

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY
OFFICIAL REPORT

Thursday, 7th September, 2017

Second Assembly - First Session - First Day

(Second Assembly convened by notification vide Legal Notice No.1 of 30.8.2017)

The County Assembly met at 10.00 a.m. at County Hall along Mwatu wa Ngoma Road, Machakos on Thursday, 7th September, 2017, it being the first day of the first meeting of this County Assembly.

[The proceedings were opened with a prayer read by the Clerk of the County Assembly (Mr. Felix Mbiuki)]

(Several Hon. Members walked into the Chamber)

COMMUNICATION FROM THE CHAIR
WELCOME ADDRESS BY THE CLERK

The Clerk of the County Assembly (Mr. Mbiuki): Hon. Members, good morning. Welcome to this session. It is my pleasure and privilege to welcome you to the first sitting of the second Assembly of Machakos.

Hon. Members, Standing Order 3 (2)(a), provides that on the first after the first sitting of a new assembly after a general election, the clerk shall;

(a) Read the notification of the governor as published in the Gazette.

Pursuant to this provision of the Standing Order, I now proceed to read the notification of the Governor. This is in legal notice No. 1; notification of the first sitting of the new county assembly.

I paraphrase; “In exercise of the powers conferred by Standing Order 3(2) of the county assembly of Machakos, I, Dr. Alfred N. Mutua, the Governor of the county Government of Machakos appoint that the first sitting of the second assembly of Machakos shall be held at the County Hall, along Mwatu wa Ngoma Road, Machakos on Thursday, 7th September, 2017 at 10.00 a.m.

The Legal Notice is dated 30th August, 2017 and is signed by His Excellency the Governor Dr. Alfred Mutua.

Thank you.

PAPER LAID

The following Paper was laid on the Table:
List of Hon. Members of the House.

The Clerk of the County Assembly (Mr. Mbiuki): Hon. Members, Standing Order No 3(2)(b) requires that on the first sitting of a new Assembly after general election, the Clerk shall lay a list of names of the persons elected as Members on the table of the Assembly.

Further, section 3 of the County Governments (Amendment) Act, 2016 provides that a County Assembly shall not be fully and duly constituted for the first sitting after a general election unless all the members provided for under paragraphs (b) and (c) of Article 177(1) of the Constitution have been duly nominated and their names published in the Gazette.

Hon. Members, I now proceed to lay on the table of the Assembly, a list of names of persons elected and nominated as Members of County Assembly of Machakos as published by the Independent Electoral and Boundaries Commission (IEBC) in the Gazette No. 8240 and 8380 dated 22nd August, 2017 and 28th August, 2017 respectively.

Thank you very much. I now lay the paper on the table.

ADMINISTRATION OF OATH

The Clerk of the County Assembly (Mr. Mbiuki): Hon. Members, Standing Order No. 3(2)(c) requires that: “On the first sitting of a new Assembly after general election, the Clerk shall administer the Oath or Affirmation of Office provided for in the First Schedule of the County Governments Act, 2012 to all members present in the Assembly in the order set out in paragraph (3).”

Standing Order No. 3(3) provides that: “The Clerk shall administer the Oath or Affirmation of Office to Members of the Assembly in Alphabetical order using the following order of precedence-

- (a) Members with longest cumulative period of service in the Assembly;
- (b) Members with the longest cumulative period of service in the Assembly and any local authority existing prior to the final announcement of all results of Parliament as contemplated under section 2 of the Sixth Schedule of the Constitution;
- (c) Members with the longest cumulative period of service in any local authority existing prior to the final announcement of all the results of Parliament as contemplated under Section 2 of the Sixth Schedule of the Constitution;
- (d) All other members.

Hon. Members, Standing Order 3(4) provides that: “Pursuant to Article 74 of the Constitution, no person shall assume or perform any functions of the office of a Member before taking and subscribing to the Oath or Affirmation of Office provided for under paragraph (2).”

Hon. Members, Standing Order 3(5) further provides that; “When the Clerk is administering the Oath or Affirmation of Office to Members and before the Clerk has administered the Oath or Affirmation of Office to the Speaker, any question arising in the Assembly shall be determined by the Clerk who shall, during that period, exercise the powers of the Speaker.”

Hon. Members, pursuant to Standing Order 3(2)(c), I shall now proceed to administer the Oath or Affirmation of Office to all Members here present in the order of precedence set out in Standing Order 3(3).

In order to facilitate this process, the name of each Member shall be called as annexed to the Order Paper. When called out, the Member shall proceed to the podium and there upon shall have the option to take the Oath or Affirmation of Office as they may choose and in accordance with their respective religious persuasion.

After taking the Oath or Affirmation of Office, the Member shall proceed to subscribe to the Oath or Affirmation of Office at the same point by signing the Oath Book. Hon. Members, we are now ready to commence the process. I will ask that the Clerk-at-the-Table calls out the names accordingly. Thank you very much and welcome.

The Oath of Allegiance was administered to the following Members:

Kamitu Alex Peter
Luka Jacinta Nthambi
Mawa Phoebe Koki
Munyao Jacqueline Nziva
Musyoka Benedette Mueni
Mutweia Justus Katumo
Ndalana Margarete Mutheu
Nzioka Alice Mukonyo
Maitha Moffat Muia
Nyanzi Paul Masila
Mutiso Peter Joseph
Mbithi Margaret Mwikali
Muendo Mark Kimathi
Mutwiwa Grace Munini
Ali Mohammed Abdirahman
Kaloki Ikusya
Kamulu Geofrey Mutuku
Kasyoka Josephat Mwanzia
Kiilu Daniel Maingi
Kingori George Kariuki
Kisila John Brian Kioko
Kisini Robert Muoki
Kitengu Justus Muasya
Kitheka Francis Kioko Kalumu
Kituku Patrick Muindi
Koki Christine
Masesi Cosmas Ngula
Mbevi Daniel Mutuku
Mbivya Irene Mwendu
Muema Tariq Mulatya

Muia Cosmus Kieti
Mule Caleb Mutiso
Muli Joshua Nzuki
Mulu Anthony Kasimu
Munguti Jeremiah Mutisya
Munguti Pauline Mene
Munyao Johana
Munyasya Angela
Musau Joseph Wambua
Museku Paul Nzau
Musembi Eric Wambua
Musyimi John Nzomo
Musyoka Moses Mitaa
Muthoka Fredrick Mbuva
Mutinda Thomas Musyoka
Mutiso Michael Nthuma
Mutua Winfred
Mutuku Annastacia Syomwai
Mutuku Nicholas Muia
Mutunga Agatha Mutindi
Mwanthi Stephen Nzue
Ndambuki Dominic Mulwa
Ndawa Judas Mbili
Ndeti Hellen
Ngunga Francis Mwaniki
Nyawira Jane Wangai
Nzioki Betty Nzisa
Nzioki Constance Mbula
Wambua Rozina Kanini

The Clerk of the County Assembly (Mr. Mbiuki): Any Member who has not taken the oath? Any Member by any mistake?

Member for Matungulu East (Hon. Cosmus Masesi): Point of order.

The Clerk of the County Assembly (Mr. Mbiuki): Sorry. The spelling in the certificate?

Hon. Masesi: Cosmus instead of letter "U" we have a letter "A".

The Clerk of the County Assembly (Mr. Mbiuki): Thank you, Mheshimiwa. That one, see me after this in the office.

Hon. Masesi: Thank you.

The Clerk of the County Assembly (Mr. Mbiuki): Thank you. Yes, Sir.

Member for Matungulu West (Hon. Moffat Maitha): Instead of writing Matungulu West ward, you wrote Matungulu ward.

The Clerk of the County Assembly (Mr. Mbiuki): Thank you, Mheshimiwa. That is a clerical error, see me after this. Yes,

Member for Kibauni (Hon. (Ms.) Annastaciah Syomwai): My name Annastaciah ends with letter "H" and not "A" as indicated.

The Clerk of the County Assembly (Mr. Mbiuki): Thank you, Mheshimiwa, see me after this. Yes Mheshimiwa...

Member for Mumbuni North (Hon. Paul Museku): The name of the ward is Mumbuni North and not Mbumbuni.

The Clerk of the County Assembly (Mr. Mbiuki): Hon. Members, thank you. Those are clerical errors, please can you see me after this. Anybody with a clerical error. Yes, Sir

Member for Lower Kaewa/ Kaani (Hon. Cosmas Kieti): My ward should be Lower Kaewa/Kaani.

(Loud consultations)

The Clerk of the County Assembly (Mr. Mbiuki): Hon. Members, we will correct all clerical errors immediately after this. Are we together?

Hon. Members: Yes.

(Applause)

The Clerk of the County Assembly (Mr. Mbiuki): Hon. Members, let me once again take this opportunity to congratulate you for taking the oath of your office and for complying with Article 74 of the Constitution of Kenya. Kazi imeanza.

(Applause)

Next order.

(Applause)

ELECTION OF THE SPEAKER

(Applause)

The Clerk of the County Assembly (Mr. Mbiuki): Hon. Members, Standing Order 4 (1), provides that a Speaker shall be elected when the Assembly first meet after General Election and before the Assembly proceeds with the dispatch of any other business, except the Administration of Oath or Affirmation of office to Members present. That has been done.

Pursuant to Standing Order, a number of activities were required for election of the Speaker prior to this first sitting. I will proceed to detail each such activity and the manner in which we have complied with the Standing Orders.

Firstly, Hon. Members, Standing Order 5(1), requires that, upon the Governor notifying the place and the date of the first sitting of a new Assembly pursuant to Standing Orders, that is proceedings of a new Assembly, the Clerk shall by notice in the gazette notify that fact and invite interested persons to submit their nomination papers for election to the office of the speaker.

The Clerk to the Assembly of Machakos, through *Gazette Notice* No. 8389, dated 30th August, 2017, invited interested persons to submit nomination papers for election of the Speaker.

Secondly, Hon. Members, Standing Order 5(4), requires that the Clerk shall maintain a register in which shall be shown the date and time when each candidate nomination papers were received and shall ascertain that, every candidate for election of the Speaker is qualified to be elected as charged under section 21(1) of the elections Act, read together with article 193 of the Constitution of Kenya 2010. I hereby confirm that, a register has been maintained in accordance with the requirement of this Standing Order.

Thirdly, Standing Order 5(5), requires that, immediately upon the close of the nomination period provided for in paragraph 2, the Clerk shall publicize and make available to all Members, a list showing all qualified candidates and make available to all Members copies of their curriculum vitae of the qualified candidates.

Hon. Members, I hereby confirm that, a list showing all qualified candidates was published and was made available to all Members present.

I further confirm that, I made available to all Members copies of the curriculum vitae of the qualified candidates.

Hon. Members, for the position of the Speaker of the County Assembly of Machakos, the following candidates were validly nominated at the close of the nomination period.

1. Florence M. Mwangangi.
2. Benjamin Maingi Munyao.
3. Bernard Muteti Mung'ata.
4. Nathaniel Nganga Reuben.
5. Sikendar Abdulkader Mohamed.
6. Angela Ndaka.

Hon. Members, at this juncture, I would like to quote Standing Order 8, of the Machakos County Assembly and indicate here that, Hon. Nathaniel Nganga Reuben, tendered his resignation---

(Applause)

...as per the requirement of Standing Order number 8 which states as follows; 'a candidate may by written notice to the Clerk withdraw his or her name before a ballot is patterned and in the event of such withdrawal, the Clerk shall close out the name of that candidate of any ballot paper issued for that or subsequent purpose.'

I do conform that, the ballot papers which will be circulated to you later, you will realize that, the name of one Hon. Nganga has been closed by pen. Anybody who votes against that vote or that candidate, the vote will be counted as spoilt vote.

Hon. Members, Standing Order 6(1), provides that, the election of the Speaker shall be by secret ballot. I repeat, Standing Order 6(1), provides that, the election of the Speaker shall be by secret ballot.

Further to that, Standing Order 6(2), states that, the Clerk shall at the commencement of each ballot, cause the ballot box empty and unlocked to be displayed to the Assembly and shall in the presence of the Assembly lock the box which shall thereafter be kept in the full view of the Assembly until the conclusion of the ballot.

Hon. Members, I now direct that the ballot box to be displayed to the Assembly immediately.

Hon. Muendo: Point of order.

The Clerk of the County Assembly (Mr. Mbiuki): What is your point of order, Sir?

Member for Kinanie (Hon. Mark Muendo): Thank you, Clerk. Apart from the Office of the Clerk, we have foreigners in the House. Can you maybe, with all due respect, mention them and who they are? Thank you.

(Applause)

The Clerk of the County Assembly (Mr. Mbiuki): Hon. Members, the Members seated immediately on my right, they are not in the House. They are not strangers. You can see the partition between the House and the other part of the House.

(Laughter)

(Applause)

I proceed. Can the Serjeant at Arms display the box?

(The Serjeant-at-Arms opened the

ballot box and displayed it to the House)

(Loud consultations)

The Clerk of the County Assembly (Mr. Mbiuki): I now direct that the ballot box be locked and kept in full view of the Members. Sergeant at Arms.

(Sergeant at Arms locked the ballot box)

Thank you.

Further, Hon. Members, Standing Order 6 (3), requires that, the Clerk shall, issue not more than one ballot paper to each Member who comes to the Table, to obtain it and each Member who wishes to vote shall proceed to the booth or designated area provided by the Clerk for that purpose and located next to and within reasonable distance of the ballot box and shall while there, mark the ballot paper by placing a mark in the space opposite the name of the candidate for whom the Member wishes to vote, fold the marked ballot paper before leaving the booth or area and place the folded ballot paper in the ballot box.

I want to clarify on that. This is a requirement of Standing Orders. Once you are issued with a ballot paper, the booth is just behind me here, you come, tick against the candidate of your choice, fold, bring it back to the ballot box, cast your ballot and sit. If you happen to display, make a photocopy by the phone, the presiding Officer is at liberty to request for you to be escorted out of the House.

Hon. Members, the designated area, that is the one I have stated, it is just here, behind me, to facilitate the process of voting, the name of each Member shall be called out as per the precedence list and annexed on the Order Paper, following which the Member shall come to the table and obtain a ballot paper. Each Member shall then proceed to the designated area and while there, mark the ballot paper and fold it, the Member will then place the marked ballot paper in the ballot box.

Hon. Members, Standing Order 6(6), provides that, when it appears to the Clerk that all Members who are present and wish to vote have placed their ballot papers in the ballot box, the clerk shall unlock the box, examine the ballot papers and having rejected those ballot papers that are unmarked or spoilt, report the results of the ballot and no Member who has not already recorded his or her vote shall be entitled to do so after the clerk has unlocked the ballot box.

Hon. Members, at the point of examining the ballot papers and counting votes, agents of the candidates will be come closer and witness the counting and tallying of the votes. One clerk Assistant will call out and display each ballot paper promptly and say aloud the person for whom the ballot paper is marked.

(Applause)

Hon. Members, Standing Order 7(1), provides that, a person shall not be elected as a Speaker unless supported in a ballot by votes of two thirds of all the Members present. This

means that, the candidate elected must be supported by the votes of not less than 40 Members.

Hon. Members, Standing Order 7(2), requires that, if no candidate is supported by the vote of two thirds of all the Members, the candidate or candidates who received the highest number of votes in the ballot referred to in paragraph one, and the candidate or candidates who in that ballot receive the next highest number of votes shall alone stand for election in a further ballot and the candidates who received the highest number of votes in the further ballot shall be elected Speaker.

Further to that, Hon. Members, Standing Order 9, states that, if in the further ballot referred to in the Standing Order 7, that is the election threshold, more than one candidate receives the highest number of votes, the ballot shall again be taken and if there is an equality of the highest number of votes, a further ballot shall be taken until one candidate obtains more votes than the other or others.

In addition, Standing Order 10, provides that, immediately the results are declared, all the ballot papers used in the election of the Speaker shall be packed and sealed in the presence of the Assembly and kept in the custody of the Clerk for a period of six months and shall thereafter be destroyed.

Hon. Members, self-sealing bags, have been provided and will be used to store the ballot papers after each ballot. We will require the agents of each candidate to append their signature and details on the bags.

Hon. Members, we are now ready and shall commence the process. I now direct that the ballot papers be issued to each Member who is called to the Table to obtain it and we follow the procedure as outlined above. Thank you, very much.

(Applause)

(Hon. Kamitu proceeded to vote)

Member for Muthetheni (Hon. Jeremiah Munguti): Point of order. I understand that as there before as it was explained, that the cameras are not supposed to be focusing at the booth. Can that be corrected, Sir?

The Clerk of the County Assembly (Mr. Mbiuki): Hon. Members, I think I have directed, no cameras will be directed to the booth. So please make take note of that. Whoever has a camera, please adhere to the instructions. Thank you.

(Hon. Members proceeded to vote)

The Clerk of the County Assembly (Mr. Mbiuki): Thank you, very much Dominic (Clerk at the Table). Hon. Members, now we want to establish how many votes have been cast. Before we call the agent, I will call one of my clerks or two of them to establish the number of votes cast. Dominic.

(The clerks unlocked the ballot box)

and proceeded to count the votes)

(Senator Boniface Kabaka entered the House)

(Applause)

The Clerk of the County Assembly (Mr. Mbiuki): Hon. Members, we recognize the presence of our senator.

(Total votes cast were counted)

The Clerk of the County Assembly (Mr. Mbiuki): Hon. Members, at this juncture, I will request five clerk assistants to come at the Table and five agents each for the following.

(Agents for the candidates came to the Table)

(Counting of votes in progress)

(Hon. Members signed on the seals)

(Agents signed on the seals)

The Clerk of the County Assembly (Mr. Mbiuki): Hon. Members, it is now my pleasure to announce the results for the first round. Remember the rule of the game. Out of the five, first round, whoever gains two thirds of the total votes cast becomes an automatic winner. We cannot go to second round.

If nobody gets two thirds, we go to the second round whereby, the first two shall have a run off and the winner will win by simple majority. It is now my pleasure to announce the results as follows. Not by any order.

NAME	VOTES
Angela Ndaka.	0
Sikendar Abdulkader Mohamed.	0
Bernard Muteti Mung'ata.	18
Benjamin Maingi Munyao.	0
Florence Mwangangi.	41
Total	59

(Applause)

The Clerk of the County Assembly (Mr. Mbiuki): Hon. Members, it is once again my pleasure to declare that, we have gotten the winner within the first round of the ballot.

(Applause)

It is now my pleasure therefore, to declare Ms. Florence Mwangangi, the Second Speaker of Machakos County Assembly.

(Applause)

(The Clerk accordingly declared Ms. Florence Mwangangi elected Speaker of the Machakos County Assembly and directed the Serjeant-at-Arms to search for the said Ms. Florence and present her to the House.)

(Applause)

(Loud consultations)

(On arrival of Ms. Florence Mwangangi, she was escorted to the Chamber by the Serjeant-at-Arms)

The Clerk of the County Assembly (Mr. Mbiuki): Hon. Members, please get seated. Madam Florence is not yet the Speaker until she takes the oath of office. So not yet. Bado. You wait. Are you a Christian or a Muslim?

Ms. Mwangangi: A Christian.

The Clerk of the County Assembly (Mr. Mbiuki): You are a Christian.

Ms. Mwangangi: Yes.

The Clerk of the County Assembly (Mr. Mbiuki): Alright.

(On arrival at the Chair, the Clerk thereupon administered the Oath of Allegiance to the Speaker-elect, Ms. Florence Mwangangi)

(Applause)

The Clerk of the County Assembly (Mr. Mbiuki): Congratulations, Hon. Speaker. Hon. Members, you will now allow us for about five minutes so that the Speaker can dress up and give her acceptance speech. In the meantime Hon. Members, I would want you to note that the House is still in session. I am also expecting as I am entering in to be joined by His Excellency the Governor of Machakos, Dr. Alfred Mutua. So, Hon. Members, be patient.

(Speaker-elect walked out to dress up)

(The Speaker, Hon. (Ms.) Mwangangi, then took the Chair and the mace which had been covered was uncovered)

(Applause)

COMMUNICATION FROM THE HOUSE

SUBMISSION OF MADAM. SPEAKER TO THE WILL OF THE HOUSE

Hon. Speaker: Honourable Members, from the onset, I thank the Almighty God for the great favour He has conferred upon me. It is with sincere gratitude that I stand before this House as the Speaker of the Second Assembly of County Assembly of Machakos having been elected by the Honourable members. I also have to thank the Clerk of the Assembly and the staff for the invaluable guidance of procedures leading to my election.

Today is a great day for me having been elected as the Speaker of the Second Assembly of Machakos County and the only way to repay your faith in me is by executing my duties with the interest of the County and the Republic of Kenya in the forefront.

I humbly seek to position you as witnesses to my solemn pledge to live up to the expectations of the Office of the Speaker of the Second Assembly of Machakos County and to undertake the task ahead to the best of my ability.

I assure the House that I will uphold the rule of law as prescribed in various statutes. In the same vein, I appeal for teamwork so that the Assembly can effectively execute its mandate.

It is a great honour to be elected as Speaker of this Honourable House. I consider my election as a greater responsibility. I pray to the Almighty God that I shall successfully chart a path of prosperity for the County as the Speaker of this House.

I wish to congratulate all of you Hon. Members for being elected as members of this House. It is a unique opportunity to serve our County. I look forward to maximizing the opportunities for every member to contribute in the business of this House.

I trust the experienced members like Hon. Moffat Maitha who has served in the national assembly; I hope he will mentor the other members especially the new members. The Chair sits at a rostrum so that everyone can catch my eye. I intend to be fair to all and therefore seek your understanding to advance the cause of the County.

As a House, we need to be guided by high ethical considerations so that we do not relapse into the so-called tyranny of statistics. We will encourage healthy debates. Open, frank, fair and honest debate is of utmost importance and constructive alternatives will be respected under my stewardship.

Both the majority and the minority parties as well as non-affiliated members must be guided by the mandate stipulated in the Constitution of Kenya to build a vibrant society anchored on the principles of fairness and equality of opportunities.

Good governance is a key element in prosperity of the County and thus the Assembly must take its rightful role by effectively performing its core tasks of representation, oversight

and law-making. Our ability to control public expenditure will be good service to our electorate.

Honourable members, we must always remember that County governments have the executive and legislative arms. The two arms have a symbiotic relationship; there is inter-dependence and there is independence of each of them.

The Commonwealth Principles of Latimer offer a harmonious framework of balancing of power and the interaction between parliament, the executive and the judiciary in democratic societies.

The Latimer Principles set out the consensus arrived at by representatives of governments in the Commonwealth on how each of the three institutions should inter-relate in the exercise of their constitutional responsibility for the good of the electorate.

Residents of Machakos County expect us to give them hope, provide opportunities for wealth creation, provision of water, equality and health care just to mention a few pressing needs. The electorates want us to be honest, accountable; in fact they demand that we be responsible in discharge of our mandate to them and we must give them that demand. We are their servant and not their bosses and that is what the constitution says.

Devolution is now taking root in the country and this Second Assembly must strive to improve the lives of the residents of this county from where the First Assembly has left. Challenges, of course, have been experienced and it is upon this Second House to improve and learn from those challenges so that the services to the electorate can be better.

Standing Orders are set to guide procedures in the House. Towards application of the regulations, Honourable members, I ask you to familiarize yourselves with the provisions to promote quality and structured debating and to perfect competencies for optimal functioning.

Good grasp of the Standing Orders will promote orderliness and good debates and will ensure members do not fall foul of the provisions by breaching them. That maybe lack of knowledge of the Stranding Orders and that is why I ask honourable members sitting here to familiarize themselves with the Standing Orders.

Honourable members, it is my appeal that we enhance our capacity at individual level by keeping abreast of current affairs not only in the country but regionally but also internationally. The Assembly library and ICT facilities are available. Please make use of them.

About the committees, the Standing and Sectoral committees is where most of the business of the House is conducted. The Committees must be vibrant enough to steer business of the House because with weak committees, the House may not be effective in delivering on its cardinal mandate.

Committee chairpersons are delegated the powers of the Speaker in carrying out committee business. With that in mind, I therefore ask the chairpersons and chairmen to should be proactive, dynamic and innovative and apply wide-angle approach to feed the House with quality business.

Honourable members, you are now expected to carry yourself out in a way that befits your status as State Officers. Of particular attention, I refer you to Chapter Six of Constitution of Kenya. I would invite Honourable members to uphold the provisions, specifically of Article 75 of the Constitution of Kenya that details the conduct of State Officers of whom you are.

The role of Honourable members of County Assemblies is defined in the County Governments Act, and I refer you to Section 9.

With the provisions that I have mentioned, I know we will be able to balance our positions as members of this House with regard to the mandate that the electorate has given you members so that you can serve them.

As the Speaker, I will enforce Article 27 of Constitution of Kenya and it is about equality irrespective of your standing, irrespective of your belief, irrespective of which party you stand with.

You are Honourable members and each one of you have a duty to this House and to the people that elected you or the institutions that appointed you to this House. This principle will apply when apportioning time to members, the principles of equality so that no member feels sidelined, no member feels favoured in the business of the House.

All contributions will be captured in the Hansard and members can monitor and evaluate the opportunities accorded by the Chair. I believe the electorates and interests that you represent as nominated members will be watching to see your performance in this House. Whenever mistakes are pointed out, remedial measures will be taken to remedy them.

Privileges for Honourable members are accorded to maintain the dignity of the Honourable members as State Officers. Immunity and privileges cannot be wished away by any person, body or authority. I shall help and guide you on maintaining that without fail.

In the same light, remember that to whom much is given, much is expected. If you breach the law, the law will be happy with you; it will demand much of you. A lawmaker cannot be a lawbreaker. So as you make laws, try and live within the laws so that you set an example to the others because you are state officers and leaders.

Honourable members, the media and civil society are important part of the County and particularly of this House; they assist in the path towards good governance towards the path of good governance. In this respect, the two institutions should play their role to shape the agenda of the County; that is about transparency of the business of this House and to an extent, the business of the county. Honourable members, this should be done on the laid down principles so that we do not have witch hunt, misinformation or information that may be a breach to the law.

Besides presiding over the House, Honourable members, I have an added responsibility as the Chairperson of the County Assembly Service Board as provided by County Assembly Services Act, 2017. I pledge to discharge that duty as per the provisions of that law.

In conclusion, I expect that we shall steer the County Assembly to be a model legislative body and perform our roles with impartiality, fairness and objectiveness. Let us aim to propel our Assembly to a higher height be rightfully placed and also move it to be even copied by other county assemblies.

I just want to end by quoting the former President of United States Barrack Obama; he said 'if you are walking down the right path and you are willing to keep walking, eventually you will make progress in the walk.'

With God with us in this journey, we shall deliver to the best of our ability. I thank you very much for your kind attention.

(Applause)

Honourable members, I acknowledge the presence of the Honourable Senator in this House and I kindly ask him to make a statement to you.

REMARKS BY THE SENATOR

That you Lady Speaker, Machakos County Assembly. Before I make my remarks which are in written form, I wish to pay gratitude to Lady Speaker. She is a lady I know, an advocate of the High Court of Kenya, senior counsel of very high calibre.

(Applause)

She is my senior by one year; when we went to Nairobi University, I found her there. We have so many battles in the high court and other quarters and I very sure and I thank you Honourable members of the county assembly for having elected this fantastic this Madam Speaker.

Now it is my time also to deliver my speech in regard to this Honourable House as the elected Second Senator of Machakos County.

First, I take this opportunity to thank all the sovereign people of Machakos County and especially those who took part in the just-concluded general elections in exercise of their sacrosanct democratic right for electing me their Second county Senator. I pledge to reward their faith in me and deliver on the agenda on which they have elected me to this important office of the people.

Secondly, I congratulate all of you honorable Members for having been elected by the people of Machakos to serve them for the next five years. To the nominated Members, you equally won the faith of your sponsoring parties and therefore have a duty to represent the interests of your sponsors in the Assembly.

Now that campaigns are over, it is our duty as representatives of our electorates to ensure that we play our roles as enumerated in the Constitution of Kenya 2010 and the County Governments Act No. 17 of 2012 and in particular section 8 subsection (1) and (2).

Honorable Members, my roles as your Senator and yours as Members of the county Assembly is complementary. We need to pull our common synergies to check the County Executive as outlined in the Section 30 of the County Governments Act No. 17 of 2012. To this end, I expect you to cooperate with my office for effective, optimum and prudent service delivery.

Honourable Members, the Constitution of Kenya 2010 emphasizes on the sovereignty of the people and the supremacy of the Constitution; as such, the sovereign will of the people is given prominence that entails citizen participation pursuant to section 87 of the County Governments Act No. 17 of 2012.

To achieve this, citizens should be given accurate, timely and desirable civic education to empower and enlighten them and to enable them to continually and systemically engage their Government to achieve the objects and principles of devolution as enshrined in Articles, 174, 175 and 186 of the Constitution.

In view of the above, as your supremely elected Senator I pledge and reaffirm to zealously fight to protect the interests of the people of Machakos County at all times. I will also strive as far as possible to consult, collaborate and cooperate with all other elected leaders including the Governor, Women representative, Members of Parliament and you the Members of the County Assembly to ensure the will of the people and their aspirations carry the day every day.

As an elected representative of the people of Machakos, I have a vision for Machakos County as a County that by leveraging its proximity to Nairobi and the hardworking nature of its people endeavors to become the model County and centre of attraction for all. I see my role in achieving this vision mainly as a facilitator, advisor, guide, overseer, protector of your development and devolution and above all else, the voice of the County and the voice of the people of Machakos county, both at the County Government level, National level and even at international level.

You can count on this: I will not spare any effort or rest or leave any stone unturned until I have ensured that you the people of Machakos get the best there is of devolution in the next five years. This is the standard by which I want you to judge me on my actions and soon I shall be opening communication channels to afford you the opportunity to engage and reach out to me.

To the newly-elected Speaker, I congratulate you for being elected among many and I pledge my unwavering support. I expect reciprocation. Once again, I say thank you to all the representatives of the people of Machakos County and the Clerk of the County Assembly for your faith in me and look forward to your support and cooperation as I commence serving you in execution of this veritable mandate you have bestowed upon me as your Senator.

God bless Machakos County, God bless our beloved Country Kenya. Thank you all.

(Applause)

ADJOURNMENT

Hon. Speaker: Hon. Members, at this juncture, the House adjourn *sine die*.

The House rose at 3.00 p.m.