

COUNTY ASSEMBLY OF KISII

HANSARD

Tuesday, 18th October, 2016

The house sat at the County Assembly Chamber at 1430hrs

(Hon. Speaker {Kerosi Ondieki} in the Chair)

PRAYERS

HON. SPEAKER: Can we have the Orders of the day!

COMMUNICATION FROM THE CHAIR

WELCOME NOTE

I wish to make some communication. Honorable Members, I am alive to the fact that you are from recess and it is my duty to welcome you back and ask you to work for this County. I know you might find a few changes here and there but those have been necessitated by happenings elsewhere.

There are some agencies which we work with who have suggested certain changes and we have accepted those changes. Therefore, in due course I will let you know what the changes are although you know because they are in relation to our Audit Report and other things.

I will therefore request you Members to first look at whatever change you will see with an open mind, do not just react to it; it will be better for you to understand where we are coming from. If you need an explanation, we will give it to you and there is nothing other than the brief letters we have written to you and a few other things which you need clarification on.

I also want to encourage you that where you do not understand something as a Member in your individual capacity, please come and we will explain it to you.

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Furthermore, if there is something we do not understand you will also explain to us and we will understand. So, I want to assure you that we will work together and particularly as regards to the plenary and the committee sittings.

Accordingly, today in the morning I had a meeting with the Powers and Privileges Committee and only two Members turned up so you should start worrying. The Committee of Public Investments and Accounts, the Committee on Roads and in fact all committees have the same problem so we will start taking actions which are prescribed in the Standing Orders. Therefore, you will not blame us but maybe we will deal with the Standing Orders on how we will do it. Take serious attention to what I have said, particularly the plenary and the committee sittings. I thank you. Next order!

MESSAGES

Messages? Do you have a message?

(Consultation)

Hold on I will give you chance at some stage. Next order!

PAPERS

Honorable Nyagoto, what was it?

HON. CHARLES NYAGOTO: Mr. Speaker, I want to take this opportunity to thank you most sincerely that when we were in recess you made us work through the sentiments which you have given out. There are quite a number of committers which held their meetings and it is because of meeting the obligations which were assigned to them. I also want to thank those Members who turned up for those meetings despite the fact that some members never attended the committee sittings as you have said.

Mr. Speaker, I also want to thank you for we have all managed to come back because you know things change within some hours, life has been lost outside there and we sincerely say thanks to the Lord that all Members are back here.

To add to that, we have a thorny issue where our people who lost their lives at Daraja Mbili, the two ladies who perished at Daraja Mbili; we want as a County Assembly to condemn the same because that was an act which happened because there are issues we need to take action on. You remember very well that we talked of diverting

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some roads like the Nyamataro so that the congestion in Daraja Mbili can be done away with. Following that, with your directive we will revisit that Motion so that we can have the Nyamataro road repaired to suit us so that we can avoid this congestion causing deaths. We want also to thank all Members who have come to celebrate and all those dignitaries who came to the County during this recess. Thank you.

HON. SPEAKER: Thank you, next order! Hold on, what is it Honorable Moracha?

HON. HENRY MORACHA: Mr. Speaker, I am standing under Standing Order No. 1 to ask that you also give direction on the issue which happened at Daraja Mbili. It is a serious issue where our people were shot and died.

On the same note, as we were in recess there are also three things that happened which are serious and as an Assembly we have to take our stand so that we get to know the good direction.

Firstly, is the issue of thermos flask which was all over and it really hit us hard. When we went even for funerals and we were being told...

HON. SPEAKER: Did you come late? Were you here when I was giving a communication?

HON. HENRY MORACHA: When Mr. Speaker?

HON. SPEAKER: When I was giving a communication, were you in the House?

HON. HENRY MORACHA: Yes.

HON. SPEAKER: And I said there are certain things which are happening and we need to look at them soberly. As well as there are changes which have been made; if they affect you as an individual see the necessary offices for clarification. Actually let me tell you that what you are trying to say is nothing in the eyes of anybody. What is in that report is more serious than what you are saying. So, please let us treat it outside here if you want us to proceed.

HON. HENRY MORACHA: Yes, I was only saying that we look at it. Secondly, there is also this issue of Members slapping people; it was all over and as an Assembly we should at least be good people so that we behave...

(Applause)

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and then Mr. Speaker...

HON. SPEAKER: What you are saying if I got you clearly...

(Loud Consultation)

Deputy Speaker, shouting is not allowed in this House! If I clearly got you, you are trying to advise the House that we should be behaving with decorum, isn't it? But you cannot delve into a matter which is in court. Proceed.

(Loud Consultation)

HON. HENRY MORACHA: Thank you Mr. Speaker. As I finish even if it is in court or wherever, we have known and we cannot run away from Honorable Members who go around sleeping with school girls. We have to discuss that.

(Applause)

Honestly, we all know that the matter is in court but as an Assembly these are our brothers we must discuss and ask for direction from the Assembly.

(Applause)

We have been called names. These are our sisters. Honorable Members cannot go around picking school girls, take them to rooms to make love with them; this is a serious issue and it has not happened once.

I have warned them, and even the Deputy Speaker who is speaking has told them to stop it. In actual fact if he can be open, he had warned them the day prior to the happening. I also warned them and he knows that there is another matter the Honorable Member did at Keroka and it was hidden. For how long will school girls be used by Honorable Members? We cannot bury our heads in the sand Mr. Speaker and forget that it is not happening...

HON. SPEAKER: Chief Whip, you should only say that without prejudice that the matter is in court.

(Loud Consultations)

Order! Do no shout! I am the Speaker and you are to do as I direct. If you insist on talking then you do that fully aware of the consequences. I cannot stop your mouth. I

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wish I had that button here to mute your microphone. If you must speak on a matter that is in court then the consequence will be on you.

(Loud Consultations)

HON. SPEAKER: Order Honorable Nyandoro! Deputy Leader of Majority, I have ruled that speaking on a matter that is before the court is sub judice. If a Member insists to speak on that he shall bear individual responsibility.

HON. SHEM ONDARA (Deputy Leader of Majority): It is okay. If it is a matter of individual responsibility then I am ready to go to court as a person over this matter.

HON. SPEAKER: As you proceed, remember you are a leader.

HON. SHEM ONDARA: Yes. What we are trying to say is not to sub judice. We cannot bury our heads in the sand. This is a very pregnant matter. We have been out of this Assembly. Should we come back here and pretend that everything is normal? We know that conscience is something different from what is out there. Every time we are out here-from the slapping of the nurse, to our friends who are sleeping everywhere with young girls- and you say that we defer this matter to another time! Even if it is in court, as an Assembly we enjoy some privileges to talk on this.

(Loud consultations)

HON. SPEAKER: Honorable Deputy Speaker, you are hereby warned not to shout.

HON. REUBEN MOREKA: Thank you for this chance. I am grateful that we are back to this Assembly to continue with our business.

If you allow me, I want to inform this House that the Chairman Public Service Board lost his mother. He has a major fundraiser tomorrow at the Culture Hall. I am appealing to Members who are willing to join us in the fund-raising.

(Loud consultations)

HON. REUBEN MOREKA: I am getting to the issue at hand.

HON. SPEAKER: Order! Members, let us play this game according to the rules. I want to remind you that the Standing Orders are the rules that we follow. A topic may

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be very important and popular but as long as it is in court then we are bound by the rules. If you insist like Honorable Moracha did, I will let you go on.

However, the consequence will be felt later. You think you are immune to everything but you are not. So let us play this game but within the law. Honorable Moreka, leave it at that.

HON. ISAIAH MOSOTA: Mr. Speaker, I want to draw the attention of the House to Standing Order No. 85 (2)

HON. SPEAKER: Let us all read that so that we are open the same page.

HON. ISAIAH MOSOTA: It says, Matters Sub judice or Secret.

“A matter shall be considered to be sub judice when it refers to active criminal or civil proceedings and the discussion of such matter is likely to prejudice its fair determination.”

We entirely agree on that. Maybe the House did not get what the Honorable Chief Whip meant to say or probably he said it wrongly.

Members in this House have been affected by this matter in various ways. Ordinarily we should stand with them but there are certain issues on which you cannot stand with fellow members. This matter happened while we were on recess; we attended funerals and *harambees* and members of the public have abused members of this House. We cannot bury our heads in the sand. We are not discussing the matter; we are taking a stand against the act.

(Applause)

We are not condemning our members. If the House will allow me, there are certain things I know about that matter that may turn out to be that Members did not commit those offences. However, as a House we should stand and condemn such acts of school girls being...

(Loud consultations)

Mr. Speaker I am not finished. I am not going to condemn anybody before the court decides. When the Public knows that an Honorable Member went out and slapped a civil servant and the House keeps silent and does not take a stand on the matter...

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HON. SPEAKER: So what stand do you want we take on that matter? I agree with you to a certain extent; that we are not discussing the issue. What we are doing is to take a stand.

HON. ISAIAH MOSOTA: Yes, a stand against school girls leaving school and going to sleep in hotels. The judgment is out there in the public, not even in a court of law. We will be judged; if we keep quiet because they are our colleagues and the public knows that there is an Honorable Member who went and slapped a nurse doing her job and now it is an individual responsibility...

HON. SPEAKER: As a Speaker of this House I will be among the first people to condemn these acts. But as a lawyer at what point then do we say that these people are guilty of the offence that they have been charged of?

HON. ISAIAH MOSOTA: We will take a stand as a House at any given time. We are not condemning the Members of this Assembly who have been alleged. We are not going to say that these Members went and slept with school girls. But an offence where school girls have left school and have slept out and something happened, then that is against the law.

HON. SPEAKER: I have agreed with you that such acts that are unlawful and illegal shall be condemned but we may not go beyond there.

HON. ISAIAH MOSOTA: We are not going beyond but if we sit and do not take a stand that goes with the public then we are collectively condemned in the eyes of the public.

HON. SPEAKER: I agree with you. We are not going to escape from this.

HON. ISAIAH MOSOTA: Because as members of the Public, some of us are also parents. For instance, on what happened in Nyabururu-we saw in the papers- his House has a committee on Education- they must come out and condemn the act. We are here to fight for the people then do not sit here, take your salary home and do not talk about people who are subjecting children to such horrible punishment. We must do something. That is why it is a challenge to the committee of Education to tell us something. Even the Powers and Privileges Committee feels there is something wrong, those committees should be sitting and take us through---

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HON. SPEAKER: By the way now that you are talking about the Powers and Privileges Committee, I called a meeting in the morning. I am telling the House that members did not turn up. We are going to take action according to the Standing Orders.

HON. ISAIAH MOSOTA: Mr. Speaker, this is a House where the law is made, we cannot make law and just leave it for reinforcement. We must also make sure that it is enforced. So if the Members on the other side think that it is wrong to condemn an act of that nature---

HON. SPEAKER: Hon. Mosota, let us be very clear. We are not condemning anybody, we are condemning the action.

HON. ISAIAH MOSOTA: Yes, Mr. Speaker that is what we are going to say. And I am urging this House to collectively issue a statement condemning these actions, those two acts. We exonerate ourselves and say, maybe it happened but those are individual issues which shall be solved by a Court of Law, and that ends then we move on to other issues. Thank you.

HON. SPEAKER: Hon. Moreka, I hope you are seeing where we are moving to. We are not condemning anybody because the courts are handling those issues.

HON. REUBEN MOREKA: Mr. Speaker, I have understood you well. I come from the neighborhood of the Nduru Girls which is being mentioned. I was there because I was called by the Principal of the school informing me of the incident. I am not condemning anybody.

Mr. Speaker I was a disturbed man, I did not sleep. I received calls from all over including the media trying to confirm what was happening on the ground. It is barbaric, it is bad, and whatever happened is bad for us as Honorable Members.

As Honorable Members we are also parents who need to take care of our children. When we have seen a problem- if I meet a girl or a boy for that matter that is stranded in the streets- there are avenues that I would take to assist including to inform the authorities. The incidence where I go to hire rooms...

HON. SPEAKER: No, do not go there!

HON. REUBEN MOREKA: Thank you Mr. Speaker. I am a troubled man. Everywhere I go, to the funerals or in whatever area I am addressing, I am a troubled

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man. Mr. Speaker, we must make a stand and say this act is barbaric. We are not going to accept it as Members of the County Assembly.

HON. SPEAKER: Make sure that you are within what we have agreed on.

(Consultations)

You are not standing on any Standing Order, I am giving you time to contribute, if you want to condemn the act or you want to say something but not talk about the person.

(Consultations)

HON. EVANS MOKORO (Deputy Speaker): Thank you Mr. Speaker. I want to appreciate that we have come back from recess in good health. It seems many of our Members have forgotten to carry their Standing Orders---

HON. SPEAKER: Order! That is not your work. Go to the point.

HON. EVANS MOKORO: I stand under Standing Order No. 87 on Responsibility for a Statement of Fact.

And I will read (1) and (2) and through your discretion something else is supposed to happen here Mr. Speaker.

(1) "A member shall be responsible for the accuracy of any facts which the Member alleges to be true and may be required to substantiate any such facts instantly."

(2) "If a Member has sufficient reason to convince the Speaker that the Member is unable to substantiate the allegations instantly, the Speaker shall require that such Member substantiates the allegations not later than the next sitting day, failure to which the Member shall be deemed to be disorderly within the meaning of Standing Order 109 (Grave Disorder) unless the member withdraws the allegations and gives a suitable apology, if the Speaker requires so."

For the act, a majority of us are parents; the act is bad if proved guilty. As the status is now, the matter is in court until the Members are proved guilty---

(Consultations)

HON. SPEAKER: Order! Deputy Speaker, my ruling stands, and you cannot challenge it that we can discuss a matter that is in court.

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HON. EVANS MOKORO: But Mr. Speaker there are members who are giving allegations of a matter that is in court and we are allowing that. It is against the Standing Orders. Standing Order No. 109 is very...

(Consultations)

Hon. Moracha Mr. Speaker, I can name Hon. Moracha.

(Consultations)

HON. SPEAKER: Order!

(Loud consultations)

A general warning to any Members who is going to shout, I will take serious steps now. I have told you that even if whatever you want to talk about is very serious you must play within the law.

HON. DENIS OMBACHI: On a point of Order. Under the Standing Order No. 1, I seek guidance that after recess if the House Business Committee would have sat, I am sure a lot of these issues would have come out. I pray that we should have had a *Kamkunji* to raise some of these issues that are clearly affecting the House and setting the mood in the wrong direction. Even when these issues emerge, I know as Members we have other issues that are affecting us.

Many of them are about our wellbeing and I know there is the EACC report which is affecting us in many ways. You have given us directions and I know there are very thorny issues that we need time and if it were possible we should turn this into a Committee of the Whole House so that we discuss some of the issues without prejudicing the Standing Orders. That way we will be able to raise issues that are affecting us and that are affecting our ability to represent our people.

We cannot ignore the fact that we are collectively condemned even if our colleagues are innocent. It is not possible that I am woken up at 6.00 a.m. and someone is asking me “*is this what we elected you to do?*” It hurts and I am sure there are many people who when you go to any function they say let the Honorable Member stand and tell us what they find sweet with school girls.

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We are not the court of law in this matter and we are not condemning our colleagues because to the best of my knowledge they could be innocent. But what we are saying is the perception and in politics perception is very important.

There are a lot of other issues including committee sittings and as you said, you will call a meeting. Besides, when we are supposed to go for Public Participation- we have raised these issues- you come prepared and find that there is no order on how to proceed. The Members are supposed to go look for the Clerk or whoever is there. We go chasing the Finance Director around to give us resources to do these things. Therefore, as a House we need to discuss some things that are affecting our performance.

HON. SPEAKER: That is okay. Order!

HON. DENIS OMBACHI: I was raising a concern that if we can go into a Committee of the Whole House and discuss these issues...

HON. SPEAKER: Order! Hon. Ombachi, do not do that next time. If I say Order, just stop there. I hear you. You will discuss all those issues as per the Standing Orders. We will do what the Standing Orders say.

HON. ELKANAH NYANDORO: Mheshimiwa Spika, nimeshangaa kwa sababu tangu tulipoanza kikao hiki tunalolizungumzia halijaorodheshwa kwa matukio ya leo. Hivyo vituko vinapoletwa hapa hivyo ni vibaya sana ilhali wengine wetu hapa tunatambuliwa kama *sokoro* tunaopendwa zaidi na wajukuu wetu pale nyumbani---

HON. SPEAKER: Unamaanisha nini kwa kusema *sokoro*?

HON. ELKANAH NYANDORO: *Sokoro* inamaanisha babu.

Wengine wetu tuna wajukuu na tunajua kitendo kilichotendeka ni kibaya ingawa hatujafika pakujua kilitendeka vipi. Watoto katika chuo kikuu cha Kisii wamegoma na askari wamewakimbiza na nimekuwa katika mstari wa mbele kushugulika kwa kuwa nina watoto katika vyoo vikuu na pia nina watoto ambao ni askari. Kama askari anafanya kazi huku Kisii na ameambiwa aende atulize ile ghasia inayosababishwa na wanafunzi hao na dadake au kakake ni mwanafunzi katika hicho chuo kikuu... tutaanza kulaumiana kwa kuzorota kwa tabia ya watoto wetu na inafaa tuangalie mbinu ya kukabiliana na hayo maadili ili watu wetu wageuke wajue zuri na baya ili tusonge mbele.

Mheshimiwa Spika, hivi majuzi pia kuna kitendo kilichofanyika cha kuchapa muuguzi. Ninachosema ni kuwa kitendo chochote kinachofanywa na mwanadamu na ambacho si cha kawaida ni makosa. Ninasihi hasa ndugu zangu wajumbe waliomo humu chumbani kuwa iwapo mwananchi ameamua kuwapa madaraka au majukumu ya kuongea kwa niaba ya watu wengine- kama sasa hivi kila mjumbe aliyeketi mahala hapa si yeye anayeongea bali ni wananchi anaowawakilisha kutoka eneo lake.

Vilevile wajumbe hawa waangalie kuwa sheria za katiba ya Kenya ya mwaka wa 2010, sura ya kwanza kipenge cha pili ili wajue kuwa wanapoketi hapa ni nguvu walizopewa na wananchi zinazowawezesha kuwa mahala hapa. Kwa haya matendo yote yaliyotendeka kama nisikiavyo ndugu zangu hapa wanavyonung'unika wakati mmoja anamtaja mwingine ni mzaha na yafaa ukomeshwe kwa vile kuna mizaha inayoweza kuwakosanisha watu. Watu wamekosea lakini lazima tusebiri hukumu. Kwa ujumla Mheshimiwa Spika, ni vibaya sana kwa watu kutenda matendo yasiyostahili.

Kuna mambo mengi tunayofaa kuzungumzia haswa ya ajira yaliyotendeka tukiwa likizoni katika kaunti hii. Mambo haya ni mabaya zaidi hata kuliko yaliyotendeka. Watu wakiajiriwa kasha nipate hakuna mtu wa Boikang'a hicho ni kitendo kibaya. Tunastahili tupate tulivyotoka likizoni hivi kwa kuwa tutazamapo kalenda tunabaini kuwa muda wetu uliosalia ni mchache sana. Mwezi uliobaki ni wa kumi na moja kwa kuwa mwezi wa kumi na mbili tutaenda mapumziko tena hadi mwezi wa pili mwaka ujao. Baada ya likizo tutarejea tu kwa mwezi mmoja kisha kila mmoja atarudi katika eneo lake atafute atakalokula.

HON. SPEAKER: Hon. Nyandoro, I respect you so much but do not seem as if you are complaining because the Standing Orders are very clear. What we are talking about is within your power, therefore you know what to do, do it and if you do not, then come and ask me.

HON. ELKANA NYANDORO: Mheshimiwa Spika, ninajua ninachostahili kufanya. Ninaongea haya yote kwa sababu kikao cha bunge ya mwanzo hakikuenda sambamba kwa kuwa wajumbe walianza kuingiza mambo yasiyofaa. Hata tumeingizia mambo pale ambapo hayastahili sasa siwezi rejelea maswali wakati wa mswada kwa kuwa itakuwa kinyume na maadili ya hii Nyumba. Mheshimiwa Spika, ikiwezekana

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utupeleke moja kwa moja katika hatua zinazohitajika hapa bungeni ili ifikapo wakati nina maswali niweze kusaidika. Ahsanteni.

HON SPEAKER: That is what we should do instead of us coming here and getting excited. Please just follow the Standing Orders as he has just said.

HON. DANIEL APEPO (Leader of Minority): Thank you Mr. Speaker sir. First of all, I want to thank God because we went on recess and most of us are back in good health; we should be happy that we are here. For those who play football, at times the game can be faster or tougher but it requires old men to sit down and tone the tempo of the game.

Mr. Speaker sir, I think we need to mature from some things and go to another level. If something is wrong, sometimes we just have to say that this is wrong, and when it is right we must say it is right. It is unfortunate that sometimes some things can take party alignment. What should worry us in this Assembly is all of us being re-elected. But I think we are degenerating from there and we want to assume that when we take party alignment we are going to gain out of it.

HON. SPEAKER: I do not know whether you heard what the Leader of Majority in the National Assembly said about re-election.

HON. DANIEL APEPO: No, I have not heard it Mr. Speaker sir.

HON. SPEAKER: Okay, proceed.

HON. DANIEL APEPO: I want to urge my colleagues in this Assembly that this is the time we need to be together. We have got very few days. At times there are things we can do thinking they are going to help us but they destroy us more.

Mr. Speaker sir, maybe it is the Leader of Majority and me who could have done something; even before coming here, I think it was necessary to have a cup of tea or a drink, we talk and if there are issues we are able to iron them out so that when we come to this opening of the Assembly we behave like brothers and sisters.

HON. SPEAKER: Is it too late?

HON. DANIEL APEPO: No, it is not late, that one can also help so that we do not degenerate because at times, and I want to be honest Mr. Speaker sir, that one of the girls is my daughter from home but I cannot condemn that person because as a parent we

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have our sons messing and also our daughters being messed up. So it is a delicate balance and I ask that it is necessary for us to meet somewhere and as Kisiis- that is what used to happen- so that if there is anything wrong we are able to iron it and see how we can move forward.

HON. SPEAKER: Before you sit down, it is important that the Leader of Majority and you, as a board, you organize so that we meet for lunch together because we have not met for many days.

HON. DANIEL APEPO: I plead with Members that we should not concentrate on the issue as there could be better ways of solving it better to come up with an amicable solution. Thank you Mr. Speaker sir.

HON. TABITHA OKONG'O: Thank you Mr. Speaker. I want to thank all Members; I can see that almost everyone is here. I have this to comment from Chapter Four under the Bill of Rights and the Fundamental Freedoms on Article 53

“That every child is entitled to parental care and protection which includes equal responsibility from the mother, father to provide for the child whether the two parents are together or not.

Part (2): A child's best interests are of paramount importance in every matter concerning the child.”

I have stood here as a woman, mother and as a representative of women outside there who are waiting for us to put laws in place that will assist the girl child and women out there. Mr. Speaker, as you realize the largest number in this Assembly comprises of men. Things have happened which are not palatable to Honorable Members' titles and I want to plead with Honorable Members who are men that apart from school girls, every child who is under 18 years of age is protected by the law because that child cannot have consent.

We have several children roaming in our urban centre's, especially in our town here who are below 18 years and I am pleading that when we are going to bring a Bill- I am pleading with the government to bring a Bill that will be enacted into law- as a way of rescuing these children who are below 18 years of age and are engaging in commercial sex. I am asking that the Honorable Members who are men to support it to go through

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because at one time it may not be an Honorable Member having the child out there for sex but any other man.

These incidences are pronounced in some professions like teaching that has a law that regulates their behavior. Therefore, as Honorable Members we should sign to that Code of Conduct which may also regulate our behavior. Apart from the two, there may be other victims too though not to school girls- be it the men here or those outside there including my husband or my son.

Honorable Members, I am speaking as a woman; when I imagine my underage girl who cannot give consent to sex, I will be the first person convicted in court as a murderer because I cannot spare such a person. That is why I am pleading that we put legislation in place and we ought to have the anti-corruption forms on code of conduct for state officers signed.

HON. SPEAKER: They are ready and what you have said is much welcome; the issue of legislation is very important to protect the vulnerable and I will support you in that.

HON. TABITHA OKONG'O: Mr. Speaker, I want to thank you. The first person I have spoken to is the Leader of Majority who will also bring the Bill of Child Rescue Centre to rescue the girls who are not in schools from the streets and rehabilitate them by coming up with a legislation to enable the County to put up funds for that purpose.

Mr. Speaker, if you were to pass by our town at mid night if you are a man you will not be safe as you can be raped. I am saying so because the Speaker's panel also comprises of female legislators and I am saying men are not safe passing in this town at night.

HON. SPEAKER: Do not repeat yourself.

HON. TABITHA OKONG'O: Finally, as a woman I am pleading teachers have a code of conduct as pertaining to the girl child but the villagers and chiefs do not have and just wait to be taken to court. For us as state officers I am pleading with men here to tame themselves because today it can be Honorable X but tomorrow or this evening if you do not tame yourself it will be you. I rest my case

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HON. SPEAKER: Thank you. That is a veil warning but these issues of not being safe in Kisii... Maybe we will ask for more security.

HON. HARON MASASE: Ahsante sana Mheshimiwa Kinara kwa kunipa hii nafasi.

Kwanza namshukuru Mungu kwa kuwa ametulinda kwa nyakati hizi zote tumekuwa likizoni na tumerudi tukiwa wema wa afya na atazidi kutulinda hadi tutakapomaliza kipindi.

Itakuwa ni dhambi kubwa kwangu na wale ambao ni wazazi ikiwa hatutakashifu vitendo ambavyo vimetendeka hivi karibuni kutokana na Waheshimiwa wa hii Nyumba. Itakuwa makosa makubwa ikiwa tutatumia mahakama kuwa kikwazo kwetu kutoa msimamo wa mambo mabaya ambayo yametendwa pale nje.

Tutakubaliana ya kwamba sisi hapa hatutaongea kuhusu wale waliotenda haya mambo lakini tunasema hivi kama nyumba ya heshima yale matendo yaliyotendwa tukianzia kuchapwa kwa yule muuguzi aliyekuwa anahudumu. Na pia yale yapakamapepe yaliyonekana yakiwa na vifaranga kwa gari yao.

(Kicheko)

Tunakashifu hayo Mheshimiwa Kinara. Hii ni nyumba ya heshima; tumesumbuka pale nje kwa kuulizwa maswali chafu na tunasema kwa ukali ya kwamba hatuungi mkono vile vitendo na tunasema hatutaki maneno kama hayo kwa hii Nyumba kama Waheshimiwa.

HON. SPEAKER: Thank you and leave it there. Josephine will be the last person to comment on that.

HON. JOSEPHINE OMBATI: I thank you Mr. Speaker sir for according me the chance to comment about the social status of the woman and the girl child in this County.

I want to say that as a Member of this County Assembly, as a woman who is specially elected to represent the women and the girls, I want to say from the onset that I condemn the on goings concerning the girl child and the woman in this County.

I want to thank God that we are back in this House healthy after the recess especially me; I am feeling that I am on top of the world because I thank God I feel like I am healed and ready to work.

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I want to say that when we were out there during recess, many things happened to our women and our girls. It will be wrong if we do not stand here in this House and condemn those acts.

Mr. Speaker sir, we all know that what is out there in the minds, discussions and groupings of the people we represent... You know that the woman of this country and the girl of this County are under siege. I want to say that we recently had the case- you said that this is an Honorable House- we are not going to quote names but we are talking about what happened recently...

HON. SPEAKER: Josephine please you have made your point, conclude and everybody is with you.

HON. JOSEPHINE OMBATI: Mr. Speaker sir, we need to respect our Constitution. We need to go as per the Bill of Rights in the Constitution and we need to take care of our girls. We all understand what happened to that girl in Nyabururu for we have all seen it in the media; that is a violation of the right of a girl.

The other day we had the shootings at Daraja Mbili Market where our able police officers shot the hardworking women of this County. I want to say that as a House we need to stand. As Honorable Tabitha said we should come up with a legislation which will help us curb the issues of maintaining the girl child in school and also make sure that the woman is not violated when she is doing her work in this County.

If you read the papers of today, there is a county in Nigeria where some girls from a group called Chiboke Girls were released and went home with their children and yet those are very young girls who had been violated. Mr. Speaker sir, let me rest my case---

HON. SPEAKER: Okay, thank you.

HON. JOSEPHINE OMBATI: Let me rest my case by saying that we need to work in tandem with the Constitution of this country so that our girl child and our women are seen above everything. Thank you.

HON. SPEAKER: Thank you. It was a sad week, very many bad things happened. I have captured the mood of the House that all those incidences which took place are hereby condemned and they cannot be accepted in this House.

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This House is above such acts but we are not condemning any particular individual so the House takes exceptions to such happenings and we will not encourage them. Furthermore, the House has agreed that that they are going to bring a legislation to protect the rights of the vulnerable in society. Next order!

STATEMENTS

I have no Statements. I will ask the Leader of Majority to make a Statement; that is my discretion.

ORDER OF ACTIVITIES IN THE HOUSE

HON. PROTUS MOINDI (Leader of Majority): Mr. Speaker, thank you for the opportunity. I am not actually making a Statement but as a Majority Leader of this House, I want to take this opportunity to thank all the Members of the Kisii County Assembly for reporting back in good time.

I want to draw to the attention of the Members that unlike what we have been doing in the past, the Leader of Majority will be bringing to this House the order of activities that are supposed to be undertaken in a given week. Members will be privy to these activities so that when you come to the Assembly you are well prepared to debate on those activities.

First on the line, we have the Finance Bill which I am sure the chairman of the Budget Committee has prepared and could be going out any time soon for Public Participation.

We also have the Supplementary Budget which needs to come to this House probably in the next two to three weeks. Through the Speaker if you allow me, by next Tuesday I will have prepared a...

HON. SPEAKER: We have agreed. You know the House Business Committee will not meet because it is supposed to meet on Thursdays yet Thursday is a Mashujaa Day. You know we have a board meeting on Monday, a whole day, so we will communicate when we have a House Business Committee. However, on Tuesday you will have the chance to say what you want.

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HON. PROTUS MOINDI: Thank you Mr. Speaker. I want to ask Members to be active in the activities of the House this time round given that this is the last lap we are here. We need to concentrate more as the Leader of Minority has said to thinking of how to be re-elected to this House as opposed to the small side shows that will make some of us not to see this House again.

When it comes to elections, it is not about which group you belong to but about yourself. Let those groupings be done out there. Let the noise be made out there but when we are in the Assembly, let us work together as a team.

As per what the Honorable Leader of Minority was saying, I am very ready to have a cup of tea with the Members of the Assembly. I have seen that most of them have put up a lot of weight which is an indication that they must have had good time out there. Thank you.

HON. SPEAKER: Arrange Members to go for a get-together next week.

COMMUNICATIONS FROM THE CHAIR

INDIVIDUAL RESPONSIBILITY

Firstly, what the Leader has said is true; we may be acting as a group but eventually you will be alone. Please start being alone right now than in a group, so that you are okay.

UPLOADING OF THE ORDER PAPER ON THE WEBSITE

Secondly, as you see we made very few copies of the Order Paper. The Order Paper is on the website and it will be there every day 12 hours before the plenary sittings. Therefore, access it on the website then print. That is where you will get a copy of the Order Paper.

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HANDLING ALL MATTERS AS PER THE STANDING ORDERS

As I said early, we will be playing this game within the Standing Orders. We are not going to allow any Member to ambush us with anything on the floor of the House.

Make sure if you are coming with a Statement, it is two hours before the House resumes. If you are going to bring a Motion, a Statement or a Petition do it according to the Standing Orders. When as the Speaker I will refuse to approve anything, I will give you the reasons and I will quote the Standing Order and tell you to come within a given time so that we bring order.

We have started all these things, we have played the game and we all now know. So let us- within these few remaining days- leave a legacy and that is what I want us to do. Please do not stand under Standing Order No. 30 saying that this is a matter of County importance because the Speaker will never allow that unless it is really a matter of County importance.

If it is a matter of your welfare, it will never be a matter of County importance. A matter of County importance is where life is threatened. We are learning all these things through what is happening in the EACC Report; they are saying that certain meetings are Ad hoc and actually I agree with them because I remember there was a time someone called a meeting at 11.00 a.m. and he was calling at 2pm. That one is not allowed so you must give notice. We are therefore learning from what other bodies are saying.

ADJOURNMENT

With that, I want to adjourn this House to tomorrow 19th of this month at 9.00 a.m. May we rise!

(House rose at 1538)

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