Order No. 192 (a), about the formation of an Ad-hoc committee. The committee we are forming is the same as an Ad-hoc committee. I want to draw the attention of this House to Standing Order No. 192 (a) (1) then (3) which says;

*“Notwithstanding the provision of Standing order No. 153 (1), the Speaker shall, in consultation with County Assembly parties, appoint members who shall serve in any Ad-hoc committee”.*

Mr. Speaker, I'm a minority whip in this Assembly representing minority party, NAC and my senior, the Minority Leader, is not in this Assembly.

Mr. Speaker, I normally speak guided by the Constitution and the Standing Orders. As the Minority Whip, Mr. Speaker, I stand to oppose this motion because we were not consulted. I'm fully guided by the law. I will stand to defend the law. I will stand to defend this Assembly. I will stand to defend the people of Matinyani. I will stand to defend the Constitution of this Country. I will stand to defend our own Standing Orders.

Mr. Speaker Sir, I want to go on record that I wasn't consulted. Consultation doesn't mean we have a meeting. It doesn't mean we sit in a room. Making a phone call or sending a text message is part of it. We even have internet.

Mr. Speaker Sir, having said that, I want to go on a record as a minority whip and state that I wasn't consulted. The Standing Orders are very clear; *in consultation with County Assembly parties, appoint members who shall serve in any Ad-Hoc committee.*

In that committee we have a sharp brain who is the honorable from Nguni, a NARC party member, who has been appointed. But Mr. Speaker, being sharp and being in consultation is totally different. I support him. He's a young, upcoming leader, and I know one time, he will be a leader in this Country, not just in this Assembly, but as Assembly parties, we need consultation. We need to be consulted because we are here by rights. My office is in our Standing Orders and in our Constitution. It is not an Office which I was given. It's an office which has been given by the Constitution.

Mr. Speaker Sir, these are some of the things which are killing this Assembly. Consultation is the key word. I wasn't consulted as the minority whip. I called my Minority leader and he confirmed that he was not consulted. Mr. Speaker, you are allowed by these Standing Orders to appoint members. That one, I cannot question, because it's upon you in our Standing Orders. I am only questioning about consultation. Thank you.

**The Speaker** (Hon. Kevin Kinengo Katisya): Thank you. Before you conclude your point, there are some points of order raised, which means definitely will give you a chance to respond. Honorable Majority Whip, what is your point of order?

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**Hon. Bonface Katula:** Thank you, Mr. Speaker. From where I sit, I was consulted and I consulted the Minority Whip. Thank You Mr. Speaker Sir.

**The Speaker** (Hon. Kevin Kinengo Katisya): Thank you very much. Any other point of order? Honorable Bernard Munyasya, I will only allow a point of order.

**Hon. Bernard Munyasya:** Thank you, Mr. Speaker. Mr. Speaker, I'm disturbed by the wordings of minority whip that, "*these are some of the things which are killing this Assembly*".

Is this Assembly dying Mr. Speaker? I'm wondering. That is like dreaming. The Assembly is doing its duties very well. If from his side where he feels the Assembly is dying, it is not from the side

of the Assembly where we sit. So, I wanted to request him to withdraw that. Thank you.

**The Speaker** (Hon. Kevin Kinengo Katisya): Thank you. Any other point of order so that he can handle them.

*(Hon. Sylvester spoke off the record)*

Honorable Bernard, please come again. Maybe he has not understood you. What did you say?

**Hon. Bernard Munyasya:** I know, it is difficult for him to understand, because he wants to push what is in his mind, which is not right. He has said, "*those are some of the things which are killing this assembly*". What does he mean? Have you understood sir?

**The Speaker** (Hon. Kevin Kinengo Katisya): Thank you. Honorable Ndagara. Is it a point of order? Yes, so that Hon. Sylvester can respond to all of them, although he had said he had finished but I'll still give him a chance, because he's a ranking member, and he has actually appointed a very good provision in the Standing Order.

**Hon. Muthengi Ndagara:** Mr. Speaker Sir, today, the Minority Whip has confirmed to this House, that is an alien in this Assembly. Because Mr. Speaker, he is out of order to put the house into the situation he is putting the house today because he is a person who has been programmed to do whatever he's doing today. Since he is now a sellout of this assembly, he is now bringing his mediocre movements in this Assembly so that he is able to hold this Assembly at ransom. You can only consult someone who is available. These are the people who ran away, and us as the majority side, we consulted them. We talked to them. If they don't maybe adhere to the consultations and they don't want, do you hold the entire Assembly at ransom so that it doesn't continue? It is his side that is dying not the Assembly. So, he is out of order.

**The Speaker** (Hon. Kevin Kinengo Katisya): Thank you, Majority Leader.

**Hon. Harrison Maluki:** Honorable Speaker, is it in order for Honorable Munyalo to mislead this House that he was not consulted in the formation of the *Ad-hoc* committee, whereas, Honorable Speaker, in House leadership, when I am not there, my deputy should be in charge.

I remember very well when we were doing consultations on the selection of these members, the deputy minority leader and the deputy minority whip were there, and those are the representatives. They are part of the leadership; I know they were fully consulted and briefed on the selection of these members.

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Honorable Speaker, I don't think this is a matter we should dwell on, on consultations, because you'll only consult someone who is available. When you are not available, how do you get consulted? The deputies were available, and they were fully consulted, and that is why this list is in this House.

Thank you, Honorable Speaker.

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Thank you very much, I think the other members, I'll give you a chance to contribute. Let's now hear the deputy, or rather, the minority whip, Honorable Sylvester.

You have heard what your colleagues have said, and I'm saying that I actually applaud you for quoting these standing orders, it's very important.

*(Hon. Nzilu Nzioka rose on a point of order)*

**Hon. Nzilu Nzioka**: Honorable Speaker, is the Honorable Member for Matinyani in order to mislead this House, that the committee under discussion today is similar to an ad-hoc committee, whereby our standing order number 192 provides that an ad-hoc committee shall be formed pursuant to a resolution of the House, yet the committee under discussion is formed pursuant to provisions of the County Governments Act.

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Thank you. Honorable Minority Whip, the floor is yours.

**Hon. Sylvester Munyalo**: Thank you, Mr. Speaker.

Mr. Speaker, I'm not a lawyer, but I'm a student of commercial law. I have enlisted myself at Mount Kenya University to pursue a Diploma in Law.

Mr. Speaker, I don't want to become a lawyer but I need to be guided by the law always. That's the reason I quote the law every time I'm contributing in this Assembly.

Mr. Speaker, before I continue, I need you to declare Honorable Ndagara, who is a sharp brain in this Assembly, out of order. I cannot answer him when he's out of order by calling me a sell-out. My worth is known by the people of Matinyani who elected and re-elected me. I will challenge him to be re-elected into this Assembly to have the title of a ranking member. So allow me not to respond to him. He's my junior and he's doing very well in this Assembly. Whatever is good, I normally commend. He's good, he's doing good, but he should mind his language for his political growth.

Mr. Speaker, about the resolution and County Governments Act, which has been quoted by our Deputy Speaker, who is a lawyer, although I have not seen his credentials, but I understand he's being called a lawyer and I always call him a lawyer because he represents people in court.

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Mr. Speaker Sir, I will refer him to our own Standing Orders No. 153 (1), on nomination of members of select committees. I read this book like the Holy Bible throughout so that I don't get confused in this Assembly. That standing order states; *“unless otherwise provided by any right and law or these standing orders, the committee on selection shall, in consultation with County Assembly parties, underline the world parties, Deputy Speaker, nominate members who shall serve on select committee”*, this applies to any select committee. Mr. Speaker Sir, I will refer to Standing Order No. 193....

**The Speaker (Hon. Kevin Kinengo Katisya):** Hon. Sylvester, is the committee we are debating a select committee?

**Hon. Sylvester Munyalo:** I'm talking about the Ad-hoc committee, which is a select committee under Standing order No. 153...but if you guide me, I will withdraw Mr. Speaker Sir, because I stand guided by you.

**The Speaker (Hon. Kevin Kinengo Katisya):** Hon. Sylvester, Standing Order No. 153 is not appropriate in this particular instance.

**Hon. Sylvester Munyalo:** Okay, fine, I stand guided by you, because I know you were a student of law at Nairobi University and you're also doing masters and a PhD in it....

**The Speaker (Hon. Kevin Kinengo Katisya):** I've already done masters; I'm doing my PhD.

**Hon. Sylvester Munyalo:** That is why I can quote you but I cannot quote others, Mr. Speaker.

On this Mr. Speaker Sir, I refer to Standing Order No. 193, whereby.....

*(Hon. Ndagara rose on a point of order)*

**The Speaker (Hon. Kevin Kinengo Katisya):** there is a point of order Hon. Sylvester.

**Hon. Sylvester Munyalo:** Mr. Speaker allow me to finish.

A point of order cannot be raised when I am responding to another point order.

**The Speaker (Hon. Kevin Kinengo Katisya):** What is your point of order Hon. Ndagara?

**Hon. Muthengi Ndagara:** Mr. Speaker, this is a House of order and we must stick to the motion.

Honorable Munyalo is meandering. He's bringing his hullaballos from where he has come from. He should not hold this House ransom.

Mr. Speaker, kindly, can you order out the Honorable Member so that we can continue with the business.

**The Speaker (Hon. Kevin Kinengo Katisya):** Thank you. What is it, Deputy Speaker?

**Hon. Nzilu Nzioka:** Honorable Speaker, I'm rising on the point of order that I raised, and it was not borrowed from all over, anywhere, and from without. It was from the debate that

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the Honorable Member for Matinyani was advancing, in equating this committee to an Ad-hoc committee.

Honorable Speaker, as the Honorable majority Whip says, we are seeing a wastage of time, because, Honorable Speaker, it is very clear. The County governments Act tells the County Assembly to form a committee. The same is being equated to an Ad-hoc committee.

Honorable Speaker, I will be waiting for a ruling from you, and for that reason, I will be forced to read what it is when we refer to the word Ad-hoc committee. Under Standing order No. 192 (a) (1), *“the assembly may, by a resolution, establish an ad hoc committee for the purpose of inquiring into a matter or matters specified in the resolution”*.

Here, the County Assembly, Honorable Speaker, has not made any resolution for this Assembly to form an Ad-hoc committee. It is the law which tells the Assembly, now move, form a committee to investigate into this matter.

Is the Honorable Member in order to equate the committee, which is being debated today, to an Ad-hoc committee? It is not about the select committee and the provisions of standing order No.153, which he is introducing. It doesn't operate here.

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Thank you. I think I will have to make a ruling on this one, but Hon. Minority Whip, I will give you a chance to finish your response.

**Hon. Sylvester Munyalo**: Mr. Speaker, thanks a lot for allowing the Deputy Speaker to bring this matter to that. The Deputy Speaker is fully supporting me when he reads Standing Order No.192.

Mr. Speaker, I've said all the powers are bestowed on you. He told me he's a ranking lawyer, and thanks a lot for supporting me on this.

Mr. Speaker, allow me not to respond to Honorable Ndagara. I will just go to number three of Standing Order No. 192;

*“Notwithstanding the provisions of standing order number 153 (1), the Speaker shall, in consultation with the County Assembly parties, appoint members who shall serve in any Ad-hoc committee”*.

This committee is a resolution of this Assembly. It's a matter which was voted for in this Assembly with a resolution of 34 members versus 12. It's a resolution of this Assembly. With this, I don't need to tire myself. I have I put my voice and I've been heard. I just wanted to be on the record, because the law has been broken.

I therefore oppose this motion because as a minority party, which I represent here, we weren't consulted. That's my point. The other argument of being accused of causing a hullabaloo, are none issues to me.

Mr. Speaker, I rest my case, even if another point of order is raised, I won't respond.

*(Hon. Ndagara rose on a point of order)*

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**The Speaker** (*Hon. Kevin Kinengo Katisya*): What is your point of order Hon. Ndagara?

**Hon. Muthengi Ndagara**: My point of order is; by the fact that Honorable Munyalo is the minority whip, Mr. Speaker, he is not...

*(Hon. Munyalo stood in his place and spoke off-mic)*

Just sit-down brother. I'm saying, Mr. Speaker...

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Hon. Sylvester don't get emotional. We're only debating. You are getting emotional. If you are called a ranking member, act as one. No emotions here. Please proceed Hon. Ndagara.

**Hon. Muthengi Ndagara**: Mr. Speaker, what Honorable Munyalo is trying to do, is to divert the attention of this Assembly by saying that he was not consulted when it is very clear he was consulted and he's just talking for the sake of his record and for the sake of trying to rubbish what the Assembly is doing, Mr. Speaker. And therefore, it should go to the record that he was consulted and he's just refusing to accept that because there are some intentions that he wants to push in this Assembly at our backs. He should therefore the statement that he was not consulted. He was consulted. It's only that he doesn't want to accept he was consulted.

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Thank you. You know Members, there is no requirement of consulting any particular member of the House leadership.

As we debate emotionally and as we read the Standing Orders, Honorable Sylvester, let us not read them selectively. The Standing Orders talks of County Assembly Parties, not a specific member of a County Assembly Party but any member of the County Assembly Party. The question I thought you would be asking is; are all the County Assembly Parties represented in this committee? So, let's argue a law. I'll make a ruling on this one because it has to go on record.

Deputy Speaker, do you want to say something? Because I'm going to make a ruling now on this particular issue.

**Hon. Nzilu Nzioka**: Yes, Honorable Speaker. I was just requesting for the ruling because strictly reading Standing Order No. 192, it doesn't say the committee will be formed by a resolution. It is a resolution to establish an Ad-hoc committee. Standing Order No. 192(3), that the Honorable Member has read, it says you consult in nominating members to serve in the ad hoc committee.

Honorable Speaker, I was raising so that it can be clear in the records that we are not deliberating on any ad hoc committee in this House, at this hour, in this special day. Thank you very much.

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Thank you. I think before we proceed, we need to be guided by the law.

This committee we are forming here is a committee which is supposed to be formed pursuant to section 40, subsection 3 of the Governments Act, which says that;

*“If a motion under subsection 2, and the motion was done yesterday, maybe somebody needs to inform the majority that that motion was done yesterday and it passed, is supported by at least one-third of the members of the assembly,*

(a) *The Assembly shall appoint a select committee comprising of five of its members to investigate the matter,*

(b) *The select committee shall report within ten days to the County Assembly whether it finds the allegations against the County Executive Committee Member to be substantiated.*

I want now to go to standing order No.192 which Honorable Minority Whip has referred to on ad-hoc committees, and members, I want to agree with him that this select committee is an add-on committee, because an ad-hoc committee is formed on need basis, and this need has been caused by the motion which was approved yesterday. So, I agree with you, it's an ad-hoc committee, and that committee will be formed pursuant to Standing Order No.192. To that extent, I agree with you, and that committee will be formed by a resolution of this House. Again, to that extent, I agree with you, Honorable Sylvester, because that's why we are now resolving as a House to form that committee. You know, you are a ranking member, it's good to agree with the good things which are said.

The part now which you are referring to, Honorable Sylvester, on standing order number three, because you know clearly you are attacking the Speaker, because the Speaker is the one who is supposed to constitute this committee, and indeed, in consultation with the county Assembly parties.

The standing orders, Honorable Sylvester, are referring to County Assembly parties, and I want to be on record in this House that I consulted all the Assembly parties when we were forming this particular committee, and the membership to that committee has been forwarded to this House for Approval or rejection.

I therefore rule that Standing Order No. 190 (2) (a) was fully complied with. So we may proceed with our debate.

Honorable Ndagara, now you may take the floor.

*(Hon. Sylvester Munyalo sought airtime to speak)*

**The Speaker** (*Hon. Kevin Kinengo Katisya*): I have already ruled, Honorable Sylvester.

*(Hon. Sylvester Munyalo persisted in seeking for airtime to speak.)*

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Let me give him a second. He's a ranking member. But please don't cause any more harm.

**Hon. Sylvester Munyalo**: Mr. Speaker I'm fully guided by you. I follow the rules and I respect leadership.

Mr. Speaker, you have made a ruling, and I'm happy you have given me a chance to speak after you have already made the ruling.

Mr. Speaker, I'm stand guided by our standing orders number one about your ruling; *"In all cases where matters are not expressly provided by these standing orders or by other orders of the County Assembly, any procedural question shall be decided by the Speaker"*.

Mr. Speaker, I don't want you to answer me now. You can answer me another time. I am referring...

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Maybe you can ask me another time, so that I answer you.

**Hon. Sylvester Munyalo**: Mr. Speaker we need your guidance on this motion, because it's a hot motion for our County.

Mr. Speaker guided by what you have read. When you read in its entirety, Standing Order No. 62 about the members. When the motion is supported by two-thirds of the members, is it two thirds of the members present or it is two thirds of all the 60 members of this Assembly?

This is a matter that has troubled us as an Assembly. We don't want to waste our money in paying legal fees all the time. Let us clearly be guided on the quorum which is needed when we are voting for the motion on removal of the CECM.

Our Deputy Speaker is today seated in this Assembly when we voted him out because we broke the law. We were 42 instead of 45, Mr. Speaker.

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Honorable Sylvester, you are out of order. You are taking us to a different matter.

**Hon. Sylvester Munyalo**: I'm fully guided, Mr. Speaker, but I wanted that ruling, Mr. Speaker.

**The Speaker** (*Hon. Kevin Kinengo Katisya*): That ruling will be done at the right time, not now. Right now, we are just discussing about the special committee.

**Hon. Sylvester Munyalo**: I'm fully guided, Mr. Speaker. The Assembly should congratulate me for thinking ahead.

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Thank you. We congratulate you, Honorable Sylvester. Please proceed, Honorable Ndagara. And before you proceed, Honorable



Sylvester, there is something which Honorable Bernard Mwangangi Munyasya said, you know, you said something about killing of this Assembly. When Hon. Ndagara called you a sellout, you said he should watch his words. Are you not also supposed to watch your words when you say this Assembly is being killed? You know, that is a very heavy word unless you justify, what do you mean by kill the Assembly? There is no other meaning of the word kill apart from taking away somebody's life. So, what did you mean, Honorable Munyalo? This is a House of records, and being a ranking member, please just clarify so that the records are clear. I can see you're going to the standing orders....

**Hon. Sylvester Munyalo:** Yes, that's what guides me Mr. Speaker Sir.

**The Speaker (Hon. Kevin Kinengo Katisya):** About killing of this Assembly?

**Hon. Sylvester Munyalo:** Yes, that's what guides me.

**The Speaker (Hon. Kevin Kinengo Katisya):** Okay, let's see.

**Hon. Sylvester Munyalo:** Mr. Speaker, I'm fully guided by our standing orders. When I speak in this Assembly, I don't need to respond to anything. I can withdraw and apologize, Mr. Speaker. When I do that, I don't need to explain. I withdraw and apologize. Our standing orders gives me that power. Thank you, Mr. Speaker.

**The Speaker (Hon. Kevin Kinengo Katisya):** Thank you. You are very smart. That's why I said you are applying the standing orders selectively. Honorable Benard, this guy is very smart. Honorable Ndagara, please proceed.

**Hon. Muthengi Ndagara:** Thank you so much, Mr. Speaker. I think you'll understand us, and you'll understand the dynamics that we have in this Assembly. I want to quote in Kikamba, when you see some things happening, *"inyungaa kitheka kila yuumite"* (It smells like the bush from which it is coming from). So, let me continue, Mr. Speaker.

Mr. Speaker, I want to take this opportunity to support the motion that has been presented by the Majority Leader. I always like quoting the Bible, because the Bible is the only history that you can refer of the people who triumphed in various battles.

Mr. Speaker, in the land of Israel, when Moses was leading the people from Egypt to Canaan, he had a lot of problems along the way, because he spent around 40 years in the jungle. Moses was a very staunch leader, and he was very strong, like you, Mr. Speaker. But Moses had one weakness. He was so emotional sometimes.

Mr. Speaker, I want you to pay attention to me. Mr. Speaker.

Moses was told by his father in-law that following the much trouble he was undergoing, he needed to divide labor. Moses was advised to select some old men, the elders, so that they are able to him push these people of Israel in the journey.

Mr. Speaker, from the issues that have been arising from this County government, and the issues that were brought in this Assembly, with the weight that they had, Moses from then had to go back to every tribe and choose very competent elders who would be able to advise. That is

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exactly we have done. We have done so in making sure that in every house of the people of Israel and the House of this assembly, all parties, we have elected one elder to make sure that they are able to give us some advice on which direction to go.

Now, Mr. Speaker, what you're doing, there are people who fought for Kenya to get independence. They were caught and jailed. The Kapenguria Seven. Now we have the Kitui County Assembly five who have been put in such a position. This Assembly will have an history to tell after this. We have entrusted them to make sure that you leave legacy to this County, because the task that is ahead of this committee, is so dire to the people of Kitui, and everyone is looking at them.

This is therefore this is an opportunity for you to leave a legacy as a leader so that people in future will emulate you and say that these are generals who led the people of Kitui to liberation. I want to wish them all the best. They are competent ladies and gentlemen and we trust them.

With those remarks Mr. Speaker Sir, I support the motion.

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Thank you, Deputy Majority Whip. Honorable Priscilla Martha Makumi, and then Honorable Sammy in that order.

**Hon. Priscilla Makumi**: Thank you, Mr. Speaker. I rise to support the membership to the committee.

I also wanted to give some information to my brother, Kitheka, who has left. You see, Mr. Speaker, you spend a lot of time making someone work. Honorable Kitheka was working for the money he is paid. So, we have spent a lot of time here for him. Next time, please try to avoid him. Because we will not assist him work. Otherwise, I support the motion. Thank you.

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Thank you. I'm sure he will be briefed accordingly. Let me stop at that. Honorable Sammy.

And thank you Hon. Sammy. Yesterday, yourself, Honorable Ndagara and Honorable Jeremiah really defended the Assembly, when a CECM was attacking this Assembly, the CECM for Culture. We shall not accept any CECM or any member of this county executive to attack the Assembly. Thank you very much, members, for defending this Assembly.

How can they say that the PWD Bill is lying in the Assembly when it is them who have refused to budget money for it? And the minister has the audacity to attack the Assembly in a public forum. You guys did a good job and keep it up. We have to defend this Assembly from these members of the County Executive.

So, please Sammy, take the floor. I know the event was in your Ward and they did not even invite you because of the disrespect. Please proceed.

**Hon. Sammy Muniyithya**: Thank you, Mr. Speaker, for this opportunity. First, I will say congratulations to the team which has just been selected to lead this exercise.

Thank you very much, Mr. Speaker. I have seen the team and we don't have any party which is represented twice.

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Secondly, I have seen gender balance. So, the team looks quite okay, according to me. It is a very neutral team and I am happy for that.

I also wanted to thank my Majority whip, but he has left, for giving us information that he had already given to the people who were disturbing us over here.

Mr. Speaker, sir, we also need to understand where we are. Sometimes you don't need to hear a bell to know that it is morning. You just see the light and wake up.

In this House, we are already having some peculiar people. My pastor somewhere said, for the sake of peace, if somebody is not wise, just say he is otherwise. And I believe peace will be there. We might be having people who are otherwise, in this House. I have just thought, if at all, if it is not for such discussions, where somebody is coming just to disturb us and walk out. By now, we could have been talking about another motion, not this one.

Mr. Speaker, I think we have the 'otherwise' around, and we have to avoid them like plague.

Honorable Speaker, I support this motion. I have confidence with the committee that it will act with integrity. The members are competent and whatever report they bring us, we will support it. We will defend this Assembly by all means because we have only one Assembly of Kitui, which has only one Speaker, not many. We know the place of the executive. We have to defend our House since it is where we belong.

Thank you very much, Mr. Speaker, for the opportunity.

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Thank you. My area MCA wants to say something. Please proceed before I put the question. I saw you consulting with Honorable Mwamisi. Please proceed.

**Hon. Daniel Muange**: Mr. Speaker, I rise to support the committee or the formation thereof. I have looked at the membership. All parties and all shades of opinion are well represented. So we asked them to go sit down and do the work which we have given them. The Bible in the book of Isaiah chapter 62 verse 1 says, for Zion's sake, I will not keep quiet. For Jerusalem's sake, I will not remain quiet until her vindication shines out like the dawn.

This Assembly, and for the sake of it, Kimanzi Muange will not keep quiet. For the dignity of this House to be preserved and upheld, I will not keep quiet.

The only little caution that I want to tell my friends, Honorable Jeremiah and your team, we hear there is money flying left, right and center to influence decisions. Somebody can easily see you as a smaller team that is manageable. But I want you to remain firm and bring a good report so that we can again vote.

With those few remarks, I say, well and good, I support the committee.

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Thank you. Honorable members, Honorable Sylvester, please take your seat. I want to put the question kindly. I want to hear your voice. Please take your seat. Don't go. Take your seat. I'm already standing, so you can't leave.

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Don't sit on the Deputy Speaker's seat. Please sit elsewhere. You are out of order. Go sit next to Hon. Kasungi, he is missing you. Thank you.

*(Question put and agreed to)*

Honorable Sylvester, we must appreciate you, my brother, you are a ranking member, for exercising your right to vote. You are very loud, but you are only alone, so don't worry. It doesn't matter how loud you are, what matters are the numbers, and I think, members, that is the beauty and the joy of debating. Hon. Ndagara, without disagreeing with the Honorable member, there will be no joy. But I am here to guide. Where he was right, I agreed with him. He was right on Standing Order No. 192 but he was wrong on No. 153 which he tried to go back to, but of course it was referred to in 192.

You are a ranking member, and actually you participated in drafting these Standing Orders. And you will help us to amend them. I hope you have noticed that standing Order No. 62 (6), is contradicting the County Governments Act. It is saying the committee should be a third of the members. So, it is contradicting the County Governments Act. So, you will help us, and all of us, we amend these Standing Orders accordingly.

Hon. Members, I want to thank you, and I want to congratulate the committee.

Indeed, I want to confirm Honorable Sylvester, I do consult. I talk to everybody. Even if we disagree or differ in ideologies, I respect all of you. I normally tell people I am not young in politics. I have more than 10 years in politics. I have worked as a personal assistant for a senior politician in this Country, for four years. I have also worked as a political advisor to a former governor for four and a half years. That is already eight and a half years. Now I have been a Speaker for two and a half years.

As leaders let us learn to consult and respect each other's opinion. Even if we differ, let us differ with respect. There is a scripture which my brother read the other day when we were having the dinner. Is it Galatians? Which says, as you fight each other, maybe he can remind us. I love that Bible verse. So that we don't finish each other. Please help me on that one Hon. Gabriel. Please help me, my brother.

**Hon. Gabriel Munyao:** I wanted to cancel that script with another one.

So, honorable speaker, it was Galatians 5:15. It was read in Kikamba.

Let me read it in English. *"But if you bite and devour one another, take heed that you are not consumed by one another"*

In Kikamba, it reads; *"Indi ethiwa nimukuumana na kuisana inywe kwa inywe, isuviei muikaminane inywe kwa inywe"*.

Honorable speaker, I want to end that scripture by encouraging members on the other side. I believe that scripture is a warning, but members took it as a call to bite one another.

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Honorable speaker, I now want to read Romans 12:18; *“if it is possible, as far as it depends on you, live at peace with everyone”*.

So, if it is possible, as far as it depends on you, live in peace with everyone. Thank you, honorable speaker.

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Thank you. What is it Hon. Muange?

**Hon. Daniel Muange**: I want to tell my good friend, who is a minister of the gospel, like me, that scripture interprets scripture. You cannot cancel scripture. I think now you're guided.

**The Speaker** (*Hon. Kevin Kinengo Katisya*): I think it is just the word. I'm sure he's trying to complement what you've said.

**Hon. Gabriel Munyao**: Honorable speaker, I was canceling a notion. The notion that people had in mind because they thought about eating, but now it is all about peace. So, actually, the scripture actually interprets the other, not actually canceling.

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Thank you. What Gabriel is saying, that day when he read that scripture, people thought otherwise, about other things, of eating. Other ways of eating, of biting each other. But what I'm saying is, Hon. Member, we are handling a very sensitive motion and a very emotive motion. Let us be guided by Galatians 5:15 and Romans 12:18 as read to us by our brother, Honorable Gabriel Mutunga Munyao, and as correctly interpreted by Honorable Daniel Muange, that as we argue about all these issues, as we debate, let us know that we are in one family, called the County Assembly of Kitui. Let us not finish each other. We have no friends in the County Executive. If you think you have a friend in the County Executive, lose your job as an MCA and let's see if they will ever call you.

Honorable Kasinga, you are a ranking member. When you lost the elections in 2017, I'm sure you can confirm. People forgot about you. Yes, It is true. Let us not deceive ourselves. We have no friends. We can only be each other's friends. We have no friends outside this Assembly. I will never tire to tell you the truth. Those who are being used by the County Executive to fight each other here, let them be guided by that scripture. If you finish me, and you need me to help you lobby for something in your Ward, you finish your brother, your sister, somebody is going to..., and I was very annoyed yesterday when I followed, a member of this House, when Honorable Ndagara was clarifying on the issue of that PWD Bill, that member was shouting at him in public. Honestly!

Honorable Charity Kathathi we have discussed about your bill, and you know where it is lying. Then a member of this Assembly wants to really say it is the Assembly, and they work here! That member works in this Assembly, and that member is a member of the committee on Culture, and I approved for them to go for that particular event. Thank Charity because you really insisted that I approve the request.

Let us be guided by Galatians 5:15. Let us fight in love. Let us disagree to agree, but above all, we are each other's brothers and sisters.

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So, members, with those many remarks, I wish members of the committee all the best. Honorable Jeremiah, Honorable Masaku, Honorable Frida, Honorable Kalenga and Honorable Peter, please do us a good job. We are not dictating to you how you will do your job, but I want to request you, 10 days is a very short time. Please start your work immediately. I will be available to guide you. Our Standing Orders requires us that if need be, we can even get an expert to help you.

Do a democratic election. Whoever becomes the committee chair will be in charge of the committee, and all shall be well.

Having said that, I think I can give any member of the committee who wants to say something, just one minute, just to say something before we proceed with the order paper. Thank you very much, and congratulations, members of that special committee. Thank you.

Honorable Jeremiah, please take the floor, my brother, the Deputy Minority Leader, who was properly consulted.

**Hon. Jeremiah Mutua:** Thank you, thank you, Mr. Speaker. I want to say thank you to yourself and to the August House for seeing us fit to be part of this special committee, which has a very huge or enormous task ahead of us, touching a matter which is affecting the people of Kitui County, the governance, and the operations of this County Assembly.

Mr. Speaker, I don't want to speak on behalf of the four other members of this committee, but as Honorable Ndagara said, when I learned about the motion which was given a notice yesterday while I was in Mwingi with the Committee on Culture for the event which was happening at Mwingi Resource Center, it was after that function when I checked on our Facebook account and I saw a communication that a notice of motion has been given to be debated today for the House to give a resolution for this committee to undertake this important task ahead of us. When I found my name there, I spoke into myself, into my own senses, and so the benefit of being to this committee, the outcome, what the Assembly wants, and what the people of Kitui County want from this committee.

Mr. Speaker, I'm very much aware that the motion which was tabled yesterday and supported by more than a third of the Honorable Members of this House, Mr. Speaker, is a matter that touches issues in this Kitui County. I understand a motion is a belief that someone believes that somebody has committed an offense or has done this and that and that and that. A motion comprises of a belief where someone is believing that something is not happening very well. Others, we call them allegations. But Mr. Speaker, I know the mandate of this committee as to have bestowed powers upon us, it is to investigate and see whether the contents which are contained in this noble motion serves the right to tell the accused, yes, it is true that we have found that in this and that you went against the law. We will therefore need to give a report to this August House.

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Mr. Speaker, at the same time, we will be very fair to listen to the accused on some of the matters. I want to promise the people of Kitui County that the committee is going to be free, is going to be fair, is going to listen desirably to all the parties involved and give a report to the floor of this House. The report is going to reflect on the findings and resolutions from our discussions with the accused people.

I want to assure you as a member of the committee, that we'll do all what it requires to give the best to the people of Kitui County. We work for our people and not for individuals.

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Thank you. I like your parting shot; work for the people and not individuals. Thank you very much.

I think we may proceed because I can't see any other member who is ready to contribute. Oh, Hon. Jacqueline Cate Kalenga. I don't hear colleagues calling you Cate. You know Cate is a very beautiful name. Just like you. Please proceed.

**Hon. Jacqueline Kalenga**: Thank you, Mr. Speaker, Sir. First, I would like to thank the Majority Party, for seeing it wise and having faith in me to be in this committee. I know it is not an easy task.

As we embark on this journey, I request for prayers from this House and from my side, I promise I will be fair and just to one Peter Mwikya Kilonzo. We will listen to him, we won't judge him. After our investigations, we will bring a fair and a just report to this House for the sake of Kitui County. So, help us God. Thank you.

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Amen, and Just to mention that, please, members of the Ccommittee, just know that you are a committee to represent this House, not to represent your respective parties. So, Hon. Jeremiah, don't take any instruction from your party, Hon. Kalenga, don't take instruction from your party. You are now representing this house. I know some of you are being intimidated by your respective political parties. Please be firm.

You are a committee appointed by this house, not by the political party. Please do us a good job. And I like Hon. Kalenga's the words, be fair and just to the CECM, fair and just.

And that is a very good way of dealing with it. And we shall pray for you. We shall pray for all of you and please be very safe. You can be kidnapped; people are saying they want to kidnap you. We shall take care of you, don't worry. We shall take good care of you. And God who is in heaven will also take good care of you. We shall pray for you. Hon. Fridah Maua

**Hon. Fridah Mutinda**: Thank you. Mr. Speaker, Sir. Let me stand here and thank the House for having trust in us that we are going to represent this House well. We are going to be just to the accused. And also, I want to be fair to prove to the people who are accusing, whether it is true or false. I need to prove to them, if it is true, Peter Kilonzo is guilty. So, I'll ask this House to give us all the support we need, that we can give a fair judgment and the truth to be uncovered, Thank you.

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**The Speaker** (*Hon. Kevin Kinengo Katisya*): Thank you very much. We shall support you and your colleagues so that you give a fair judgment. Hon. Masaku, ranking member, and I like your humility. You don't intimidate us and bully us like some ranking members whom we cannot mention. We like how you guide us politely as your young brothers and sisters. Please take the floor.

**Hon. David Masaku**: Thank you, Mr. Speaker, for giving me this opportunity. I'll also join my colleagues to thank the Hon. Members for approving our names so that we can go and do investigations on one Mr. Peter Mwikya Kilonzo. Mr. Speaker, we assure you we are going to be very fair so that we can bring a very good report here. I think we will have all the evidence so that we can prove what was moved by the mover whether true or false.

So, I just wanted to inform the House to believe in us. We are going to bring a very fair report to this House. Thank you, Mr. Speaker.

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Thank you, Hon. Masaku, member for that committee. Thank you, members. We may proceed. Now we'll go back to order seven (7). Next order.

## STATEMENTS

- I. SCHEDULE OF PLENARY BUSINESS FOR THE WEEK ENDING ON 13TH DECEMBER 2024.  
(*Designated member of the County Assembly Business Committee*)
- II. STATEMENT REQUEST TO THE CHAIRPERSON COMMITTEE ON AGRICULTURE, WATER AND IRRIGATION ON THE STATUS OF WATER PROJECTS IN THARAKA WARD.  
(*Hon. Godfrey Muthengi Ndangara MCA, Tharaka ward*)
- III. STATEMENT REQUEST TO THE CHAIRPERSON COMMITTEE ON AGRICULTURE, WATER AND IRRIGATION ON THE STATUS OF THE PROPOSED CONSTRUCTION OF 100-METRE CUBIC MASONRY TANK IN MISEWAN VILLAGE IN KYANGWITHYA EAST AND OTHER WATER PROJECTS.  
(*By Hon. Boniface Maundu Katumbi, Mca, Kyangwithya East Ward*)
- IV. RESPONSE TO THE STATEMENT REQUEST BY HON. CYRUS MUSIOKA-KISAVI ON LAYOFF OF COMMUNITY HEALTH PROMOTERS.  
(*By the Chairperson Committee on Labour and Social Welfare*)

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Thank you, Let's begin with the schedule of plenary business. I think the designated member is Hon. Godfrey Muthengi-Ndangara. Please take the floor, Hon. Godfrey. A very energetic and active member of this House who always defends this Assembly even when he is surrounded by enemies of this Assembly. Keep it up, Hon. Godfrey Ndangara

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*(Laughter)*

**Hon. Godfrey Ndagara:** Thank you so much, Mr. Speaker. You know, before I start, Mr. Speaker, there is one thing that I believe, patriotism is very important. When you talk of patriotism, you don't talk of patriotism of a Country.

First of all, you need to love where you come from, you need to love yourself and your family, and you also need to love and defend the institution which you work for. Because, Mr. Speaker, someone will not tell you that your wife is a foolish, and then he calls you for a cup of tea as the husband of the house, then that one would be quite funny of you.

So, therefore, thank you so much, Mr. Speaker, for commending me for that.

**The Speaker** (*Hon. Kevin Kinengo Katisya*): You are welcome.

**Hon. Godfrey Ndagara:** Thank you. So, members of the County Assembly of Kitui and my brothers and sisters, I'm Honourable Godfrey Muthengi Ndagara, Member of County Assembly and a member of the House Business Committee.

*(Hon. Godfrey Muthengi Ndagara read the schedule of plenary business  
for the week ending on 13th December 2024 )*

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Thank you, Hon. Godfrey Muthengi Ndagara, for laying that schedule. Members, just to clarify, we had not scheduled committee sittings for this week, for Thursday and Friday. I hope you know why. Our calendar was ending today, and we have only extended the calendar today morning. So, these committee sittings are for next week. That should be very clear.

Any committee which wants to have a sitting, can request for a special committee sitting, I will approve. So, tomorrow, Thursday, and Friday, there are no committee sittings. They have not been scheduled.

So, these committee sittings are for next week. I hope that is clear, members. Please communicate with other members, Major Leader, so that members don't come here tomorrow for a committee sitting.

Please liaise with the Chair of Chairs, so that we communicate with our other colleagues, so that we don't inconvenience our colleagues. Tomorrow and Friday, there are no committee sittings. I hope that is clear. Thank you very much. Let's now proceed to the next statement request by the Hon. Godfrey Muthengi Ndagara. Please proceed.

**Hon. Godfrey Ndagara:** Thank you so much, Mr. Speaker. Mr. Speaker, I want to move a statement request on the status of water projects in Tharaka Ward.

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Mr. Speaker, Sir, pursuant to provisions of Standing Order No. 41, Subsection 2 C, I would like to request for a statement from the Chairperson Committee on Agriculture, Water, Irrigation on the status of water projects in Tharaka Ward.

Mr. Speaker, whether the Chairperson is aware that there has been an acute water shortage facing the residents of Tharaka Ward due to stalled and neglected water projects, a state of affairs that has caused immense hardships to the community by disrupting daily routines and impacting negatively on the health and sanitation of the people of the Tharaka.

Mr. Speaker, whether he is further aware that Kamwerini rock catchment in Kathungu village was constructed during the first county government generation and is in a dire state where tanks have collapsed, kiosks meant to serve the community are left without water.

Mr. Speaker, despite the significant usage of the public funds, the government has failed to maintain the project leading to its current deplorable state resulting in significant wastage of public funds.

Mr. Speaker, whether he is also aware that Shegachinka borehole in Ngakombe village, which was drilled during the second generation of the county government, was carved and left incomplete. The relevant county ministry has failed to finalize and operationalize the project, leaving the community without the intended benefits.

Mr. Speaker, concern that Karundu, Gachigongo and Mirambe/Ekamba boreholes were drilled and equipped but are currently non-functional. Millions of shillings were spent on this project, yet they remain unable to serve the community, thus resulting to imprudent use of the public funds.

Mr. Speaker, Sir, pursuant to the provisions of Article 43 (d) of the Constitution of Kenya 2010, water is a basic right whose access should be guaranteed. Lack of access to clean and safe water in adequate quantities infringes on the rights of the residents of the Tharaka Ward.

Mr. Speaker, Sir, this situation requires urgent attention to ensure that the populace of the Tharaka Ward assess adequate and reliable provision of water and further ensure that public funds are used prudently.

Therefore, I seek a response from the Chairperson of the Committee on Agriculture, Water and Irrigation within 21 days on the following concerns:

- I. inquire into reasons behind the water shortage in the Tharaka Ward and provide a comprehensive report detailing why these projects are non-functional and neglected.
- II. clarify when the government intends to repair and operationalize these projects to restore their intended purpose.
- III. provide strategies the line ministry is putting in place to ensure sustainable water supply in the Tharaka Ward.

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Mr. Speaker, I want to place a statement request.

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Thank you, Hon. Ndagara for that statement request. I must applaud you and Hon. Katumbi and Hon. Mulandi Benjamin and I think Hon. Bernard Mwangangi Munyasya and so many of us who have been bringing statements.

They are very important members. But after you make it, follow up on the response and not only the response but implementation because I'm sure sometimes it's like we are doing them for formality.

So, we have to make sure the County Executive must implement whatever we agree with and this matter of water is very sensitive and I want therefore to agree with you and commit this statement request to the Committee on Agriculture, Water and Irrigation to bring a response within 21 days. Basically, before we go for the recess on 18th of December, the Committee on Agriculture, Water and Irrigation, I want a response here.

We can't go for a recess without this response. So, Hon. Ndagara if they don't start sitting next week, let me know. They need to sit immediately and work on it and request the minister to respond. All you need is a response. Not an oversight. I'm sure you have gone there, that's why you have brought this statement request.

So, the Committee should do so. Hon. Katumbi, I think you are next. I think I saw your statement request. Please proceed.

**Hon. Boniface Katumbi**: Thank you, Mr. Speaker, Sir. Before I give the statement, it's good to thank you because today in the morning I talked with the Chairperson, Committee on Health and Sanitation and I informed him that I requested the statement on 30th October, 2024.

Mr. Speaker, 21 days are over and he has not requested permission for extension of the period after the lapse of 21 days, Mr. Speaker. But because I talked with him on a light note, Mr. Speaker, let me give the statement request.

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Hon. Katumbi, thank you for reporting him to me. I will handle him accordingly because he has not complied with the orders of the Speaker. I will deal with him. Sergeant-at-Arms, Hon. Benard Mwangangi Munyasya, should not leave this chamber until I finish with him. Let him sit there until I finish with him.

*(The Speaker chuckled)*

Hon. Katumbi, please proceed.

**Hon. Boniface Katumbi**: Thank you, Mr. Speaker, I beg to request a statement on the status on the proposed construction of 100-meter-tubic masonry tank at Misewani Village in Kyangwithya East Ward and other water projects.

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Mr. Speaker, Sir, pursuant to the provisions of Standing Order No. 41(2), C, I would like to request for a statement from the Chairperson Committee on Agriculture, Water and Irrigation on the status of proposed construction of masonry tank 100-tupic meters at Misewani Village in Kyangwithya East Ward and other water projects.

Whether the Chairperson is aware that the contractor of the proposed 100-meter-tupic masonry tank in Misewani Village was awarded the tender and after site handing over, the contractor abandoned the site. This has left the community struggling with water shortages, especially those relying on Masinga water supply due to lack of storage.

Whether he is further aware that Mutuni and Katia pipeline extensions were left incomplete, resulting to imprudent use of public funds.

Whether he is also aware that Museve borehole, which was funded by a non-governmental organization that is UNICEF and is managed by Kitui Water and Sanitation Company (KITWASCO), remains underutilized due to lack of solar power installation to pump the water, as it is currently operated using a generator, which turns out to be very expensive to operate due to high cost of fuel.

Concerned that Mutolukuni Secondary School borehole, awarded under the Community-Level Infrastructure Development Programme CLIDP), in the financial year 2023-2024, at a cost of Kshs 1,996,265, has not been drilled up to date, considering that transparency and accountability in the execution of public funded projects are critical.

Mr. Speaker, Sir, pursuant to the provisions of Article 43 (d), of the Constitution of Kenya 2010, water is a basic right whose access should be guaranteed. Lack of access to clean and safe water in adequate quantities infringes on the rights of the residents of Museve and Kyangwithya East Ward at large.

Mr. Speaker, Sir, I seek response from the Chairperson, Committee on Agriculture, Water and Irrigation within 21 days on the following concerns:

- I. An inquiry as to what led to the stalling of the construction of a 100-metre cubic masonry tank in Misewani Village.
- II. The measures that the relevant County Ministry is putting in place to ensure the stalled projects are completed.
- III. Provide a timeline for the solarisation of the Museve borehole and the pipeline extensions to Mutuni and Katia markets.
- IV. Strategies that the line ministry is employing to address the pipeline burst affecting Misewani and Museve villages to restore water supply to Kwa- Ukungu and Waluku residents.
- V. launch an investigation into why the project was not implemented despite being allocated funds. Provide the name of the contractor awarded the borehole and

finally clarify the timeframe provided for such contracts to be implemented or cancelled for non-compliance.

Mr. Speaker, the statement is signed by me, Boniface Maundu Katumbi, MCA Kyangwithya East Ward. Mr. Speaker, I beg to lay.

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Thank you, Boniface Maundu Katumbi.

I hereby commit this statement request to the Committee on Agriculture, Water and Irrigation to look into it, to inquire more and report to this House within 21 days and strictly 21 days and again I want to emphasize that by the time we adjourn this House for the December recess, this report, this response must be brought to the Committee so members of the Committee on Agriculture, Water and Irrigation act on this matter with immediate effect.

Hon. Katumbi, I sympathize with you, you have brought so many requests here. I don't know whether, apart from being responded to they have ever been implemented. Because these things you have brought here, are very important.

You have brought others here which are very important. Is the County Executive really implementing our resolutions? Because it will be a wastage of time if they don't implement what we say here. It is better we don't even put this statement request or motion because they need to respect this, yeah? And our committees, please, don't sleep on your job. At least do your job, bring a resolution. Let us say the Ministry has failed.

So, Hon. Katumbi I don't know whether the response on animal loitering in Kitui and Mwingi towns, whether it was ever acted on. I don't know whether that response you put to Hon. Chairperson, Committee on Health and Sanitation and you are here, as a ranking member.

Hon. Bernard Mwangangi Munyasasya, what explanation do you want to offer to this House for not bringing that response on time? And what do you want the House to do? Because, kindly, we need, just write a letter to the Minister, the Minister should respond. Give the Minister at most seven working days, at most. Let them bring a response. And just bring the response to the floor.

You know, you are the link between the member and the Ministry. You are the link, yeah? The Committee on Water and Agriculture is a link between the Hon. Ndagara and Hon. Katumbi on water issues and Agriculture issues in their ward.

So, the Committee on Water is the link to the Ministry. So, Hon. Chairperson, Committee on Health and Sanitation, kindly, what do you have to tell this House? So that we are on record, since I directed that the Committee report within 21 days. Please take the floor, ranking member.

**Hon. Benard Munyasasya**: Thank you, Mr. Speaker. Thank you once more for giving me the opportunity to respond. Since my friend, Hon. Katumbi, has mentioned me on record. In the morning, it is very true, he asked me about the response. And I had some explanation for him. Of which I thought we agreed because he seemed to have been satisfied by what I told him.

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Mr. Speaker, we had two statements last month, but one. Which the Minister replied, but unsatisfactory. Later, we got another three statements. And we forwarded to the Minister, Waiting for the response. Then we called the Minister and the team to respond on the five statements. Because we saw it was not prudent to call her today and tomorrow, we call her again. So that is why we have not responded. We are very ready to go, Mr. Speaker. Thank

**The Speaker** (*Hon. Kevin Kinengo Katsiya*): Thank you, Hon. Chairperson. Next time, kindly, if you don't comply with the timelines, seek for more time. I'm sure the presiding Speaker that day will grant you some more time. So long as you justify why you are late. I agree with you, if you receive another statement request, it is good you compile them. You compile all of them. Like now, the committee should compile the two statement requests by Hon. Ndagara and Hon. Katumbi and bring them together.

So, the Committee can compile them. You don't have to bring the two reports separate. You can compile two statement requests. And Hon. Members, just to guide you, if you see that the statement request, the issues which are there, needs to be adopted by the whole house as a resolution, you can do the response as a motion.

You can bring a motion so that the whole House can help you follow up on that particular issue. If you bring a statement response, it means it is only the committee which can follow up. Because the response is with regards to that particular ministry. If the issue is weighty, and you want the whole house to help you follow up on implementation, instead of bringing a statement response, you can bring a motion. You know a motion, all of us, we vote on it.

So, the whole House will help in following up but if you bring a statement response, it is only the committee. Like the one which was brought by Hon. Kasungi for labour. You see the issues which were there were weighty. And up to now, they have not been acted on. So, it is only the committee on labour to follow up. But if the committee on labour wants the whole house to help them follow up, they have the liberty to bring a motion which the whole house can adopt, and we can follow up on it as a house.

So that is my humble advice. When you get a statement request, you don't have to really bring a response. A response is when you think it is a committee, you can follow up on your own. But if you want the whole House to help you follow up, you do what? You bring a motion.

I hope I have been understood. Because a motion, we can take it upon them. And actually, failure to implement an Assembly resolution in a motion is a ground for impeachment of anybody. So, anybody who has failed to comply with Assembly resolutions, we have a duty to do of oversight. Because all assembly resolutions must be complied with.

So, thank you, members. I thought it is good for me to guide you. We don't do these things for formality Hon. Katumbi. And I really feel for you, and that's why we said this house will help you do your work on the ground. And it is so unfortunate. An incomplete project. Since when has it been incomplete? For how many years?

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**Hon. Boniface Katumbi:** Mr. Speaker, the borehole has taken one (1) year and the masonry tank has taken more than three (3) years.

**The Speaker (Hon. Kevin Kinengo Katisya):** You can imagine. And we are busy allocating money for other non-essential projects and programs. Honestly, members, water is very critical to our people. How much will it cost? Only less than two million for a County Government to really take care of these people of the Kyangwithya East. And we pass the resolutions here.

The County Executive does not implement them. They are busy bringing other programs here without even consulting the people. Their own programs which they want to run. Hon. Katumbi, I feel you, my brother. And all of us who are here, Hon. Ndagara, I have seen your statement and request. I also feel for you. These people are suffering. We need to address the needs of our people. Not our own needs.

You know some people here in this government are addressing their own personal needs. Not the needs of our people. I will not fear to say the truth. Because we are here to represent our people. I like what Hon. Jeremiah said; "That we are here to serve our people. not individuals". Thank you very much.

The statement response by the committee on labour, we have deferred it to next week. So even if you look at the schedule, it is next week Wednesday at 2.30 p.m. So, we have deferred it.

So, members, we are done with today's order paper. Unless there is anything pressing. Which I can give one minute. Anything pressing before we adjourn the House? I think nothing is pressing. Thank you very much, members. I appreciate you. We are doing a good job. Members, before I adjourn, I want to say thank you very much for all of you. For actively participating in this afternoon sitting of this house.

Indeed, today was supposed to be the day which we were to adjourn the House for the December recess. But you, in one accord, agreed to extend our calendar. Did any member oppose the Deputy Speaker or who was here in the morning (as the Speaker of the morning sitting). Majority Party Leader?

**Hon. Harrison Maluki:** No.

**The Speaker (Hon. Kevin Kinengo Katisya):** Thank you. So, no member here opposed that motion. And I really appreciate members. I am actually encouraged. I know this month has been very tough for all of us. We have not had any welfare program. Members, welfare is very important. We are going for Christmas.

So, let us persevere. We are only serving our people so don't worry. We shall ensure that you are properly facilitated. Leave that to me. I will ensure that you are properly supported. Always. I will always support you, I promise you. I will always support you as you do your job. So that you have the capacity.

You know when you have no capacity Hon. Zack, even if you are the Chairperson for Budget Committee and the minister you are dealing with has more capacity than you, they will

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overpower you. Let me look for another chair, Hon. Muange, even, if you are the Chairperson, for Environment and I fail to support you and the minister for environment is fully supported by the County Executive and is more energetic than you, they will overpower you.

So, I want to assure you members I will always support you. So that the County Executive does not overpower us. Sometimes they overpower us. You know Swahili people say “*mwenye nguvu mpishe na usipo mpisha atapita na wewe*”. Let us not say that they have more power than us. No. “*sisi ndio wenye nguvu, wanafaa watupishe na wasipo tupisha tunapita na wao kwa niamba ya watu wetu*” and that is what we should always know. That this honourable House must be respected. We are the people's representatives. We are not here to represent any individual.

Hon. Jeremiah, I like your words. I like using people's words. We are here to represent the people. Not individuals. Even me here, I am here to represent this County Assembly. Not anybody else. But members of this County Assembly, both the honourable members and the staff who work tirelessly. I also want to appreciate our staff because they help us a lot to be very honest. I will read my detailed communication here so that you how much progress we have made as a House. We have done a lot Hon. Nzavu, we have done a lot and I want to congratulate you. It has been a successful session. Very successful.

So, thank you members for that. Even in the calendar you saw after we extended for two (2) weeks we did not extend when we shall resume. We shall still come on time. On the 11th of February. We shall still come on time because we want to work and serve our people.

So, I really congratulate you for that and I will always support you so that we do our work. Let me repeat again that there are no committee sittings for tomorrow and Friday but any committee which wants to sit can request for a special sitting and I will approve.

I want to repeat members, let us persevere on financial matters. Our salaries were approved by the COB on Monday. The Minister of Finance is yet to sign Form C to go to Treasury for payment. We shall take it upon him. He has a duty to do. Also, our requisitions for other payments, ward forums and other allowances again the Minister has failed. He has refused to sign them. No problem. We shall not beg him to do so.

*(Hon. Kasungi walked in the Chambers)*

Hon. Kasungi please take your seat before I adjourn the House.

*(The Deputy Speaker stood in his place)*

**The Speaker** (*Hon. Kevin Kinengo Katisya*): Hon. Deputy, do you want to inform me? I was adjourning the House but I can give you a minute.

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**The Deputy Speaker (Hon. Christopher Nzilu):** Not really informing you Mr. Speaker but to the Hon. Members, it will be very bad for any public officer or state officer who fails to execute their duties. It may form a further ground on top of the already existing ones.

So, Hon. Speaker, I call upon the Hon. Members to be ready in case of any ineffectuality another one on these grounds we have. It demonstrates the highest degree of incompetence, arrogance and don't care attitude for our state officer. Thank you very much.

**The Speaker (Hon. Kevin Kinengo Katisya):** Thank you, Members because that matter is now properly under the Committee which has been formed. I will not go into it. I was only addressing it and I agree with you that it is not proper.

We cannot beg Hon. Sammy, you were elected by the people of Kivou and our colleagues nominated you out of more than millions of party members. Hon. Rose Kathoka, out of more than almost a million Wiper Party members you were nominated to represent the PWDs.

So, a minister whom we approved here, when they were literally pleading with us to approve them then they want to appear they are more powerful than us. No! Members we shall take back our power. We shall not allow them to go with our power.

I will lead in the fore front, I am a soldier. Let them shoot me first before they shoot you. You have seen they have been shooting me in public, assassinating my character calling me all sorts of names. And unfortunately, some colleagues are joining them in calling me all sorts of names. It is so unfortunate.

It is also extremely unfortunate when a very junior officer in the County Executive working in the Governor's communication department. One David Musili another one called Baraka Muli, addressing the Speaker of the County Assembly of Kitui! They don't know who I am. Chairperson, Committee on Labour, you have work to do my friend.

We can't allow junior officers in this county executive... maybe that is the arrogance which they have inherited from their seniors. We can't allow them to disrespect this House, I will defend myself and I will also defend you. We can't allow anybody to disrespect us.

So, Chair Labour, you know what I mean. I commit that statement request to you. Within 14 days you bring a response here where a junior officer is maligning the name of a whole County Assembly Speaker in social media. Me, No! I will defend myself through you. And any member here who is attacked by any civil servant. We shall deal with them. We have rules. How can a civil servant engage into politics? A civil servant are they are paid by taxpayers' money to engage in politics? I like our staff in this County Assembly and keep it up our staff. Don't go into politics. I have never seen any of our staff in those politics.

I have never seen any of our staff to be very honest. Have you seen any members?

**Hon. Members:** No

But we have notorious junior officers in the County Executive who think that they are more superior than us. No, Members I will stand firm and I will defend you. I will be in the forefront to

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defend you. And if they take instruction from their seniors we shall deal with those seniors who are instructing them to undermine us.

We can't be undermined by anybody. We cannot be undermined by anybody. We are here constitutionally honourable members. Article 177 of this constitution brings you here to this County Government and Article 178, of the Constitution of Kenya 2010 brings me here.

I was elected by the people of Kitui County through you. Somebody can start saying the speaker elected by only a few MCAs. I was elected by the people of Kitui County through you. And I will serve the people not a few individuals.

So, members keep it up. Let us continue supporting each other. Let us persevere as the minister is sleeping on our requisitions in his office. Let us persevere. There will be light at the end of the tunnel. Somebody else can do that job better. If somebody doesn't want to work it can be done better. And we shall not relent.

Hon. Members, with those very many remarks. let us now be upstanding so that we are adjourn in the House.

### ADJOURNMENT

Hon. Members, this House stands adjourned until Tuesday the 10th day of December 2024 at 9:00 a.m.

**The House rose at 5:06 p.m.**