

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF NYAMIRA
THE HANSARD

Thursday, 24th October 2017

The House met at the County Assembly Chamber, at 2:30PM

[The Speaker (Hon. Teya) in the Chair]

PRAYER

COMMUNICATION FROM THE CHAIR

NAMES OF THE VETTED COUNTY EXECUTIVE COMMITTEE MEMBER

The Speaker (Hon. Teya): Thank you. Honourable members, I would like to bring the following to your attention that as you are aware, last week the committee on appointment was involved in vetting of the nominees to the offices of the County Executive Committee Member (CECs) and we promised according to the program that we were to table the names today. Number two we were to make rulings on the petitions that were lodged against the nominees today.

However, I would like to report as the chair of the committee that the committee is still working on the report, they have not finalized on the report therefore it was not feasible to table the report today and since they want to do a comprehensive report it is only prudent that they table it once they are done with it. There is some information that they are still seeking so that they will be guided in writing the judgment on the petitions. Thank you so much. So the report will not be tabled today as earlier expected.

Thank you, next order.

MOTIONS

PROCEDURAL MOTION FOR ADJOURNMENT

The Majority Leader (Hon. Masira D): Thank you Mr. Speaker sir, Motion for adjournment. Hon. Speaker sir, I beg to move the following motion that pursuant to provisions of

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the Standing Order (25)3, calendar of the Assembly, this House adjourns till Tuesday 31st October, 2017 at 2.30. pm. Hon. Speaker sir, aware that in the Kenya gazette, dated 24th October 2017, gazette notice number 10561, Wednesday the 25th October, 2017 is declared a public holiday to accord Kenyans the opportunity to participate in the fresh presidential elections. Mr. Speaker sir further aware that in the Kenya gazette dated 19th October, 2017, Gazette Notice No. 10548, Thursday the 26th October 2017, is declared a public holiday to accord Kenyans the opportunity to participate in the fresh presidential elections. I beg to move and I call upon honourable Minority leader to second.

The Minority Leader (Hon. Kebaso): Thank you Mr. Speaker, the 26th October 2017 as we all know is an important day in the calendar of the republic of Kenya when Kenyans are going to make a major decision, when Kenyans are supposed to exercise their rights and as per the gazette Mr. Speaker, I second that we adjourn the sittings of those days, the 25th and the 26th of October which is on Wednesday and Thursday of this week.

Thank you, I second.

The Speaker (Hon. Teya): Thank you. Hon. Members, I now propose the question that pursuant to the provisions of Standing Order (25)3, calendar of the Assembly, this house adjourns till Tuesday 31st October at 2.30 pm. The motion is now open for debate. Hon. Nyanchama Samuel.

Member for Itibo Ward (Hon. Nyanchama): Mr. Speaker I have stood to support that we adjourn for the best reasons given. Thank you.

Member for Kiabonyoru Ward (Hon. Omoti): Thank you Mr. Speaker sir, I also stand to support this motion that on 26th October being a very important day in this republic of Kenya and it is time when our democracy is going to be put into test so as some Kenyans proceed to vote while some do vote by their wish on that day. I also support that this House be adjourned so that some can be gate keepers of trying to see that this election is not being done because I personally I do not support this election on 26th and as others proceed vote. I encourage our members and my members me as the ODM member that we watch carefully that those ballot boxes are not sneaked into the polling stations.

Thank you Mr. Speaker sir.

Member for Ekerenyo Ward (Hon. Nyabaro): Thank you Mr. Speaker sir. I wish to support the motion, as it will be historical holiday. Mr. Speaker, I kindly urge hon. members who will wish not to vote not to influence the voters negatively or positively or not to engage in unethical activities. Some people in this world or some people in the world think differently and the law normally protects the people. As the hon. member from Kiabonyoru says, either you support or you will not support the election Mr. Speaker every citizen has a right to vote and a right not to vote. You cannot be forced but a day has been set aside for voting. I kindly urge the leaders to behave with decorum during these two days because you may land in a very difficult situation Mr. Speaker so I support the adjournment Mr. Speaker. Thank you.

Member for Nyamaiya Ward (Hon. Masira R): Thank you hon. speaker. I stand here to support the adjournment motion on the following reasons; firstly, that it has been gazetted in the Kenya gazette which cannot be overturned. If it would not have been, then I would have opposed it properly but unfortunately it has been gazetted, I support because of that.

Secondly, hon. Speaker, I want also to support it because it will give me more time at least to enlighten my people to tell them the reasons of not voting because we do not see the reason of voting because it is already a determined election of which it does not have any value to our people at all.

Thirdly, hon. speaker, me having free time like tomorrow, will give me more time to go round and check more especially where those ballot papers are ferried from so that we can enlighten our people and tell them that these are the actual ballot papers or whether they are the ballot papers made in Nairobi yet we are being lied to that they are the ones coming from Dubai so that we can have the right ballot papers which are supposed to be used and if they are our people can use for voting.

So, I want to support it but we had more important business for this house than these gazetted voting days. Thank you hon. Speaker

The Speaker (Hon. Teya): Hon. Sese Irene. Hon. Barongo Charles, please get out and dress properly.

Special Elect (Hon. Sese): Thank you Mr. Speaker sir, I stand to support the motion, it is actually a blessing indeed that the holiday will start earlier before the elections date. We have enough time to convince the people to vote, and I would glad to be part of history making where we will have our president re elected a third time in a period of ten years. I stand to support.

Thank you.

Member for Magombo Ward (Hon. Onyinkwa): Thank you Speaker sir, I stand to support and I support this adjournment for the following three reasons: The first one, this is the real time, a serious time that Kenyans will take to reflect upon the direction of our democracy. Our democracy is tested Mr. Speaker, by creating illegal elections that do not reflect the image of our democracy and as members who believe in real democracy, we will take enough time to go round our people and tell them that it is not time for elections. Elections were conducted and the real president was not accorded time to be the president. I will also take time to meet Magombo people and tell them that enough is enough on election mal practices. We are tired of regimes and manipulations of elections that tend to tint the image of Kenyans. The real people are not going to vote sir and this is the message we want to carry to our people. And finally, it is an urge to all these members of this assembly that if you are very democratic, take two days off, rest do not attend those votes that are going to be conducted illegally so that by the time you are coming back on Tuesday we are very fresh to seriously work on our business of the house.

Thank you very much Mr. Speaker.

The Speaker (Hon. Teya): Hon. Onyancha James, kindly get out and dress properly.

(Hon. Boera bows to the bar and gets out of the chamber)

The Speaker (Hon. Teya): What is your point of information hon. Nyabaro?

Member for Ekerenyo Ward (Hon. Nyabaro): Mr. Speaker, I wish to inform the hon. Member who has just sat down that it is not good to say that real people will not vote or are not going to vote but to inform him that the real people will vote because good governance is on the ballot box, good development is on the ballot so the people who will vote will be the real people.

Thank you Mr. Speaker

Member for Bomwagamo Ward (Hon. Barongo): Thank you Mr. Speaker, as I support the motion for adjournment I am one of the people who is embarrassed when I read the notice of Kenya Gazette that tomorrow is a public holiday while Kenyans know very well that we do not have elections because there will be no elections on 26th because one participant and a president to be is not in the ballot paper and has withdrawn from the mock election. This is total embarrassment to our country and I would like to be on record that the elections which are scheduled for 26th will be just a synnovate poll for Jubilee to know who is senior.

Kenya must be driven by all the 40 million people and if Kenya is driven from one side in opinion and call it a public holiday then we are headed nowhere but my prayer as a Christian, we pray that they hold their opinion polls on 26th then we resume next week for our business but to me there will be no elections on 26th. And I will get time also to sensitize my people that the Jubilee party is doing opinion polls not elections.

Thank you Mr. Speaker

Member for Kiabonyoru Ward (Hon. Omoti): Thank you Mr. Speaker sir, I again stand to support the motion still and to congratulate the hon. member of Jubilee who has just sat down for actually seeing ahead of every Jubilee member and opposing this election that it is a mock election and we do not want it any more. Hon. Barongo congratulations and I stand before this House to congratulate you as a Jubilee member for standing with us.

Special Elect (Hon. Mokaya J.): Asante sana Bwana Spika kwa nafasi. Sijui nitaanzia wapi yule Mheshimiwa amekaa chini saa hii, kwa muda kidogo umepita alikuwa Jubilee na sasa ako kwa NASA. Nilikuwa nashangaa msimamo wake, sasa tunataka atangaze msimamo wake. Mimi naunga mkono kuarisha huu mkutano wetu kwa siku ya leo na kuenda kura kesho. Wajumbe wenzangu wale wamekaa chini upande wa NASA mtupe usalama uko nje kwa maana watu wetu watatoka na watapiga kura hadi mtashangaa na hiyo serikali itaongoza tarehe 27 mimi nitakuwa Nairobi kuapisha Rais na tutaendelea na serikali. Tunataka watu wetu wapate amani, wapate wakati wa kutafuta pesa. Hapa kwetu hatuna pesa ya kuendeleza biashara. Hakuna pesa hata sisi wenyewe kupewa mshahara. Ninataka watu wa NASA wape watu wetu wakati na muongozo mzuri. Sisi tunataka nchi yetu iendelee na mjue ya kwamba sisi kama wa Kisii tumetambaa Kenya yote. Sisi ndio tunatafuta mali Kenya mzima na tunaendeleza nchi ya Kenya.

Mimi ninaambia wale wenzangu watuunge mkono tuende kura kesho kutwa tupige tupate Rais ili tuendelee.

Asante bwana Spika.

Special Elect (Hon. Mogere): Thank you Mr. Speaker I stand here to support the motion that this House remains adjourned because of one reason that we do not need to have an election on the 26th because we believe in reforms. So we need the reforms first before the election is conducted.

Member for Ekerenyo ward (Hon. Nyabaro): On a point First of all the hon. Member Mogere should address the chair, and I wish to bring to your attention that the motion before us is not about elections. The motion we have here is about adjournment, let us strictly speak about adjournment. Matters election we leave them to the (IEBC) Independent Electoral and Boundaries Commission and other parties which are involved.

Thank you Mr. Speaker.

The speaker (Hon. Moffat): Hon Masira Daniel what is your point of information?

Member for Nyamaiya (Hon. Masira): We are adjourning for the Members who wish to vote to go and vote. Also the Members should be given the Order Paper to understand why we are adjourning. We are adjourning for those people who believe in mock election want to go and vote.

Thank you hon. Speaker.

Member for Manga Ward (Hon Okero): Thank you Mr. Speaker and as I stand to support the adjournment motion for the gazzeted day of 26th of this month October for those ones who are going to vote.

The Speaker (Hon. Moffat): Hon member the gazette notice has two days 25th tomorrow and 26th.

Member for Manga Ward (hon. Moffat): Thank you Mr. Speaker. To me 26th will be a day to reflect back where Kenyans come from, the struggles it has gone through and the achievements it is looking forward to have. It is not just going to the ballot to cast a vote; it is about the credibility of that vote. The Supreme Court ruling about the illegality and the irregularity of the votes. We cannot just have a country where we are just doing politics that does not build us. It has never been about the 60 days notice to get to the ballot; it is about how are we getting to that ballot, how the people's votes are taken care of after voting. As we take different political inclinations either JUBILEE, (NASA) National Supper Alliance, we stand to reflect on where we want to take our country. And if others want to aspire for bigger sits how do we want our election to be conducted. So as we stand and support the adjournment we also have time for those who are not going to vote to demonstrate to educate our people why we need credible elections.

Thank you Mr. Speaker.

The Majority Leader(hon. Masira): I rise to support the motion, I also want to urge my brothers from the other wing telling them that their team Leader said that there will an election on the 26th, I also want to stand and give a report from *baba* saying that tomorrow the way even the cabinet secretary said that he will ask the police to look aside so that the *mungiki* can take charge, I also want to tell them that they must take care of their safety tomorrow, because if it is a game of give and take then we will be ready to take if taking will call for the order of the day. I also stand to say we believe we have adjourned the House to go give civic education to our people that the vote they cast on me 8th of August that that is the vote that will count. Presidential election were nullified by the court, so we are really waiting for *baba* to give the way the way forward on the day that we will have the elections.

From this hon. House I also want to second on that that the president of the County sent him the message telling his hon. Members that on that on Thursday will the day that we will need to consult on how we will be planning to meet *baba*, walk around give civic education to people on how we should be cultivating and thinking about agribusiness issues in our County. I wish to the speaker to put the question to allow us vote honorably for the adjournment.

Thank you Mr. Speaker.

(Question put and agreed to)

ADJOURMNET

The Speaker (Hon. Teya): Hon Members there being no other business and the time being 3:02 pm the House stands adjourned till Tuesday the 31st October 2017 at 2:30 pm.

The House rose at 3:05pm