

COUNTY ASSEMBLY OF KISII

HANSARD

Wednesday, 19th October, 2016

House sat at the County Assembly Chambers at 0902hrs

Hon. Speaker {Kerosi Ondieki} in the Chair

PRAYERS

HON. SPEAKER: Can we proceed with the Orders of the day!

MESSAGES

Who is the acting Leader of Majority? I will assume that there is no Leader of Majority. Next order!

STATEMENTS

Honorable Onukoh, I have a Supplementary Order Paper where I have slotted some of the Statements you gave me yesterday and I allowed them under the Standing Order No. 1 and the powers of the Speaker that you can actually do them today. In which sequence do you want to do them?

HON. SAMUEL ONUKOH: Thank you Mr. Speaker sir for according me the opportunity and for your consideration. There are three Statements I want to read and present in this House.

THE BUDGET REVIEW AND OUTLOOK PAPER FROM THE TREASURY

I will start with the Statement that requires the County Treasury to give us a Budget Review and Outlook Paper (CBROP) as envisaged in the Public Finance Act Section 118.

HON. SPEAKER: Number 3.

HON. SAMUEL ONUKOH: Number 3 Mr. Speaker sir.

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HON. SPEAKER: Proceed.

HON. SAMUEL ONUKOH: Mr. Speaker sir, according to the Public Finance Management (PFM) Act Section 118; County Treasury to prepare a County Budget Review and Outlook Paper and it says in

(1) *The County Treasury shall...* and Mr. Speaker sir, I really want the Members to take into account the word “shall”.

HON. SPEAKER: In legal terms the word “shall” is mandatory.

HON. SAMUEL ONUKOH: Mandatory.

HON. SPEAKER: Yes, and “may” is permissive.

HON. SAMUEL ONUKOH: Exactly.

Therefore, *the County Treasury*-which in my opinion I do not know whether we have a County Treasury or it is the Ministry of Finance- *shall prepare a CBROP in respect of the county for each financial year and submit the paper to the County Executive Committee by the 30th September of that year.*

(2) *In preparing its CBROP, the County Treasury shall specify the following details:*

- a) *The details of the actual fiscal performance in the previous year compared to the Budget Appropriation for that year.*
- b) *The updated economic and financial forecasts with sufficient information to show changes from the forecasts in the most recent County Fiscal Strategy Paper.*
- c) *Information on:*
 - (i) *Any changes in the forecasts compared with County Fiscal Strategy Paper or*
 - (ii) *How actual financial performance for the previous financial year may have affected compliance with the fiscal responsibility principles or*
 - (iii) *The financial objectives in the County Fiscal Strategy Paper for that financial year.*

Mr. Speaker sir, I may wish to elaborate here because when they say the financial performance for the previous year may have affected compliance, sometimes we are told that we have a budget, which is paper money, and there is the actual budget which shows the collections locally, and what we get from the National Treasury.

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At the end of the year, sometimes we have received so much which we normally do not know. As the County Assembly we have never seen any remittance showing the receipts from the National Treasury and the local collections which have never reached half the target as far as our budget, is concerned.

Mr. Speaker sir, the CBROP normally will bring out this very clearly.

d) *Reasons for any deviation from the financial objectives in the County Fiscal Strategy Paper together with proposals to address the deviations and the time estimated for doing so.*

(3) *The County Executive Committee shall consider the CBROP with a view to approve it with or without amendments within 14 days after its submission.*

(4) *Not later than seven days after the County Executive Committee approves the County Review and Outlook Paper, the County Treasury shall-and indeed these are the timelines. Timelines just like the timelines of preparing the budget and therefore it is mandatory that we follow them. One of those is:*

a) *To arrange for the paper to be laid before the County Assembly and*

b) *As soon as practical...*

HON. SPEAKER: Order Hon. Onukoh! What do you mean by arrangement because I am reading it also---

HON. SAMUEL ONUKOH: Mr. Speaker sir, let me repeat number four. *Not later than seven days that is from the time CBROP is prepared 14 days are given for the Executive Committee to go through it and in not less than seven days, it is supposed to arrange...*

HON. SPEAKER: *Not later than seven days, it is supposed to arrange for the laying of the Paper in the Assembly.*

HON. SAMUEL ONUKOH: Exactly.

HON. SPEAKER: Now what I wanted to ask you is, what do you mean by the Treasury arranging to lay the Paper on the table of the Assembly? Is it by consultation with the Assembly or what do you mean?

HON. SAMUEL ONUKOH: Mr. Speaker sir, by now if the CBROP is ready, I am sure as the head of this House you must have received communication from the

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Executive or the Executive Committee Member for Finance that may be tomorrow or before the seven days elapses, as the County Assembly we are supposed to be taken through this Paper.

In addition, when we are being taken through, it will not be in this House. We have to go to a retreat or a workshop like we did last year; we went to Mombasa. If they decide that this time we go to Kisumu or Maasai Mara it is up to the Executive and it depends on---

HON. SPEAKER: But I can assure you that as you raise this issue, I have no communication from the Executive whether they are ready or unless the chairman... Let him finish then I will give you chance.

HON. SAMUEL ONUKOH: Mr. Speaker sir, as I---

HON. SPEAKER: Can we get a point of information?

HON. DENNIS OMBACHI: Mr. Speaker, it could be good if the clerks could check because to the best of my knowledge, this report could have been brought to the Assembly during this time. So probably let us find out but the key point Honorable Onukoh is raising is that before anything else, it is good that we are taken through as House. That is a very pertinent issue but let the clerks check if this report was brought here.

HON. SPEAKER: I can confirm to you that if it was brought to the House, then there is no reason why it could have not been brought to my attention. It should be brought to my attention as soon as possible and we cannot go soliciting. If it was brought and the clerks have not done it, we will take action. Therefore, it is up to them to see whether it is there or not. Proceed.

HON. SAMUEL ONUKOH: So Mr. Speaker sir my point is that as an oversight body these are the timelines, which are given by the PFM Act, 2012 and it is indeed something which should be followed.

Therefore, I am assuming that before the end of this month, the Executive Committee is supposed to have arranged for an outing for the Members to be taken through this---

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HON. SPEAKER: Let us be clear about this Honorable Onukoh. You have said very clearly that not later than... the Treasury should prepare this and present it to the Executive Committee by 30th September. Then 14 days are allowed for the Executive Committee to consider with or without amendments, so when does that brings us to?

HON. SAMUEL ONUKOH: 14 days plus seven comes on 21st of this month.

HON. SPEAKER: That is the day when they should...

HON. SAMUEL ONUKOH: They should have laid the Paper in this House.

HON. SPEAKER: And when is today?

HON. SAMUEL ONUKOH: Today is on 19th so they have two days to do that.

HON. SPEAKER: Tomorrow is a public holiday so they are allowed to do it on Tuesday. Nevertheless, before that, do you have sufficient time to go through it?

HON. SAMUEL ONUKOH: Mr. Speaker sir that is why I was concerned when I was going through this Section of the PFM Act and I had to raise an alarm to warn the Executive that time is running out and they may be caught unawares. May be...

HON. SPEAKER: So in conclusion what do you want to say?

HON. SAMUEL ONUKOH: What I want to say is that let them bring the Paper and let them follow the PFM Act. Besides, if they have delayed, let them bring the information to this House that they are organizing, it is only that they are time barred.

HON. SPEAKER: Because what the Chairman of the committee has said and from what I think as the Speaker, the problem is in the arrangement of the laying of the paper on the table.

HON. SAMUEL ONUKOH: As a procedure, this is a weighty matter affecting a whole year's budget. If they have prepared it we ought to be taken somewhere to sit and get experts to take us through. They cannot just come here and read to us. Once we have understood it, it is brought to this House and discussed then we adopt it. That is all I have on the CBROP.

HON. SPEAKER: Leader of Majority can we get a response by today 2.00 p.m.?

HON. SHEM ONDARA (Deputy Leader of Majority): Mr. Speaker it is important that my colleague has raised this issue. I will remind the CEC this morning on what his response is on this issue.

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HON. SPEAKER: Particularly on the arrangement to lay this paper. In view of the fact that Friday would have been the last day but there is a public Holiday. So they have a life line up to 25th October and timelines must be followed.

HON. SHEM ONDARA: Let me give a report this afternoon at 2.30 p.m.

HON. DENNIS OMBACHI: In addition to that...

HON. SPEAKER: I have already ruled.

HON. DENNIS OMBACHI: There is something very important. I feel that alongside what you have ruled and what Honorable Shem has said, it will also do us good to get a consultant-we have money for the same in our budget- to take us through what that means before we rely on what the Executive tells us. We can only do that if we have the report here so let us have it at 2.30 p.m.

Mr. Speaker, I wish to draw your attention to Standing Order No.1. As you are aware, we have Chief Justice David Maraga being sworn in. Being a son of Gusii Land I thought we would get a few minutes to send our messages of congratulations. I watched the National Parliament yesterday and I noted a lot of good things being said that this is a man of high integrity, caliber and capability.

HON. SPEAKER: You know there is a difference between you seeking leave and speaking. Now you are speaking.

HON. DENNIS OMBACHI: I am trying to convince you Mr. Speaker to allow us some few minutes to congratulate our son, Justice David Maraga, who is being sworn in today.

HON. SPEAKER: I think the two pending statements are short. Let them be done as members prepare to give messages of goodwill and congratulations to the son of the soil who has made all of us very proud. Hon. Onukoh, proceed.

INVESTORS EMPLOYMENT OF LOCALS

HON. SAMUEL ONUKOH: My second Statement is on unemployment which is a very big issue in this country. Following the Kisii Entrepreneurship Summit (KES)

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that happened, investors shall be coming to Kisii to invest and that means that our children and our grandchildren will have an expanded space for employment.

Pursuant to Standing Order No. 40 I wish to make this Statement regarding investors in our county on the 2/3 gender rule on employment in our county. The rule requires that any investor in the County employs local residents.

That 70% of the employees should come from the local community. I know that we have Nakumatt, Ukwala supermarkets, and there was Uchumi supermarket that went under. There will be more investors coming.

Therefore, in this regard I would like this House to be furnished with the following information from the leading supermarkets, hyper stores and retailers in this town:

1. The list of all employees from this County that are in their payroll.
2. Their basic salaries and their allowances to ascertain whether they conform to Labor Laws and Regulations.

I have been compelled to seek this information because we have a big number of qualified youths in our county who are unemployed. They are only gallivanting—this is a vocabulary that will require someone one get a dictionary and explain- up and down in town looking for jobs which are not forthcoming.

Besides, during the yester years before the establishment of the counties, I know the good job that the councilors used to do. That whoever investor that came to Kisii town would first and foremost get clearance from the council. The good council would make sure that each area that was represented got one person to be employed in those companies. I do not know if as a County Government we have a way of cross-examining and check that our people are not only shoppers but also people who have been employed there.

HON. SPEAKER: Order! No two Members can be standing at the same time. The Standing Orders are very clear!

HON. SAMUEL ONUKOH: I do my shopping mostly at Naivas and Nakumatt Supermarkets and to my surprise most of the cashiers- I do not about the floor staff-are not Kisii. They speak a language I do not want to mention here.

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HON. SPEAKER: You are advised to lay the paper on the table. Share the rest in the committee.

I will ask the chairman of Labour Committee to move with speed and identify these outlets and summon them to explain. The committee will then bring a comprehensive report. Please let that be done within the next one week. The committee clerk should give me a note on the same.

HON. SAMUEL ONUKOH: Mr. Speaker, my last Statement is also based on Standing Order No. 40 and it is indeed very short. We have appointed Ad hoc committees in this House---

HON. SPEAKER: That is not in the Order Paper that I was given. The one that is there is about the Petition Register.

THE PETITION REGISTER

HON. SAMUEL ONUKOH: Okay. Pursuant to Standing Order No. 40 I wish to make the following Statement concerning the Petition Register in our Assembly. I request that the Petition Register be availed at a suitable point within the precincts of the Assembly pursuant to Standing Order No. 204. This endeavor will enable the members of the public to assess the petitions during working hours and to inspect and know that whatever petitions that have been put before this Assembly have been disposed of.

HON. SPEAKER: Because it concerns this Chamber, I will ask the Deputy Clerk that the same be availed and that a Statement to that effect be done by the Chief Whip Minority in a week's time. The other Statement will come at 2.00 p.m. I will now allow Honorable Ombachi. How many minutes do you want us to give each Member?

HON. DENNIS OMBACHI: Because it is the third arm of the Government and it is not devolved, 30 minutes will do for the Members to contribute.

Mr. Speaker, I am a proud Member of the County Assembly today because yesterday the National Assembly through the Committee of Legal Affairs accepted and approved Mr. David Maraga as the Chief Justice of the Republic of Kenya.

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It is true to note that he is the first Kisii to hold this position since independence. I take this earliest opportunity to congratulate him and wish him well in his duties as the Chief Justice.

I was listening to the Parliamentary Debate when they were approving the report on the Legal Justice Committee and it said that he is one of the most hardworking judges in Kenya. He has experience in the private sector as a legal expert; he has practiced as an advocate and also served as a judge for many years. We have someone who fits the Bill to bring the necessary changes in this country.

He is also a practicing Christian and a very good Seventh Day Adventist. Mr. Speaker as you know, Kisii is the cradle of the Adventist Church so that is also an honor to this church which has done a lot of work for this community.

Mr. Speaker, Honorable Justice Maraga was appointed because of his competence and hard work so as a community of Omogusii we are very proud, we congratulate him and we wish him well. We believe that he is going to start the necessary changes to produce the kind of justice- especially at the supreme level- to make sure that justice is not only seen but it is also done especially to the common man.

Mr. Speaker, you are a constitutional lawyer therefore you know that legal services are very expensive in Kenya. I am hoping that the Chief Justice will strengthen the legal services especially to the common man who does not afford to hire lawyers. Your services as lawyers are not cheap but all of us need them; we have had people who have been convicted on flimsy grounds because they did not have somebody to defend them or give them legal advice.

We believe that David Maraga will take on from where Justice Mutunga left although, Parliament was not very kind to Mutunga because they felt he did not leave a united judiciary. It is true that if the Judiciary in Kenya does not do their job then Kenya will go to the dogs. We need a firm, an efficient and a hardworking Judiciary so that the backlog of cases we have had for more than 15 years can be dispensed with.

Therefore, I am asking you to allow us to congratulate this noble son of our community who is now a National Leader leading the third arm of the government to be able to be given the necessary support to promote justice to our country.

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We hope when he gets a chance to come to Kisii Mr. Speaker, you will arrange that we have a chance to share a cup with him. Mr. Speaker, remember we said that we will have a breakfast or a prayer meeting as a County and it will be good that the Leadership of this House and of this County at large organize a breakfast meeting and Justice Maraga can be invited to be our guest speaker.

Mr. Speaker, it is also good to note the Lady Justice Mwilu who has been nominated to serve as Deputy Chief Justice is also a lady of high integrity and repute and I believe for the first time the justice department of this country is in the right course.

I also want to comment that yesterday, when they were having a symposium at State House- the President castigated the Judiciary and all the departments that he believes they have not done their job and that is why corruption and negligence are on the rise. Besides, there is belief that the Chief Justice who is appointed can stand up to Parliament and also to the Executive to be able to bring order to this country. With those few remarks, I congratulate Honorable Justice David Maraga. Thank you for the chance.

HON. SPEAKER: Honorable Nyagaka, did you practice with Maraga in Nakuru?

HON. SAMSON NYAGAKA: Thank you Mr. Speaker for also allowing me to contribute on this noble matter. I will wish to thank my chairman of Budget for bringing to us this noble matter.

First and foremost, the second Chief Justice under the new Constitution, Hon. Justice David Kenani Maraga, practiced law in Nakuru close to 25 years and I happened to learn his wisdom when I was at the bench as well as when I was at the bar. I also happen to come from Nakuru and he is my neighbor.

I have known Justice for quite some time and I can give a brief history to the House to know who Justice Maraga is. For the sake of record I shared with you, you were the first person to predict that Justice Maraga will be the Chief Justice of this Republic---

HON. SPEAKER: That is not true, I did not predict rather what happened is that when I met him sometime before he became a Judge at the High Court of Kenya, I told him he was now fit to be judge and he was appointed two weeks after that.

HON. SAMSON NYAGAKA: Thank you. In fact, you predicted right and now he is the second Chief Justice under the new constitutional dispensation. Chief Justice David Maraga- for those not in the know- his full name is Justice David Kenani Maraga.

He was born in 1951 in Bonyamatuta, Nyamira County. It should be noted that on 22nd September, 2016 is when the Judicial Service Commission concluded for the search for a Chief Justice and they proposed his name. As at 2016 Justice David Kenani Maraga was 65 years old. This means he will serve for only term because the retirement age is set at 70 years.

According to the Constitution, the Chief Justice has a tenure of service of a two six year term prior to being appointed as the 14th Chief Justice of the Republic of Kenya and the second Chief Justice following the promulgation of the new Constitution. He was the Presiding Court of Appeal Judge in Kisumu from October 2014 to July 2016 where he made 1,250 judgments thereby clearing case backlogs.

Chief Justice David Kenani Maraga graduated with a Bachelors of Law Degree from the University of Nairobi 1977. He holds a Masters in Law from the University of Nairobi and a Post Graduate Diploma from the Kenya School of Law which he attained in 1978.

Chief Justice David Kenani Maraga was tasked to head the tribunal that recommended removal of Judge Joseph Mutava. After the tribunal he headed finished the hearing and collated the full report. Justice Maraga on 21st September, 2016 presented the report to His Excellency the President of the Republic of Kenya that Judge Mutava be removed from service for grounds of misconduct.

He had successfully underwent the Sharad Rao vetting board defending off accusation of tribalism and bribery seeking and was unanimously endorsed to continue to serve in 2012. Further still Mr. Speaker, Chief Justice David Maraga- just as my chairman of Budget has said- is a staunch Seventh Day Adventist.

In the interview with the Judicial Service Commission (JSC), many will remember that he startled the board that is the JSC when he invoked God's name loudly and went on to swear that he has never taken a bribe in his life and that he can never work

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on Saturday because he can never compromise church for work on that since it is a day of worship and rest.

Mr. Speaker as I finish, we congratulate Hon. Chief Justice David Kenani Maraga. As it has been said, we should be proud since he is a son of the soil and at least for the first time in the history of this country we have our own heading one of the biggest arms of government. Thank you.

HON. SPEAKER: Hon. Ogugu you will be next after Hon. Bibao; do not waste our time.

HON. GEORGE BIBAO: Mr. Speaker sir, thank you for also according me this chance to congratulate the incoming Chief Justice, the president of the Judiciary of the Republic of Kenya, David Maraga.

Firstly, I want to say that I am also a strong Seventh Day Adventist but I cannot compare myself with him. I am not God but what I saw in the Chief Justice, he is truly a Christian. I want to borrow the words of Hon. Nyagaka that when the Chief Justice invoked God's name during the interview and everybody was concluding that he will not get that job because he said he will not work on a Saturday... but Mr. Speaker we cannot compete with God and you see what happened.

Mr. Speaker, I am also excited as a member of the Kisii community that the current Chief Justice is one of us and he is heading one of the arms of the government, the Judiciary.

I am also excited because when the President of Kenya, Muigai Kenyatta, will be recapturing his seat in 2017, he will be sworn in by the Chief Justice David Maraga. As a member of Jubilee I am excited that one of us will swear in the next president of Kenya...

(Loud consultations)

HON. SPEAKER: Order!

HON. GEORGE BIBAO: Mr. Speaker I never wanted to anticipate that.

HON. SPEAKER: Order Honorable Morara! Can we stick to the issue of the Chief Justice? Proceed!

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HON. GEORGE BIBAO: Thank you Mr. Speaker. I just wanted to hear what the Members are saying.

HON. SPEAKER: Stick to the issue!

HON. GEORGE BIBAO: I am saying that as a community we are proud of the Chief Justice and we hope he will change the Judiciary. Besides as the Leader of Majority in the National Parliament, Honorable Duale, was saying yesterday we will give him a score card of 100 days to see the changes he will bring in the Judiciary. We will support him. Thank you.

HON. SPEAKER: George, don't you think the expectations of the people of Kenya have been raised too high for him to meet? Let me leave it to Honorable Ogugu to say something. Let him go on.

HON. TIMOTHY OGUGU: Mr. Speaker, thank you for giving me this opportunity to contribute to this important debate.

I also want to support the nomination and eventual approval of Hon. David Maraga to be the next Chief Justice of this nation. But I want to inform my colleague, Honorable Bibao, that he should not anticipate the next general election before Kenyans vote. We wish each and every one of us to succeed in this.

Hon. Maraga has made this community proud; and we want to pray for him. Let the Kisii community and Kenyans at large pray for him because the task ahead of him is enormous and it is a difficult position. We urge him to also pray because he portrayed this when he was being interviewed. Kenya has so many problems from the Judiciary, the Executive, we politicians and all Kenyans. This nation has hardworking people and we wish that Justice Maraga brings justice to all.

I also want to urge our President, H.E Uhuru Muigai Kenyatta; while we congratulate him for accepting the nomination and forwarding the name to the National Assembly, he has a will for Hon. Maraga. I also want to urge him that Kisii County has been sidelined in these major appointments. We know that Nyamira is part of the Kisii community but Kisii is the mother of the Kisii Community.

The Minister for Education comes from Nyamira County; and now the Chief Justice, it is okay, they qualified but I request the President that he considers the Kisii

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community. Kisii is one of the largest counties, with 45 wards compared to Nyamira yet we know that major appointments go to Nyamira. We request that the Kisii community is also considered in these major appointments.

There are a lot of expectations for the incoming judge. I want to urge our community to support him and pray for him as I have said. It is not good that tomorrow we start pointing fingers at him for not doing this or that. Secondly, Justice Maraga is not going to favor us as a community. Let us abide by the law; we shall not break the law because we have a Chief Justice from this region. I rest my case. Thank you.

(Consultation)

HON. SPEAKER: Honorable Onduso, you cannot challenge the discretion of the Chair.

HON. ONCHONG'A MAINA: Mr. Speaker, may I thank you for giving me this chance to also contribute. First and foremost, may I take this opportunity to thank and congratulate the Chief Justice Kenani on being appointed to head this department. I also wish him well as he begins to work since we know he is coming to this department when it is in shambles.

As we all know, there is no unity and we hope the Judiciary... as we heard, the President was very much annoyed yesterday and he pointed fingers at the Judiciary because of its inefficiency. Since this person from our land has landed in this job, we hope in a year's time the next President whom Kenyans are going to elect is going to congratulate him for work well done.

Mr. Speaker, I also want to say that Justice Maraga is not a political appointee; he went through vigorous exercise and he was found fit. So, we do not want to say that the Kisii people have united and they have gotten one political appointee. Thank you.

HON. PETER OMARI (Deputy Minority Leader): Thank you Mr. Speaker for according me this chance. I was watching Justice Maraga very keenly as he was being interviewed. He looks like somebody who is very clever because when he was being interviewed I learnt a lot from him. He is informed and knows what he is doing. I join the rest to support Mr. Maraga. Besides, I am requesting you to give us few minutes so that we can watch how he is being sworn in.

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HON. SPEAKER: Is it going on?

HON. PETER OMARI: Yes, he is being sworn in this morning. Mr. Speaker, I am surprised by the way my colleague is bringing in politics in this appointment. Mr. Maraga was actually appointed fairly; there was no political interference but I do not know why Hon. Onchong'a is bringing in this thing---

HON. SPEAKER: I think some MP said it yesterday and that could be the reason why he said so. You should not worry about that.

HON. PETER OMARI: Mr. Speaker as you know we have the two parties in this House, we do not want somebody to---

HON. SPEAKER: You are wrong. We do not have two parties in this House; we have many parties.

HON. PETER OMARI: We have several parties from the government side and the opposition side. I do not want to say much, I only request you to give us...

HON. SPEAKER: Some time but not before I give a minute each.

HON. ESTHER NYAMWAMU: Thank you Mr. Speaker sir for according me this chance. I also stand to congratulate our brother and son, David Maraga. It is good that we the Kisii County community have our brother as our Chief Justice. We know that this is a God-given position. I am thinking that if it is possible we set aside one day to pray for our son to do a good job for the 40 million people in our country.

It may be expensive to educate our children but is very good. It is good as Honorable Members we pass this message to pass this message to our people within Kisii County so that they can educate their children well as David Maraga was educated.

I finish by saying that most of the most the women within Kisii County vote. We know that Article 81 says that two thirds gender rule should be looked into. As women we are expecting that justice will be done in this country. Thank you Mr. Speaker sir.

HON. SAMMU KERONCHE: Thank you Mr. Speaker for catching my eye. From the onset---

HON. SPEAKER: That is not correct; I cannot catch your eye, it is you who can catch my eye.

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HON. SAMMU KERONCHE: I withdraw, thank you for that correction Mr. Speaker.

From the onset, I want to say that of all the virtues honesty is the most important. Justice Maraga was very specific that he is a staunch SDA follower and will not work even for a single second on Saturday but only carry an accident victim to the hospital.

I wish to encourage my fellow colleagues in this House to learn from what Justice Maraga did so that we be specific on what we can do to our voters. Let us refrain from mentioning things that we cannot achieve; let us pledge what we can do and not the heaven that we cannot reach. As a young politician who wants to become a president of this country, I wish that from today this County Assembly start what we call “*Obomo bwa* MCAs and the County Governor”. This means that we start working as a team and that is how we can achieve the promises we gave to our people in the County.

Lastly, the Abagusii community likes challenging their people in leadership. For example, when the Cabinet Secretary (CS) for Education Dr. Matiang’i wanted to bring sanity in the sector, the Abagusii were the first to criticize him and now he has proven to Kenya that he is the only person who is working with integrity. Right now the entire nation is benchmarking on Abagusii since they are the ones seen to be working according to the Constitution. And one day we shall have a president from the Kisii community.

I support his appointment. I urge that let us support each other even if a person is from Nyamira County or Kisii County, it does not matter so long as he is a Kisii.

HON. SPEAKER: Can your friend (Hon. Godfrey Nyamache) use your microphone?

HON. GODFREY NYAMACHE: Thank you for this opportunity Mr. Speaker. I equally stand to echo sentiments of my colleague Honorable Members. We as the Gusii community are not chest thumping but we are only saying God has done us proud by giving us Justice David Maraga.

As we know we have three arms of the government where we have the President heading the Executive and on the other hand we have David Maraga who is the head of the Judiciary so we want to congratulate him for being appointed and approved to be one not by chance or coincidence but because of his competence.

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We are wishing him well and let us join hands to pray for him because he has been endowed to undertake a very strenuous exercise of bringing sanity in the Judiciary which is not an easy task. But how do we pray that the Almighty Lord who has appointed him may give him the knowledge, wisdom, strength and power to overcome the hurdles in the Judiciary.

Mr. Speaker, I want to say that---

HON. SPEAKER: As you conclude---

HON. GODFREY OGEMBO: As I conclude, I want to say that we should not at any given time say that maybe the President or the Executive of this country has not considered Kisii County because both Maraga and Matiang'i are from the Kisii community. Matiang'i has brought sanity in the Ministry of Education and from the look of things we are not going to have cheats in examinations this time round. We also want to wish that our Chief Justice follows suit. Thank you Mr. Speaker.

HON. SPEAKER: It is only Hon. Otuke that will speak for I am minded to finish here.

HON. EDWARD OTUKE: Mr. Speaker sir, I also rise to congratulate our brother Justice Maraga. This one has motivated most of us because he is the one of the gentlemen who is assuming a high office in the Judiciary. He comes from a humble Kisii background. He will be a role model to our children who come from such backgrounds.

Mr. Speaker, what has also been seen from Justice Maraga is that he is hardworking so I urge the Honorable Members to emulate the same in their areas of jurisdiction and good things will follow later.

Justice Maraga has fought corruption which is a disease in both our counties and country and we as Honorable Members and leaders should be in the forefront in fighting corruption for future generations.

I urge my brother Justice Maraga to use this office to bring radical change in the Judiciary so that cases which have taken years are hastened because "Justice delayed is not justice denied".

HON. SPEAKER: What you said was not correct, "Justice delayed is justice denied".

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HON. EDWARD OTUKE: Thank you for the correction.

HON. SPEAKER: Hon. Motonu you also need to be congratulated because I was told by people who came from the people from the National Government for doing well in roads.

HON. OBOTE MOTONU: Mr. Speaker, I appreciate for that message. I also stand in this honorable House to give a short appreciation and a congratulatory message to the Honorable Chief Justice David Maraga. What is important on his appointment to take up that kind of office is for us to learn that we as an Assembly are supposed to uphold societal norms. That is why Hon. Maraga was proposed among many to head that important arm of government.

I do not have much to say about him but only congratulate him and ask him to live up to the task; to carry out the duties which are enshrined in the Constitution of that department. Thank you for the chance.

HON. SPEAKER: I was minded to... Hon. Koina Onyancha, because you are a lawyer what do you want to say about your colleague?

HON. KOINA ONYANCHA: Thank you Mr. Speaker. I am excited and happy that one of us from this region-on merit- has been considered for that highest post---

HON. SPEAKER: Hon. Koina, do you remember when I was admitted the first case I did was with Justice Maraga and you were my boss that time?

HON. KOINA ONYANCHA: Yes and that is why I want to congratulate him and wish him the best. We pray for him as he is going to head a very important arm of the National Government. He got the job purely on merit and competence because he is a distinguished lawyer in this country and we are proud of him as a community. Besides, as professionals we are proud of him; we wish him the best, pray for him and we support him. Thank you.

HON. SPEAKER: Next order!

No more business.

Members, I gave some direction yesterday and today I actually need to remind you that the Order Paper will be uploaded on the website 12 hours before a plenary

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sitting. In case, we get any urgent business we will slot it in the Supplementary Order Paper which we will give you in hard copy.

Secondly, every Friday we will be uploading the schedule of committee meetings in the website and you are expected to attend as scheduled. If you are not in the meetings 15 minutes later the chairman will adjourn the meeting and only forward the names of those members who attended. Also all the Statements, Petitions, Notices of Motion and everything you do in this Assembly will be uploaded in the website on a Friday so that you know what is on the other week.

ADJOURNMENT

I will now adjourn this House to 2.30 p.m. today. May we rise!

(House rose at 1013hrs)

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