

**REPUBLIC OF KENYA**  
**MACHAKOS COUNTY ASSEMBLY**

**OFFICIAL REPORT**

**Tuesday, 20th March, 2018**

The House met at 10.40 a.m.

*[The Speaker (Hon. (Mrs.) Mwangangi) in the Chair]*

PRAYERS

**Hon. Speaker:** Good morning, Hon. Members. I will excuse whoever's phone was ringing when we were praying and you will also to ask God to excuse you as well. The short of it is that as we enter this chambers let us put off our phones so that we do not cause a disruption. So, we can proceed with the business of today. Mr. Clerk, proceed please.

**COMMUNICATION FROM THE CHAIR**  
**COUNTY FISCAL STRATEGY PAPER 2018/19**

**Hon. Speaker:** Hon. Members, this communication which is coming from the Chair is important. Of course, all communication from the Chair is important but this one may mean the very survival of some of you so you need to listen very carefully. It is about planning and it has come from the budget committee and for purposes of interrogating the County Fiscal Strategy Paper, Hon. Members, which you know we received, the (CFSP).

Every member is advised to derive from their wards CIDP projects for the year 2018/2019 in the following areas; health, that is dispensaries, roads, the murraming, water, the boreholes and dams, rain water harvesting, agriculture and education, ECDs and polytechnics, excuse me.

These projects, Hon. Members, the information is to be handed over urgently to the budget and appropriations secretariat committee which is station at the board room (b) by close of business tomorrow 21st of March, 2018. I just want to explain why this communication because the house is interrogating the CFSP through that committee and remember, you are well aware that unless a project is captured in the CFSP it is going to miss out in the budget for the next financial year and then it misses out on execution.

That is why I said it will mean the very survival of some of you because if you are not giving services to your people by having these projects captured in the CFSP and in the budget for the next financial year, they will not be executed. Do we understand each other? Yes, so take it seriously and communicate that information to the secretariat of the budget and appropriations secretariat, of course that is by close of tomorrow.

If you can do it immediately after this so much the better, if you are not clear what you need to give ask them they will guide you, Hon. Members. Thank you. Mr. Clerk, proceed.

**PAPER LAID****REPORT ON NOMINATION OF MEMBERS TO VARIOUS COMMITTEES**

**Hon. Speaker:** Hon. Members, under this Order, we have one business and is by the Hon. Francis Ngunga.

**Hon. Ngunga:** Thank you, Madam Speaker; good morning, members. That pursuant to Standing Order 155 (1) I wish to lay the following paper on the Table of the House, today 20th March, 2018 and this will be the report of the committee on selection on nomination of members to various committees. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Francis Ngunga. Mr. Clerk, proceed.

**NOTICE OF MOTION**

**Hon. Speaker:** Under this order, Hon. Members, we have one business as listed in the appendix and it is by Hon. Francis Ngunga.

**REPORT ON NOMINATION OF MEMBERS TO VARIOUS COMITTEES**

**Hon. Ngunga:** Thank you, Madam Speaker.

That aware that aware that Standing Order 228 provides for the periodic review of Standing Orders not later than six months to the end of the term;

The procedure and house rules shall review the Standing Orders and make a report to the Assembly recommending the Standing Orders if any to be amended;

The amendments to the Standing Orders upon approval by the Assembly take effect at the time appointed by the Assembly;

Madam Speaker, noting that the committee on procedure and house rules tabled a report on amendment of the Standing Orders which sought to include committees that had been removed from the Standing Orders following the amendments made in May, 2017;

Madam Speaker, cognizant that the committee on selection is mandated to nominate members to serve in committees pursuant to Standing Order 152(2);

Further aware that pursuant to Standing Order 153(1) the committee shall in consultation with the Assembly parties nominate members who shall serve on a select committee;

Informed that the committee on selection retreated to Nairobi on the 15th to the 18th, March to nominate members to these committees;

Madam Speaker, I wish to give notice that pursuant to Standing Order 155(1), the Assembly approves the report of committee on selection on nomination of members to select and sectoral committees.

Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Ngunga. Mr. Clerk, proceed.

**STATEMENT**

## BUSINESS FOR THE HOUSE FROM 20TH TO 21ST MARCH, 2018

**Hon. Speaker:** Hon. Members, under this order we have business as listed in the appendix and it is by Hon. Francis Ngunga; one business.

**Hon. Ngunga:** Madam Speaker, to avoid monotony let me ask the Deputy Majority Leader to assist in this.

**Hon. Speaker:** That is well. The Deputy Majority Leader, Hon. Kiteng'u.

**Hon. Kiteng'u:** Thank you, Madam Speaker. I stand under Standing Order number 41(2)(a) where during the statement hour a member of the House Business Committee designated by the committee for that purpose shall not for more than 10 minutes present and lay on the Table a statement informing the House of the business coming before the house.

Hon. Speaker, the house business committee met on 19th March, 2018 and balloted business for this week pursuant to the provisions of the Standing Order 151 as follows;

Tuesday, 20th March, 2018

Morning at 10 a.m.

Report of committee on selection on nomination of members to new committees to be presented by the chairperson of selection committee Hon. Francis Ngunga.

Motion on adjournment of the House to 21st March, 2018.

Afternoon at 2.30 p.m.

Motion on adjournment.

**Hon. Speaker:** Sorry about that Hon. Kiteng'u that is a typo error but I believe the work should come down.

**Hon. Kiteng'u:** Sorry.

**Hon. Speaker:** Yes.

**Hon. Kiteng'u:** No business---

*(Laughter)*

Tuesday, 20th March, 2018

Afternoon at 2.30 p.m.

No business.

Wednesday 21st March, 2018

Morning at 10 a.m.

Motion on setting up of cancer palliative care center in Machakos Level V hospital that will be presented by Hon. Paul Museku.

Afternoon at 2.30 p.m.

Motion on implementation of universal health care scheme and a uniform contribution for each household for assured health service which will be tabled by Hon. Angela Munyasya.

**Thank you, Madam Speaker.**

**Hon. Speaker:** Thank you, Hon. Kiteng'u. Mr. Clerk, proceed.

### MOTIONS

**Hon. Speaker:** Hon. Members, under this order we have two motions and both are by the Hon. Francis Ngunga but he is at liberty to delegate as he has just done. Hon. Ngunga.

#### REPORT ON NOMINATION OF MEMBERS TO VARIOUS COMMITTEES

**Hon. Ngunga:** Thank you, Madam Speaker;

That aware that the Standing Order 228 provides for the periodic review of the Standing Orders not later than six months to the end of the term, the procedure and house rules committee shall review the Standing Orders and make a report to the Assembly recommending the Standing Orders, if any, to be amended;

The amendments to the Standing Orders, upon the approval by the Assembly, take effect at the time appointed by the Assembly;

Madam Speaker, noting that the committee on procedure and rules tabled a report on amendments of the Standing Orders which sought to include committees that had been removed from the Standing Orders following the amendments made in May 2017;

Madam Speaker, cognizant that the committee on selection is mandated to nominate members to serve in committees pursuant to Standing Order 152(2);

Further aware that pursuant to Standing Orders 153(1), the committee shall in consultation with the Assembly parties nominate members who shall serve on a select committee;

Informed that the committee on selection retreated to Nairobi on the 15th to 18th March, 2018 to nominate members to the committees;

Madam Speaker, I wish to move the motion that pursuant to Standing Orders 155(1), the Assembly approves the report of the committee on selection on nomination of members to select and sectoral committees.

In this one, Madam Speaker, I would wish to ask the Hon. Minority Leader who is the vice chairperson of this committee, to second this. Thank you, Madam Speaker.

**Hon. Speaker:** Hon. Minority Leader.

**Hon. Kamitu:** Thank you, Madam Speaker. I stand here to second the motion. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Kamitu. Hon. Ngunga.

**Hon. Ngunga:** Thank you, Madam Speaker. Hon. Members I will start to give a report of the selection committee that retreated to Nairobi last weekend. Madam Speaker, the committee on selection tabled a report on nomination of members to committee in September, 2017---

**Hon. Speaker:** Point of order from Hon. Ndawa.

**Hon. Ndawa:** Yes, it is just clarification; we are supposed to have the report as it is being tabled so I do not know why we have not been given the same or it is the one that is being---

**Hon. Speaker:** I notice, Hon. Ndawa, your point of order is well-placed. As a matter of fact, we started the Assembly late because there was a hitch in printing the report. I notice it is just coming so it is only fair that members have it before we discuss it so Bw. Serjeant at Arms, just give the papers. Members will pick and pass over because you will not be able to reach each one of them. Give a bundle and each picks and then passes over to the next; try to hurry up.

*(The Report was circulated Hon. Members)*

Now every member has a copy of the report. Hon. Ngunga, proceed.

**Hon. Ngunga:** Thank you, Madam Speaker, for that interjection. It was a small oversight. I understand, Madam Speaker, we have challenges of logistics and the rains have also been plenty. Madam Speaker.

*Mandate of the committee*

Madam Speaker, the Committee on Selection is established pursuant to the Standing Order 152(1) and its mandate in Standing Order 152(3) that states that ‘the Committee on Selection shall nominate or substitute members to serve in Committees, save for the membership of the House Business Committee and Committee on Appointments.’

*Committee composition*

Madam Speaker, the committee has 13 Hon. Members as listed below:-

- |     |                         |                               |
|-----|-------------------------|-------------------------------|
| 1.  | Hon. Francis M. Ngunga  | - Majority Leader/Chairperson |
| 2.  | Hon. Alex Kamitu        | - Minority Leader             |
| 3.  | Hon. Justus Kiteng’u    | - Member                      |
| 4.  | Hon. Tariq Mulatya      | “                             |
| 5.  | Hon. Grace Mutwiwa      | “                             |
| 6.  | Hon. Christine Koki     | “                             |
| 7.  | Hon. Peter J. Mutiso    | “                             |
| 8.  | Hon. Geoffrey M. Kamulu | “                             |
| 9.  | Hon. Jacqueline Nziva   | “                             |
| 10. | Hon. Johana Munyao      | “                             |
| 11. | Hon. Ikusya Kaloki      | “                             |
| 12. | Hon. Moffat Maitha      | “                             |
| 13. | Hon. Pauline M. Munguti | “                             |

*Committee retreat*

Madam Speaker, the Committee on Selection retreated on March 15th to 18th, 2018 to 67 Airport Hotel, Nairobi to nominate members to the new committee created by the amendment of the Standing Orders as per the Standing Order 153 and to align members to Standing Order 157 'subject to any written law, these Standing Orders or a resolution of the House, a select committee shall consist of an odd number of members being not less than nine and not more than 13.'

The committee guided by Standing Order 154(1); 'in nominating Members to serve on a select committee, the Selection Committee shall ensure that the membership of each committee reflects the relative majorities of the seats held by each of the Assembly parties in the Assembly.' Madam Speaker, the committee also made the following rules to guide them in the exercise;

- That each Hon. Member to have at least four committees comprising of two sectoral committees and at least one select committee.
- Those committees which a member holds by virtue of his position such as Liaison for Chairpersons, procedure and rules, Chairperson of Committees, and House Business, Leaders of Majority and Minority, Whips and Chairperson of committees, shall not be considered in getting total number of committees for a member.
- The committee considered regional and gender balance when nominating members to the committees.

*Committee Members*

Madam Speaker, the new committees created through amendments to the Standing caused members of committees to be moved from one committee to another and others replaced so as to align with Standing Order 157 which states that 'subject to any written law, these Standing Orders or a resolution of the House, a select committee shall consist of an odd number of members being not less than nine and being not more than 13.'

*Sectoral committees*

Pursuant to Standing 190(1) there shall be select committees to be known as sectoral committees the membership of which shall be nominated by the Selection Committee in consultation with the Assembly parties at the commencement of every Assembly.

Madam Speaker, Standing Order 190(4) also states that the mandate of sectoral committees in respect of the subject matter assigned under the second schedule of these standing orders shall only be exercised within the limits contemplated under part 2 of the Fourth Schedule.

These committees and their members are as follows:-

**TRADE, ECONOMIC PLANNING AND INDUSTRIALIZATION**

These will be the;

1. Hon. Cosmas Kieti Muia
2. Hon. Judas Ndawa
3. Hon. Anthony Mulu
4. Hon. Betty Nzioki

5. Hon. Christine Koki
6. Hon. Annastaciah Mutuku
7. Hon. Brian Kisila
8. Hon. Josephat Kasyoki
9. Hon. Justus Katumo
10. Hon. Mark Muendo
11. Hon. Mohammed Ali
12. Hon. Peter Mutiso
13. Hon. Winfred Mutua

#### **EDUCATION AND SOCIAL WELFARE COMMITTEE**

1. Hon. Daniel Kiilu
2. Hon. Hellen Ndeti
3. Hon. Alice Nzioka
4. Hon. Angela Munyasya
5. Hon. Benedette Musyoka
6. Hon. Francis Ngunga
7. Hon. Geoffrey Kamulu
8. Hon. George King'ori
9. Hon. Ikusya Kaloki
10. Hon. Jane Nyawira
11. Hon. Joseph Musau
12. Hon. Margaret Ndalana
13. Hon. Phoebe Koki

#### **TRANSPORT, ROADS AND PUBLIC WORKS**

1. Hon. Daniel Mbevi
2. Hon. John Musyimi
3. Hon. Caleb Mule
4. Hon. Cosmus Masesi
5. Hon. Francis Ngunga
6. Hon. Grace Mutwiwa
7. Hon. Irene Mbivya
8. Hon. Justus Kiteng'u
9. Hon. Margaret Mbithi
10. Hon. Margaret Ndalana
11. Hon. Patrick Kituku
12. Hon. Pauline Munguti
13. Hon. Tariq Mulatya

#### **JUSTICE AND LEGAL AFFAIRS**

1. Hon. Fredrick Muthoka
2. Hon. Eric Musembi
3. Hon. Alice Nzioka
4. Hon. Anthony Mulu
5. Hon. Dominic Ndambuki

6. Hon. Francis Kalumu
7. Hon. Patrick Kituku
8. Hon. Mohammed Ali
9. Hon. Moses Mitaa
10. Hon. Robert Kisini
11. Hon. Stephen Mwanthi
12. Hon. Tariq Mulatya
13. Hon. Winfred Mutua

#### **AGRICULTURE COMMITTEE**

1. Hon. Moses Mitaa
2. Hon. Constance Nzioki
3. Hon. Agatha Mutunga
4. Hon. Benedette Musyoka
5. Hon. Eric Musembi
6. Hon. Geoffrey Kamulu
7. Hon. Joshua Nzuki Muli
8. Hon. Michael Mutiso
9. Hon. Moffat Maitha
10. Hon. Nicholas Mutuku
11. Hon. Paul Nyanzi
12. Hon. Rozina Kanini
13. Hon. Tariq Mulatya

#### **ENVIRONMENT, ENERGY, LANDS AND NATURAL RESOURCES**

1. Hon. Robert Kisini
2. Hon. Christine Koki
3. Hon. Alex Kamitu
4. Hon. Brian Kisila
5. Hon. Cosmas Kieti Muia
6. Hon. Dominic Ndambuki
7. Hon. George King'ori
8. Hon. Hellen Ndeti
9. Hon. Jacqueline Nziva
10. Hon. Jane Nyawira
11. Hon. Joseph Musau
12. Hon. Mark Muendo
13. Hon. Michael Mutiso

#### **FINANCE AND REVENUE COLLECTION**

1. Hon. Cosmus Masesi
2. Hon. Josephat Kasyoki
3. Hon. Betty Nzioki
4. Hon. Brian Kisila
5. Hon. Caleb Mule
6. Hon. Fredrick Muthoka



7. Hon. Judas Ndawa
8. Hon. Justus Kiteng'u
9. Hon. Margaret Mbithi
10. Hon. Moffat Maitha
11. Hon. Phoebe Mawa
12. Hon. Stephen Mwanthi
13. Hon. Thomas Mutinda

#### **HEALTH AND EMERGENCY SERVICES**

1. Hon. Grace Mutwiwa
2. Hon. Peter Mutiso
3. Hon. Annastasiah Mutuku
4. Hon. Daniel Kiilu
5. Hon. Daniel Mbevi
6. Hon. Ikusya Kaloki
7. Hon. Jacinta Luka
8. Hon. Jacqueline Munyao
9. Hon. Jeremiah Munguti
10. Hon. Johana Munyao
11. Hon. Patrick Kituku
12. Hon. Paul Museku
13. Hon. Pauline Munguti

#### **LABOUR, PUBLIC SERVICE AND ICT**

1. Hon. Jeremiah Munguti
2. Hon. Agatha Mutunga
3. Hon. Alex Kamitu
4. Hon. Christine Koki
5. Hon. Constance Nzioki
6. Hon. Francis Kalumu
7. Hon. Irene Mbivya
8. Hon. Jacinta Luka
9. Hon. Joshua Nzuki Muli
10. Hon. Justus Katumo
11. Hon. Nicholas Mutuku
12. Hon. Paul Nyanzi
13. Hon. Rozina Kanini

**Hon. Speaker:** Point of order from Hon. Jeremiah

**Hon. Munguti:** Yes, on number nine labour public service and ICT, I think the Majority has skipped one name. Hon. Christine Koki.

**Hon. Speaker:** Number nine, Hon. Ngunga, have you noted that? Yes number nine four, is it the one he has skipped? It must be inadvertent. It was not intended I want to believe but the point of order is noted.

**Hon. Ngunga:** Thank you, Madam Speaker. I like the precision with which the member has been following; that is his committee. Thank you, Mheshimiwa; I stand corrected

### ***SELECT COMMITTEES***

#### **ASSEMBLY BROADCASTING UNIT**

1. Hon. Florence Mwangangi
2. Hon. Cosmas Kieti
3. Hon. Eric Musembi
4. Hon. Jacinta Luka
5. Hon. Paul Nyanzi

#### **PROCEDURE AND RULES COMMITTEE**

1. Hon. Florence Mwangagi, the Speaker and the Chair
2. Hon. Paul Museku
3. Hon. Jane Nyawira

**Hon. Speaker:** Point of Order from the Chair. I do not see the name Mwangangi there. It is an interesting name we can hardly pronounce.

*(Laughter)*

**Hon. Ngunga:** Thank you, Madam Speaker. I think this is a typo. Members, I would request humbly that you insert the letter 'i' after the...no you insert, you delete 'n' and insert 'i.' That will read for you Mwangangi. Thank you, Madam Speaker.

**Hon. Speaker:** Who can write my name correctly; Hon. Kisila?

**Hon. Kisila:** Madam Speaker, delete the letter 'g' then you add 'gi' at the end. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Kisila. Hon. Ngunga, please proceed.

**Hon. Ngunga:** Thank you, Madam Speaker. These are typos but we will caution the Clerk Assistants to be more keen.

2. Hon. Jane Nyawira, member number two in that committee
3. Hon. Constance Nzioki
4. Hon. Paul Nyanzi

#### **BUDGET AND APPROPRIATIONS**

1. Hon. Dominic Ndambuki
2. Hon. Thomas Mutinda
3. Hon. Angela Munyasya
4. Hon. Daniel Mbevi

5. Hon. Ikusya Kaloki
6. Hon. Jacqueline Munyao
7. Hon. Margaret Mbithi
8. Hon. Moffat Maitha
9. Hon. Paul Museku

#### **WARD DEVELOPMENT FUND COMMITTEE**

1. Hon. Stephen Mwanthi
2. Hon. Moffat Maitha
3. Hon. Alex Kamitu
4. Hon. Annastasia Mutuku
5. Hon. Betty Nzioki
6. Hon. Cosmus Masesi
7. Hon. Fredrick Muthoka
8. Hon. Hellen Ndeti
9. Hon. Robert Kisini

#### **COMMITTEE ON IMPLEMENTATION**

1. Hon. Mark Muendo
2. Hon. Rosina Kanini
3. Hon. Angella Munyasya
4. Hon. Caleb Mule
5. Hon. Francis Ngunga
6. Hon. Geoffrey Kamulu
7. Hon. Grace Mutwiwa
8. Hon. Irene Mbivya
9. Hon. John Musyimi
10. Hon. Justus Kiteng'u
11. Hon. Justus Katumo
12. Hon. Judas Ndawa
13. Hon. Mohamed Ali

**Hon. Speaker:** Point of order from, Hon. Angela.

**Hon. (Ms.) Munyasya:** Angela Munyasya is spelt with one L and not two Ls.

**Hon. Speaker:** Hon. Francis Ngunga, the correction is noted I believe; let us proceed. One L not double L.

**Hon. Ngunga:** Thank you, Madam Speaker. That put me a little off balance, Madam Speaker.

**Hon. Speaker:** You had finished number six so you go to number seven with the correction that Hon. Angela has pointed out.

**Hon. Ngunga:** Thank you, Madam Speaker.

**DEVOLUTION AND INTER GOVERNMENTAL RELATIONS COMMITTEE**

1. Hon. Francis Kalumu
2. Hon. Johana Munyao
3. Hon. Benedette Musyoka
4. Hon. Daniel Kiilu
5. Hon. Jeremiah Munguti

**Hon. Speaker:** Hon. Majority Leader, we appreciate the monotony of reading all these names but it is Jeremiah Munguti not Daniel Munguti as you have just read. You read Hon. Daniel Kiilu---

**Hon. Ngunga:** The Hon. Daniel Kiilu

**Hon. Speaker:** Then.

**Hon. Ngunga:** Hon. Jeremiah Munguti.

**Hon. Speaker:** Correct.

1. Hon. Nicholas Mutuku
2. Hon. Phoebe Koki.

Thank you, Madam Speaker, we are thorough.

*(Laughter)*

**Hon. Speaker:** We always are very thorough.

**POWERS AND PRIVILEGES**

1. Hon. Florence M. Mwangangi
2. Hon. Paul Museku
3. Hon. Margaret Ndalana
4. Hon. Moses Mitaa
5. Hon. Thomas Mutinda

**COMMITTEE ON APPOINTMENTS**

This we are reading for the sake of it because again it is not part of .....but we thought it was important that we also mention so that members do not feel that we have removed this committee. So the committee on appointment it remains as it were; these would be,

1. Hon. Florence Mwangangi
2. Hon. Francis Ngunga
3. Hon. Alex Kamitu
4. Hon. Winfred Mutua

5. Hon. Brian Kisila
6. Hon. Mark Kimathi Muendo

**Hon. Speaker:** Is Kimanathi written like this from this side of the country?

**Hon. Ngunga:** It is not---

**Hon. Speaker:** There is an 'n' somewhere.

**Hon. Ngunga:** Somebody is going to pay for this.

**Hon. Speaker:** Not right now; maybe latter. Remember there was a hurry in preparing this report so there is an 'n' between 'a' and 't'. Kimanathi.

**Hon. Ngunga:** Committee...so that will read; Hon. Mark Muendo Kimanathi with an 'n'---

**Hon. Muendo:** Should be complete Muendo. Thank you, Madam Speaker.

**Hon. Ngunga:** The Hon. Muendo Kimanathi.

**Hon. Speaker:** Mark Muendo Kimanathi.

**Hon. Muendo:** Sorry Madam Speaker, I do not understand Majority Leader and I was leading when we were appointing him. It is Mark Kimanathi Muendo.

**Hon. Speaker:** So Mark Kimanathi Muendo; we appreciate.

**Hon. Muendo:** Thank you, Madam Speaker.

**Hon. Ngunga:** Thank you, corrected.

## **PUBLIC ACCOUNTS AND INVSTEMENTS**

1. Hon. Joseph Musau
2. Hon. Winfred Mutua
3. Hon. Agatha Mutunga
4. Hon. Alice Nzioka
5. Hon. Johana Munyao
6. Hon. Josephat Kasyoki
7. Hon. Peter Mutiso

From there we go to the Speaker's panel we have;

## **SPEAKER'S PANEL**

1. Hon. Margaret Mwikali - First Member
2. Hon. Jacinta Luka - Second Member
3. Hon. Nicholas Muia - Third Member

4. Hon. Anastacia Mutuku - Fourth Member

### **NOMINATION OF MEMBERS TO NEW COMMITTEES**

Madam Speaker, the report by the procedure and rules committee did amend the Standing Orders to increase the number of committees via the selection committee report which recommended for a review of the standing orders, the following new committee were created; Delegated legislation Committee, youth women, sports and persons with disabilities Committee, Culture and Tourism committee and the General Oversight Committee.

Madam Speaker, the General Oversight committee shall be committee that comprises of the whole House members chaired by the Speaker and deputized the chairperson of committees.

The committee on selection nominated members to the new committees of the Assembly as per Standing Order 153(1) 'unless otherwise provided by any written law or these Standing Orders, the Committee on Selection shall, in consultation with Assembly parties, nominate Members who shall serve on a select committee.'

The members of the new committees are as follows:-

### **DELEGATED LEGISLATION COMMITTEE**

1. Hon. Patrick Kituku
2. Hon. Micheal Mutiso
3. Hon. Cosmus Masesi
4. Hon. Josphat Kayoki
5. Hon. Cosmas Kieti
6. Hon. Daniel Kiilu
7. Hon. Winfred Mutua
8. Hon. Jane Nyawira
9. Hon. Thomas Mutinda
10. Hon. Johana Munyao
11. Hon. Ikusya Kaloki
12. Hon. Abdirahman Mohamed Ali
13. Hon. George King'ori

### **CULTURE, SOCIAL WELFARE AND TOURISM**

1. Hon. Betty Nzioki
2. Hon. Benedette Mueni
3. Hon. Jeremiah Munguti
4. Hon. Moses Mitaa
5. Hon. Stephen Mwanthi
6. Hon. Justus Kitengu
7. Hon. Hellen Ndeti
8. Hon. Dominic Ndambuki
9. Hon. Anastacia Mutuku

**Hon. Speaker:** Correction?

**Hon. Ngunga:** A correction; the Hon. Anastacia Mutuku.

10. Hon. Joshua Muli Nzuki
11. Hon. Alice Nzioka
12. Hon. Pauline Munguti
13. Hon. Jacqueline Nziva

#### **YOUTH, WOMEN PEOPLE WITH DISABILITIES AND SPORTS COMMITTEE**

1. Hon. Geoffrey Kamulu
2. Hon. Justus Katumo
3. Hon. Tariq Mulatya
4. Hon. Grace Mutwiwa
5. Hon. Fredrick Muthoka
6. Hon. Margaret Mwikali
7. Hon. Christine Koki
8. Hon. Agatha Mutunga
9. Hon. Phoebe Koki
10. Hon. Margaret Ndalana
11. Hon. Irene Mbivya

**Hon. Speaker:** From Hon.....Who is giving a Point of Order? And Hon. Agatha you should be on your feet if you have a point of order.

**Hon. (Ms.) Mutunga:** Youth, Women and PWDs and Sports Member Committee. There is no Member in this House called Agatha Munguti, number 8.

**Hon. Speaker:** What is the name that should be there Hon. Agatha?

**Hon. (Ms.) Mutunga:** Agatha Mutunga.

**Hon. Speaker:** Agatha Mutunga. Correction.

**Hon. Ngunga:** Thank you, Madam Speaker; we will have to deal with a few corrections. That therefore should read, the Hon. Agatha Mutunga.

9. Hon. Phoebe Koki
10. Hon. Margaret Ndalana
11. Hon. Irene Mbivya
12. Hon. Micheal Mutiso
13. Hon. Antony Mulu

#### **RECOMMENDATIONS**

Madam Speaker, the committee recommends that;

1. The new committees and these Members get to understand that the new Committees should meet as soon as possible to elect the chairpersons and the vice chairpersons of these committees.

2. The committees and the chairpersons who do not perform in their mandate will be replaced with other members to ensure high performance in the committees.

*(Applause)*

Madam Speaker, this is not a riot act that we are reading to these Members but we want to say that, other than apportioning Members to these committees, we would also want Members to use this opportunity. If there have been challenges in terms of leadership, use this opportunity therefore to do the recommendations that you so wish. So, Members, you have an opportunity to retreat, give us new leadership in these Committees.

*(Applause)*

*Acknowledgement*

Madam Speaker, the Committee on Selection is grateful to the Office of the Speaker and that of the Clerk to the County Assembly for facilitating the retreat to enable the Members to come with this report. I wish to express my appreciation to the Hon. Members again of the Committee for the sacrifice that they so showed to participate in meeting at very difficult times to come up with this report.

Madam Speaker, it is therefore my privilege, on behalf of Committee on Selection to introduce the report on nomination of Members to the new committees in this Hon. House for consideration and adoption. Thank you, Madam Speaker.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Ngunga.

*(Question proposed)*

Hon. Mueni.....and off the record, Hon. Mueni you are supposed to be in the United States of America right now; what is happening? It is a matter you will give a response elsewhere not here.

*(Laughter)*

**Hon. (Ms.) Mueni:** Yes. Thank you, Madam Speaker. I think we have to be very grateful to the Speaker because when we were in the recess, I thought when we come here we will be fighting for the Committees but because of the grace of the Lord, the Speaker brought the House together. You can see even God has brought the country together through Raila and Uhuru.

*(Laughter)*

So, we have to pass this selection report because I hope everybody has gotten the responsibility and whatever. So, I think when we are this Assembly Madam Speaker, we are one and we have to love one another and be showing love from the heart but not from the space.



So, I think we have to be very grateful to our Majority Leader and the other Leadership because they have done well and we give them space to work. Let Members Madam Speaker, not to be shouting every time about the politics. We have to stop---

*(Applause)*

The elected Members as the Speaker read from the beginning, you have to see what is needed in your ward to go and do it but not to be shouting around the town saying this and this. Be very careful because what you will do to your ward is what will bring you back here. Thank you, Madam Speaker.

*(Applause)*

**Hon. Speaker:** Thank you very much, Hon. Benedette Mueni. Hon. Musyimi.

**Hon. Musyimi:** Thank you, Madam Speaker. It is my humble request, Madam Speaker, I want to know how many committees one Member should have because myself, I had three lastly but now I can see I have lost one, I have two. Thank you.

**Hon. Speaker:** That is a question that has been asked by the Hon. Musyimi. Hon. Majority Leader, can you give a response?

**Hon. Ngunga:** Thank you, Madam Speaker. I think, in trying to come up with this list we had tried to come as near as possible to ensure that all Members were in equal Committees and if we heard the Committee on oversight that all of us are sitting, each Member will either be in five committees of four committees and I am sure if Hon. Nzomo has been keen, there is no way that he is in three committees. There must be either four committees or five committees.

If you count the Committee on oversight that we have ensured to ensure that all Members are in those committees and if Madam Speaker by any chance it was an oversight, it could be a typo error and so Madam Speaker, I ask the Hon. Member to consult with my office so that we can rectify that anomaly. Thank you, Madam Speaker.

**Hon. Speaker:** So, Hon. Musyimi, you need to get in touch with the Chair of the Selection Committee so that, that anomaly if there is can be corrected.

**Hon. Musyimi:** Thank you, Madam Speaker.

**Hon. Speaker:** Hon. Mwikali Margaret.

**Hon. (Ms.) Mwikali:** Thank you, Madam Speaker. While I applaud and appreciate the work of our Selection Committee, I wish to raise an observation. Our Standing Order 187 (2) on procedure and House rules Committee Madam Speaker, it reads that 'the Committee shall comprise the Speaker as the Chair person, the Chairperson of Committees and not more than three other Members. Madam Speaker, if it is not an oversight or a typo, I think the Chairperson of Committees has been omitted. Thank you, Madam Speaker.

*(Loud consultations)*

Yes, the Committee on Procedure and Rules.....Select Committees number 3. Madam Speaker, thank you. That is all for me.

**Hon. Speaker:** That is Hon. Majority Leader is admitting that it is an omission because the Standing Order 187(2), which the Hon. Member, Mwikali has cited clearly provides for the presence in the Procedure and House Rules committee of the Chairperson of Committees. So, that one will be rectified Hon. Members.

**Hon. Speaker:** Hon. Kisini.

**Hon. Kisini:** Thank you Madam Speaker. I also want to applaud the committee, it is a good job and I want to commend them because balancing is not an easy thing. I want to point out that a if minimum a Member should have is four, there are those with five and four, I have three, I lost one from the Speakers Panel, and I am not complaining; I only want to be considered to have four if that is the minimum although I had some aspirations in it. Thank you, Madam Speaker.

*(Laughter)*

**Hon. Speaker:** (laughs) Hon. Members, interesting contributions but I see the Hon Musekus' hand is up, just a moment. On the point where Hon. Mwikali referred to Standing Order 187(2), Hon. Majority Leader you will still need to do a little more correction because the minute you add the Hon. Chairperson of committees, then the committee will have more than the number of members that is provided for; is that what Hon. Museku was going to correct. Alright thank you. Hon. Annastaciah.

**Hon. (Ms.) Mutuku:** Thank you, Madam Speaker.

**Hon. Speaker:** Hon. Ngunga, the consultation is too loud; just resume your seat please, there is a Member already on their feet.

**Hon. (Ms.) Mutuku:** Thank you, Madam Speaker. I want to congratulate the committee for the job well done. I think every Member has time to see whether he is somewhere or not but I think the committee has done very well although the time was very short. Mine is very short, I think now we are working as one team; let us work together as Hon. Mueni has said for the purpose of our people.

When we are in the committee, we have some committees which are not very much effective so now, there is no minority or majority and when we come to the Chairperson and vice, let us consider as Hon. Members to give positions equally.

So, Madam Speaker, I stand to support the selection committee report that was done well and through the Majority Leader, he has done well, the Minority Leader, the Whips for leading this Assembly with harmony and unity. So, Madam Speaker, I wish we move forward together and supporting the government also.

**Hon. Speaker:** Thank you, Hon. Annastaciah for that contribution. Still, Hon. Members, because these are matters that are on record and they will inform us in future; for correction purposes, the Procedure and House rules committee, the maximum number is five, so the addition of the Chairperson of committees will not change the membership. It is just to add his name on that particular list. Hon. Museku.

**Hon. Museku:** Thank you, Madam Speaker. When I looked at the titles that have been given here, there is one specific title which the Committee changed; the title on the committee of education. It was left as the Committee on Education and we changed the committee on culture to include Culture, Social Welfare and Tourism.

So after looking at the naming of the committees in this report, I can see it is Education and Social welfare that should just remain as Education and the social Welfare were moved to Culture, Social Welfare and Tourism. I was just pointing out that, thank you Madam Speaker.

**Hon. Speaker:** Than you, Hon. Museku. It is true because when this House resolved, and note, the House did not resolve to create new committees other than the General Oversight Committee; it was to reinstate committees that had been left out when the current Standing Orders were being printed out.

So, the name of the Committee on Education should be Committee on Education and then on Culture, Social Welfare and Tourism. So, that should be noted; it is again to be corrected on the headings of these committees. Hon. Ndawa.

**Hon. Ndawa:** Thank you, Madam Speaker. I wish to take this opportunity to support the report which has been tabled before this House by the Committee. What I would urge this committee, in future when it retreats to come up with the report, it is good that they go through the report before they bring it to the House because if they had sat, these errors which are coming out, they would have pointed out at the committee level.

On the other issue, Madam Speaker, they have given us the list all committees but there is one committee which is not appearing in the list, I don't know whether it has been scrapped or it has been left intentionally; the House Business Committee is not in this list; we don't know whether the Members remain or it has been scrapped. That is my observation.

**Hon. Speaker:** On the first one before the mover of the motion gives some response to the last part of your question, on the issue of the Selection committee having to go through this report before bringing it, I agree that is so. The only problem is that under Standing Order 155, the committee is supposed to present a report on this placements within seven days and you notice that this House has been very busy with the various papers that it has been discussion to do with budgetary procedures and so it is trying to catch up with time and that is why even in the morning we started a little late so that they could bring the report.

Going forward, we hope at least they will have sufficient time or any other committee before it makes a presentation to this House to go through its Paper. The second part the Hon. Majority Leader can give a response on the House Business Committee.

**Hon. Ngunga:** Thank you, Madam Speaker. Let Members appreciate the fact that all of us retreated on Thursday all through Friday and these Members of selection committee had to sit

an extra day so that they come up with this report. I appreciate the fact that Muheshimiwa you note that a few errors have been there, that notwithstanding, a report is before the House.

We thought as a committee that we needed to sacrifice an extra hour so that Members can be comfortable because upon the reinstatement of the responsibility allowances, Members have been going without responsibility allowances and so we thought it was very important for us to sacrifice and come with this report.

Most of us yesterday we were totally engaged, trying to have time for the committee to sit down and brush this and it was not possible so we decided we are going to sit this morning at about 8 o'clock to work on this. Again it also became a challenge and that is why delayed the House sitting and we are sorry and we apologize for that. Members, we urge you, please understand; it is a thing we had to do for your benefit.

About the House Business Committee, I did mention when I was reading that one which is not our mandate is that we do not have a mandate to deal with the House Business Committee. So the Members that are in the House Business Committee still remain as they are; none of them has been touched. Thank you, Madam Speaker.

**Hon. Speaker:** For record purposes, the House Business Committee remains intact as earlier constituted. Hon. Kaloki.

**Hon. Kaloki:** Thank you, Madam Speaker. I want to say thank you to my committee of selection, I think we did a good job. I would wish the Members appreciate the work that was done by the committee. We went through a lot of stuff; it was not easy, trying to balance committee and Members to move from one Committee to the other. Just to make sure that each and every Member is accommodated.

What I would urge our Members is that; all these committees are equally powerful. I have been hearing people complain that this powerful, this one is not active; it is upon us to make these committees active and powerful.

*(Applause)*

It is about the Members to push the chairperson to create the business; so if you just sit there and don't create business for your committee, then you end up complaining 'we have not been going for retreats and so forth' that will never take us anywhere.

The other issue is it is not about how many committees you sit; it is about your contribution in that committee. We have had some challenges in some committees were quorum has become an issue. You can have four committees and sometimes you may not be able to manage.

You find a committee sitting in boardroom A, another in C; how will you manage to sit in all these committees at the same time. It is about generating business for the sake of our county, our people; it is not just about making money through committee sittings. We have to get serious and appreciate were you have been placed and appreciate the task you have been mandated in your various committees. So, I think the committee did a commendable job. Thank you.

**Hon. Speaker:** Hon. Members, allow me to call upon the mover of the motion to reply.

**Hon. Ngunga:** Thank you, Madam Speaker, thank you, Hon. Members. I appreciate the fact that Members are almost contented and those who are not; we shall be sitting and making everybody comfortable. As Hon. Ikusya has said, the task ahead of us is enormous, it is not just a matter of sitting in committees technically; Members have been complaining about there not being business, we want our Members now to rise to the occasion and especially those of us who are bestowed upon to be chairpersons of different committees.

That which Hon. Kaloki has said has been around for some time; where committees say that they have no business. I want to challenge of those particular committees to rise up to the occasion because you will agree with me Members that every committee has its mandate well cut and it may be that Members of that committee are not active. Let us challenge each other, encourage each other and where you find you have challenges consult with other chairpersons and other Members so that they can be able to assist.

Don't tire in inviting Members who seem to be resourceful in your committee so that he can also be able to assist so that you up the committee businesses. It is not going to be in order for Members to only sit technically in Committees, 10 minutes you are in this committee, you sign, 10 minutes you are in the other committee and you are done with the business of the week and reports are not coming to this House.

Members, I had had private moments with a chairman who would tell me that they do not know how Members come to give reports here and so through the Liaison committee which is chaired by the chair of chairs, we shall be very serious this time round, and those Members who are not performing we will not wait a lot of time, we shall be de-whip Members this time round.

We shall be de-whipping you to a committee that you are maybe more comfortable so that reports are coming. Sometimes we have faced challenges where even as House Business Committee; we lack business when committees are retreating. This weekend we have about six committees that are on retreat; last weekend committees went on retreat. So, chairpersons and Members of various committees with all due respect, kindly let us have business so that our county, because when you talk about business we are talking about moving our county forward.

Madam Speaker, I want to appreciate the support that Members have given, the mood in the House is that we did a nice job and we want to appreciate the fact that we are going to move together as a team. Let me appreciate what Hon. Annastacia has said; that as a House we need to be united on commonness. For example, when we talk about committees, I have not realized any moment where Members from Maendeleo Chap Chap think that they are not equally represented in your committees because we do apportion these in terms of party strength.

Even the Members from the majority side, I think we have become a House and it is the high time we start seeing things together. It is the high time we start reading things from the same page and especially business of this House. If this is not right, it is not right, if it is right, it is right. Thank you, Madam Speaker, thank you Hon. Members and I want to wish you a good day.

*(Applause)*

*(Question put and agreed to)*

**Hon. Speaker:** Hon. Members very briefly, I want to thank again the Assembly, like the mover of the motion just adopted has said. You noted that not so long ago, many assemblies fought it out in the public about placement in committees and it think Machakos County

Assembly comprises of very mature leaders; we have not had any ugly incident about placement in these committees and I thank you and encourage you to carry on with that mature conduct.

As for the details of the names of Members in these committees, the Clerks Assistants, ensure that the names are captured in full as per the name that the Member gave when they were sworn in this House; it is important because you find some people are getting two names and others names are changes and others like Hon. Abdirahman at one time he is Mohammed Ali at other time he Hon. Abdirahman Mohamed Ali.

So, have consistency in the names. The Members may want to look for jobs even outside of the country and they need to present their certificate of swearing in and the names therein must match the names in the committees that they are serving.

*(Applause)*

The other piece of advice I would give is that Members as the mover of the motion said, please be present in those committees so that you give this business and remember the House is as strong as its committees. It is the committees that cook the food that we usually serve the public.

So let us food that is cooked well before it comes to this House and Hon. Members remember there is a budget for the sittings in these committees; the only thing we need to observe are the ceilings that are put by the SRC. So avail yourselves. For the secretariat, you come up as soon as possible in the Liaison Committee with a new schedule in view of the new committees so that Members are able to attend as many as possible. Hon. Members we still have a business on the second motion by Hon. Ngunga on adjournment.

**Hon. Ngunga:** Thank you Madam Speaker. I am sorry I had delegated this business, so I didn't think it was mine, and since Hon. Kiteng'u seems to have absconded his duty, I will still take it on.

*(Laughter)*

Madam Speaker, that aware that this second Assembly commenced its second session on 13th February, 2018;

Further aware that from time to time the House has transacted crucial business including approval of various committee reports and consideration of Finance Bill 2017 and undertaking public participation pursuant to Article 201(a) of the Constitution of Kenya; Informed that pursuant to section 39(2) of the County Governments Act 2012, a committee of the County Assembly may require a Member of the Executive Committee to attend or appear before the committee and answer any question relating to the Members responsibilities;

Remembering that on the 15th March, 2018, the Committee on General Oversight had invited the County Public Service Board (CPSB) and the County Secretary to respond to various issues related to their responsibilities but due to unavoidable circumstances, the meeting was postponed to Tuesday, 20th March, 2018;

Madam Speaker, I wish to move the motion that this House adjourns its sittings from today, 20th March, 2018 to 21st March, 2018 at 10 a.m. in order to give time

to the General Oversight committee to interrogate the County Executive Officers and the CPSB.

Thank you, Madam Speaker.

**Hon. Speaker:** Hon. Members, in light of the motion, it is a procedural motion that has been moved by Hon. Majority Leader, we still need a seconder on this particular motion.

**Hon. Ngunga:** Thank you, Madam Speaker. Of course, the Minority Leader will be seconding this motion.

**Hon. Speaker:** Hon. Kamitu.

**Hon. Kamitu:** Thank you, Madam Speaker. I second the Motion.

**Hon. Speaker:** Thank you, Hon. Kamitu.

### ADJOURNMENT

**Hon. Speaker:** Hon. Members, on the motion that has just been placed before this House, the House will stand adjourned to 21st March, 2018 at 10 a.m.

The House rose at 11.46 a.m.