

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Tuesday, 23th October, 2018

The House met at 2.39 p.m.

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

PRAYERS

Hon. Speaker: Good afternoon, Hon. Members. Welcome to the afternoon sitting.

COMMUNICATIONS FROM THE CHAIR

**THE AUDITOR GENERAL'S REPORT ON FINANCIAL STATEMENTS OF THE COUNTY
ASSEMBLY FOR THE YEAR ENDED 30TH JUNE, 2017**

Hon. Speaker: I have two communications; Hon. Members, the Assembly received a report of the Auditor General on the financial statements of the County Assembly for the year ended 30th June, 2017 and this is in accordance with Article 229(7) of the Constitution of Kenya 2010.

That report is hereby committed to the committee Public Accounts and Investments Committee and that committee is required to interrogate the report and file the necessary report in this House and that should be done within three months as per the provisions of Article 229(8) of the Constitution of Kenya 2010.

MACHAKOS COUNTY BUDGET REVIEW AND OUTLOOK PAPER

Hon. Members, you remember of the trainings you have had, there are several papers that are supposed to be part of the county as part of the budget and planning process and one of them is this paper. Hon. Members, section 118 of the PFM Act, it is not indicated here but it should be, provides that the County Treasury shall prepare a County Budget Review and Outlook Paper in respect of the county for each financial year and submit that paper to the County Executive Committee by 30th September of that year and further under section 118(4)(a) of the same Act, not later than seven days after the County Budget Review and Outlook Paper is approved by the County Executive Committee, the County Treasury is supposed to arrange for the paper to be laid before the Assembly and as soon as practicable, after having done this, the County Treasury is supposed to publish that paper for purposes of the general public.

So, Hon. Members, pursuant to that provision of the PFM Act, the Executive Committee member Finance submitted the Machakos County Budget Review and Outlook Paper to the

Assembly on 19th October, 2018; on Friday last week. So, that paper is hereby tabled before this House and is committed to the Budget and Appropriations Committee for consideration and tabling a report in this House. The report is supposed to be brought as soon as practicable so that the Members can address that paper and do what is necessary. Thank you, Hon. Members.

PAPER LAID

REPORT ON PROPOSED AMENDMENTS TO STANDING ORDERS

Hon. Speaker: Under this Order, we have one business by Hon. Museku

Hon. Museku: Thank you, Madam Speaker. I beg to lay the following Paper on the floor of the the following paper on the floor of the House today 23rd October 2018; the report of procedure and House rules committee on proposed amendments to Standing Orders. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Museku.

NOTICE OF MOTION

REPORT ON PROPOSED AMENDMENTS TO STANDING ORDERS

Hon. Speaker: Under this Order, we have one business by Hon. Museku.

Hon. Museku: Thank you, Madam Speaker.

That aware that pursuant to Standing Order 187(3) and (4), the Procedure and House Rules Committee is mandated to consider, report and also propose amendments to the Standing Orders;

Further aware that the current Standing Orders, while they address the majority of concerns of the Assemblies way of conducting businesses, they fail in some instances to capture circumstances that are unique to the County Assembly of Machakos;

Informed that Standing Order 228 provides for periodic review of Standing Orders where at least once in every term of the Assembly, 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 amendments to the Standing Orders;

Remembering that in the course of this year, the committee held several meetings to propose amendments to the current Standing Orders pursuant to Standing Order 226;

Madam Speaker, I wish to give notice of the motion that this Hon. House discusses and approves the report Procedure and House Rules Committee on proposed amendments to Standing Orders.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Museku.

STATEMENT

ADDITIONAL BUSINESS FOR THE HOUSE FOR 24TH OCTOBER, 2018

Hon. Speaker: Under this Order, we have one business by the Majority Leader, Hon. Mark Muendo.

Hon. Muendo: Thank you, Madam Speaker. Hon. Speaker, I stand under Standing Order 41(2)(a) to issue a statement of the House Business Committee. The House Business Committee met today 23rd October, 2018 and considered additional business that had been forwarded for balloting pursuant to Standing Order 151. The Committee considered the business and balloted additional business as follows:

Wednesday, 24th October, 2018

Afternoon at 2.30 p.m.

The report of procedure and Rules committee on amendments to Standing Orders.

Thank you, Madam Speaker.

MOTIONS

DISRUPTION OF BUNGE MASHINANI SITTING HELD ON 17TH OCTOBER, 2018

Hon. Speaker: Thank you, Hon. Mark Muendo. What is the Point of order Hon. Masesi?

Hon. Masesi: I want to stand under Standing Order 220 where a Member of the House, if allowed by the Speaker may move a motion; I would request the House to revisit the issues of 17th October, 2018 where this Hon. House has *Bunge Mashinani* at Kithimani, the venue which had been gazetted and I wish this House could revisit the issue and discuss the events of the day bearing in mind a lot of issues came up in the venue.

We had issues of goons, pepper spray; the Assembly at large and Members were not safe. Madam Speaker, I wish this Hon House could discuss the events of the day and come up with resolutions of future events of that kind, Madam Speaker. Thank you.

Hon. Speaker: Hon. Members, I am trying to understand the Standing Order 220.

(Hon. Speaker consulted with the Clerk at the Table)

Hon. Members, I think we just need to read together because we were in the middle of the business and we want to understand where the Member is coming from, if it is allowable. Standing Order 220;

1. Subject to paragraphs (2) and (3), a Motion may, with the approval of the Speaker, be moved by any Member, either with or without notice that the proceedings on any specified business be exempted from the provisions of Part VI (*Presiding, Calendar, Sittings and Adjournments of the Assembly*), Part VIII (*Order of Business*), Part XX (*Limitation of Debate*), Part XVIII (*Public Bills*), Part XIX (*Private Bills*), Part XVII (*Committee of the whole Assembly*) Part XXIII (*Committee of Supply*), Part XXI (*Select Committees*), Part XXII (*Public Petitions*) and Part XXV (*Public Access to the House and its Committees*) of these Standing Orders.

2. No Motion for the exemption of business from the Standing Orders shall be made to exempt any business from Part XIII (*Procedure for Removal from State Office*), Standing Order 116 (*Publication*), Standing Order 117 (*Not more than one stage of a Bill to be taken at the same sitting*) or Standing Order 204 (*Restrictions with regard to certain financial measures*).
3. Not more than one Motion for the exemption of business from the Standing Orders may be moved at any one sitting, except with the leave of the House.
4. A Motion under this Standing Order shall state the object of or reason for the proposed exemption and—
 - (a) May be moved at any time and any other business then in progress may thereupon be interrupted;
 - (b) May not be amended without the consent of the mover.

So, Hon. Masesi, did I hear you give the reasons why you want to get an exemption? Can you be able to articulate the reasons?

Hon. Masesi: Yes, Madam Speaker, I stated very clearly that; that was a normal sitting of the Assembly; we had made all the requirements by gazetting the same, lives of the Hon. Members were at stake in terms of security. Madam Speaker, it was my belief that we need to discuss the event of the day and come up with resolutions for future events of the same kind, Madam Speaker.

Hon. Speaker: Do you have a statement which you may have crafted on this? Or you want to read it to be recorded?

Hon. Masesi: No, Madam Speaker. I can read it to be recorded.

Hon. Speaker: Go ahead.

Hon. Masesi: Madam Speaker, I wish to move a motion that this House discusses and approves....

Hon. Speaker: Are you moving a motion or are you reading a statement; which is which?

Hon. Masesi: Madam Speaker, my Statement will be directed to who because if I have to seek a Statement it has to be directed to somebody.

Hon. Speaker: You know better because it is your business; go ahead.

Hon. Masesi: Madam Speaker, my wish was that this House discusses the events of 17th October, 2018 and come up with resolutions for future events of the same kind, Madam Speaker.

Hon. Speaker: Hon. House, if I get the Member right, he is seeking to move a motion which is to be exempted the usual procedure of giving a notice and tabling the Motion and the

motion he wants to move Is about the matter of the Assembly sitting on 17th October, 2018 in the Bunge Mashinani which was vide gazette notice.

Hon. Masesi: Yes, Madam Speaker.

Hon. Speaker: The Clerk, do you have the gazette notice? You can get it from the office. What I understand is that this is a matter where the sitting of the Assembly is disrupted and the Members want to discuss that motion. I allow it under Standing Order 220 because it is for the very survival of this Assembly.

(Applause)

There is no difference between this Assembly sitting here and sitting under a tree in a ward called Kithimani. We did not sit under a tree but we had tents which is the equivalent of a tree because it wasn't the chambers of the House which were moved there. The importance of this is that, going forward you are going to have more sittings in the other 39 wards. You want to avoid a repeat of what happened on 17th October, 2018.

Earlier in my communication in the morning, I commended you for holding that sitting; it was a success but I did it deliberately that I also took note that there were attempts to disrupt that sitting. So, Hon. Members you can go ahead and debate that motion. Hon. Maitha.

Hon. Maitha: Hon. Speaker, I think such a motion should come after what is in the Order Paper of the day.

Hon. Speaker: That is what you think Hon. Maitha; actually, I consulted the Clerks who were supposed to provide the technical information and I have also looked at the Orders and I think I read somewhere about suspension of the business at hand. So, the Standing Orders allow the procedure the Hon. Member wants to adopt as long as the Speaker has given the approval. So, Hon. Masesi, proceed in moving your motion.

Hon. Masesi: Madam Speaker, as earlier stated, I stand Under Standing Order 220 where I have moved a motion and wished the House discusses and comes up with resolutions of events of *Bunge Mashinani* basing on the acts of 17th October, 2018 at Kithimani ward. Thank you, Madam Speaker. I wish to call upon Hon. Mitaa to second the motion.

Hon. Mitaa: Thank you, Madam Speaker. I second the motion by Hon. Masesi.

Hon. (Ms.) Mueni: Thank you, Madam Speaker. By what Mheshimiwa has brought, I think we did the best because it was the first one outside Assembly from the chamber and coming here to discuss it, I think we are making ourselves as if we did not do the best but we did the best, Madam Speaker.

It was so good because it was the first time yet the people, so many disturbing the Assembly but we won by one way or another; we did our best. So, in the politics we have to have such things which are okay and we don't care what you did but we did the best.

(Laughter)

Hon. Speaker: I like the independence of your thinking. but what we are talking about Hon. Mueni for those who may have not have got it; yes it was a big success but there were attempts to disrupt the sitting; do you want to encourage that because it can also happen even here where you are seated? That is the point we are driving at; yes you succeeded but should those efforts be made in the first place should you allow it to happen?

I was also there I noted and I actually I had a cough because I think there was pepper spray at one point; I coughed and I took water and of course am not here I am not able to debate as you people do but it is a matter that I witnessed myself. So, Hon. Mueni, just resume your seat; the point you made is well received right. Hon. Mark Muendo.

Hon. Muendo: Thank you, Madam Speaker. I will first start by congratulating the Mheshimiwa Hon. Member for Matungulu East Masesi; I would like to say Madam Speaker yes it was a success but the lives of this members of the Assembly were actually at risk. I would like to say that I was actually a victim myself and the Minority Leader because that teargas was thrown under our seats and being my age, I am younger than the Minority Leader, he was to be moved away, his shirt to be unbuttoned and his tie to be released from his neck because he was coughing very badly.

Nevertheless, we noticed, although it was the first time we noticed that there were goons who we hired and we know them, they were hired from Mlolongo most of them others from Machakos and others from Mwala where Hon. Member Kisila comes from----

(Applause)

As we are talking, Madam Speaker, we have reported the matter, the matter has been reported in Kithimani police station---

(Loud consultations)

Hon. Speaker: Hon. Mark Muendo, even before I allow the point of order, I hope that you are not saying that it was Hon. Kisila who did it.

Hon. Muendo: No, I said the goons; part of the group was hired from Mwala but not Kisila. So, Madam Speaker, we are here---

Hon. Speaker: Hon. Kisila. Hon. Mark Muendo, take point of order; and please don't be lengthy.

Hon. Kisila: I will not be. In fact, Madam Speaker, you realized I walked out of that meeting when you were actually chairing it and I want to take with great exception to what Majority Leader is saying; he actually stood and said people from Mwala should leave and that time I left.

Hon. Speaker: I think you will...is that a point of order? Is he out of order?

Hon. Kisila: He is out of order by mentioning facts he cannot substantiate in this House.

Hon. Speaker: I get your point of order. Hon. Mark Muendo, do you have the facts?

Hon. Muendo: Madam Speaker, some of the goons were saying when they were questioned by police they are coming from Mwala others from Mlolongo and others from Machakos town. It is so actually a fact, Hon. Speaker that those goons who were disrupting the House were actually not from Kithimani. Let us call a spade a spade. Let us say Madam Speaker, we are here in this motion we want to moderate how we are going to have it in future.

It is not because we are fear anybody, Madam Speaker; I am also talking on behalf of others including Hon. Kisila because Hon. Majority Leader was actually one of the members who actually suffered much. The other one is Hon. Whip Mulatya; even today he came late and he cannot even talk in the House because of that poison. You know I call it poison and also Madam Speaker, I can see even your throat is not clear up to now.

(Laughter)

So, Members in this House, let us behave in a way knowing that we are Hon. Members such that disrupting House sittings in Mashinani is not the best way to show that you have might of politics; it is even showing how cheap people are.

(Applause)

Let me say, Madam Speaker and I suggest this because it succeeded anyway but in future, I think we need to have our Serjeant-at-Arms should do some arrangements for the people who will be coming in to Mashinani whereby the invited guests should also be inspected what they are carrying.

Madam Speaker, that weapon which made my Minority Leader almost collapse was thrown by one of the members although I don't want to mention anybody here but I am saying Madam Speaker that our Serjeant-at-Arms need---

Hon. Speaker: Hon. Kisila, no member was mentioned here. I am not allowing it.

Hon. Muendo: Thank you, Madam Speaker. I urge the Serjeant-at-Arms to be a bit vigilant when we go to *Bunge Mashinani* because I think we should have maximum security for this members of Assembly; that is when I was there as Majority Leader, I saw some lapse on security whereby people are sitting next to us and we don't know which weapon are they carrying.

So, in future, Madam Speaker, we would like when we have Mashinani and we are going to have Mashinani almost every month, Madam Speaker when we are there and we will defend whatever actually is in devolution. Let me say that we don't need to have big crowd in this *Bunge Mashinani*; we need also to have one entrance whereby everybody must be inspected and we must have tents well-arranged and we must also the Serjeant-at-Arms must looking to the people who are coming after we start the debate because we could have seen we saw the young men early terrorizing the people and then the Serjeant-at-Arms could not do anything.

Madam Speaker, the man called Solo in blue I saw him walking to the toilet with some of the members and I don't want to mention them; I think they were planning it then now he comes

back, he brings goons inside and when they sit among us. So it is a matter of Serjeant-at-Arms to be vigilant and protect these members of this House. Thank you, Madam Speaker.

Hon. Speaker: Hon. Winfred. Where you at *Bunge Mashinani* Hon. Winfred?

Hon. (Ms.) Mutua: Yes.

Hon. Speaker: Alright.

Hon. (Ms.) Mutua: Thank you, Madam Speaker. It was a big plus for the baby that you have been carrying; it was birthed that day so the devils that were against the event, by the end of the day they were very ashamed and it was a big shame.

(Applause)

Hon. Speaker: How do devils look like?

Hon. (Ms.) Mutua: The devils which were interfering with the event

Hon. Speaker: Were there devils?

(Laughter)

Hon. (Ms.) Mutua: I can call them, Madam Speaker.

Hon. Speaker: How do devils look like?

Hon. (Ms.) Mutua: Because of their reactions that is why I can call them the devils because they were not acting right.

Hon. Speaker: Are you referring to people who are doing bad things?

Hon. (Ms.) Mutua: Yes.

Hon. Speaker: Yes, call them that because have never seen a devil.

(Laughter)

Hon. (Ms.) Mutua: Yes, the event was a success though we had some workers from the county government; I don't know who had invited them to come and even to disrupt the event. The so-called the Solo who was one of the members from the county government office---

Hon. (Ms.) Kanini: Point of information.

Hon. Speaker: Hon. Rozina, let the member finish so that they don't get mixed up.

Hon. (Ms.) Mutua: Also we had members from inspectorate from the county government; I don't know who also invited them to our event. It is quite unfortunate to see such kind of desperation for people coming to interfere with the event that has been planned by the County Assembly. Next time, I think we should be very vigilant; if they come we would not spare them. Let them know that. Thank you, Madam Speaker.

Hon. Speaker: You know you cannot use the floor of the House to say you cannot spare anybody; in what manner?

Hon. (Ms.) Mutua: Of course, we will use the law.

Hon. Speaker: Yes.

Hon. (Ms.) Mutua: Yes, they will not be spared by the law as we did. Thank you, Madam Speaker.

Hon. Speaker: Hon. Kaloki.

Hon. Kaloki: Thank you, Madam Speaker. Madam Speaker, I want to say that this is a good motion that has been brought before the House and actually whoever brought, it was like he was reading my mind but what I want to say is that, Madam Speaker from the onset, this motion was not brought here in good faith. I want to give story of a hyena and a---

Hon. Speaker: Hon. Kaloki, the Speaker was requested for permission for exemption for the motion to be brought in the manner it has been brought, the Speaker made as decision so don't go there.

Hon. Kaloki: Okay, thank you, Madam Speaker. What I want to say is this; I want to give a scenario whereby I start a fight with you or any other person and then whoever starts the fight would be the first person to go to the police station and report the fight. What is happening here we need to be very honest, the function was success, we had visitors from the neighboring counties who were very impressed with what had been planned by the Machakos County Assembly but if as Hon. Members we can try to be truthful to ourselves and I want to say this and I want it to go on record, almost every side which was represented there had their goons.

If we had goons, I can point out about four people whom I knew who had brought them there because we know these goons for hire; we know them. I can point out two guys if they are paraded here and I can tell you this one and this one said they had been brought by so and so and I overheard say that we are going to face---

Hon. Speaker: Point of information from Hon. Mulatya

Hon. Mulatya: Thank you, Madam Speaker. Madam Speaker, I want to give information to the Hon. Member that these goons were from their side.

(Applause)

Madam Speaker, there is a video going through social media and I have it. One of the members Hon. Members Hon. Kisila his voice is saying why they sprayed all of us. Meaning that the spray was intended for some members not all of them. *Mchimba kisima huingia mwenyewe.*

(Applause)

Hon. Speaker: Hon. Kaloki.

Hon. Kaloki: Thank you, Madam Speaker. What I want to say is that this is a good motion but I can see the direction, you know, when you have a motion which looks like it is been directed to a direction which would generate to some resolutions which will be used to intimidate a certain group---

Hon. Speaker: Hon. Kaloki, please don't read the resolution before it is. In fact, this is even a matter which I am not putting to vote; I will give the directions.

Hon. Kaloki: Thank you, Madam Speaker but from the look of things. Anyway I want to say this as Hon. Members it is our responsibility, it is our duty to behave and to conduct ourselves as Hon. Members of this House. If we were to bring complaints here and we were to raise issues and also report to the police; if you noticed I left a bit early because we also started getting warnings that we should leave that place before things got worse. I decided to just leave early, I was signalled by a friend of mine and I would want to say this we want and we must learn to conduct ourselves with decorum---

Hon. Speaker: Hon. Kaloki, if you left early then do you know what happened when you not there? Just submit up to the point when you were there so that when you left you wouldn't know what happened.

Hon. Kaloki: Okay. I will respond to what I saw, what I noticed and what I heard before I left. Just before the sitting started, we started noticing some groupings and we could overhear what they were discussing and what they were planning. It was not just one-sided; we knew that goons had already been brought and ferried to the side to disrupt the sitting and blame it on the side of the minority. As the time when I left that is where things were.

It is important that we be honest to ourselves, it is important that whenever we bring issues to this House and avoid bringing issues that look like they are been brought to intimidate members of the other side simply because we are the minority. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Kaloki. Hon. Museku.

Hon. Museku: Thank you Madam Speaker for giving me this opportunity to discuss on this item. Madam Speaker, first of all I want to congratulate Hon. Member for bringing this very important issue of revisiting the *Bunge Mashinani* which we held in Kithimani. The purpose of this motion, Madam Speaker I think some of the Members are getting lost in why the motion was brought.

The motion was brought so that the House can be able to discuss and expose the issues that happened during that meeting to avoid recurrence in the future. The aim of the motion is for

us to ensure that we can be able to find out what happened, get the root causes of it, through discussions, and be able to put in measure going forward to ensure we do not have a recurrence of the same.

.Madam Speaker, when we went for that meeting and I am actually surprised to hear an Hon. Member saying that you can organize a meeting a meeting and organize goons to disturb your meeting. I organize a meeting and on the side I call a goon to come and disorganize my meeting; why will I be organizing it in the first place? Does it make logic for an Assembly to organize *Bunge Mashinani* and then go around and say goons come and disrupt yet the expense which was been incurred was been incurred by the Assembly and the message which the Assembly needed to be put to the people was been advocated by the Assembly.

So, how do we go ahead and start going against what we are supposed to be doing? We surprised to notice that during that sitting because I am going to say it as it was and as I saw it. When we sat down in the *Bunge Mashinani* the *bunge* we had tents. We had a tent on this side another tent on that side and somehow, some people gravitated to tent which was on this side and went to sit at the back. People whom I must say had been seen before the *Bunge Mashinani* started conversing and discussing with some Hon. Members of this House.

(Applause)

We also saw workers who even had their coats for cleaning, the ones who do cleaning; they had removed their coats and they came with them folded, holding them and the seated together with these people and some are the ones who were shouting most when discussions were going on in *Bunge Mashinani* County Government employees. I am, actually happy that when you do evil and you in that circle, the evil does not spare you.

(Laughter)

People went ahead and threw pepper spray and forgot that they are also human and if I am to inhale so we were all coughing and they started asking what happened, who has thrown this thing?

The reason why a Hon. Member here said we looked and we realized that it must have been one of us, is because after the first incident, the major incident when Hon. Minority Leader and Hon. Majority Leader and the rest were affected; most of the other people who were seating where the *waheshimiwas* were, left and now when we re-grouped after that first incident and we sat down now to continue with the process, there was no outsider where we were but still the pepper spray was released a second time.

I remember asking the Clerk of this Assembly, he was seating next to me there and he told that it must be one of us because if we look around where we are, we do not have a stranger yet you can feel the pepper spray. Madam Speaker, the intention of *Bunge Mashinani* was very simple, we wanted to involve the people of Kithimani for them to be able to get the message of what happens when we are debating Motion sin the Assembly, we wanted to demystify legislation and what people do when we come to the Assembly. That was all what we intended to go and do in Kithimani. We did not intend there to go politically, we were not going there to do anything else apart from to discuss with the people and to open there eyes.

Other people who wanted us not to be able to do that for their own selfish interest because remember, if you go to an area and you find people are asleep in Kiswahili they say

what? *Usimwamshe aliyelala maanake akiamka utalala mwenyewe*. That was the biggest problem and that is the reason why this Bunge Mashinani had to be disrupted at all costs because the Assembly is going there and informing the people and the people are realizing the things they are being told which happen in Machakos, are not as they are.

These are genuine people, they are Hon. Members of the County Assembly representing them very well and therefore Madam Speaker, I would like as I conclude to say that, going forward, in the next Bunge Mashinani which we are going to have, I would request the office of the Clerk working closely with the office of Serjeant at Arms to ensure that the area that we are going to be having Bunge Mashinani is an area which is well secured, to ensure that each and every Member of public who enters that premises is searched so that we do not take our Bunge from here to Mashinani only to go and endanger the lives of Hon. Members.

Pepper spray, Madam Speaker, for example if somebody is asthmatic, believe you me, pepper spray can lead to death over an individual who is asthmatic. So, do not take it as a joke. The person who sprayed that, if there was one of us here who was asthmatic, they would have had a serious asthmatic attack and because it is being caused by a chemical, it would have required that person to be hospitalized very quickly because it blocks the entire airways.

So, Madam Speaker, I think as a House we need to come together and say, first of all condemn this act, whoever made it condemn it, we know who did it and we condemn it to the best of our knowledge and say that going forward we must take drastic measures to ensure the safety of Hon. Members is taken care of as we go forward with Bunge Mashinani. Thank you, Madam Speaker.

Hon. Speaker: Hon. Members, I am going to give directions on this matter. Listening to the submissions of the Members and having also experienced what happened on the 17th of October, 2018 at Kithimani, Bunge Mashinani, I want to make the following observations. Hon. Members, the sitting on the 17th day of October, 2018 at Kithimani by this Assembly was a properly constituted Assembly sitting; it had been gazetted via gazette notice number 10513 of 12th of October, 2018.

Hon. Members, from what the Members have stated by way of ventilating on this Motion and also of my own experience because I was there, Members of the Assembly and some members of the public, were affected by pepper spray that was done during different parts of the sitting of the Assembly. The fact that we were sitting under tents does not reduce the seriousness of the sitting that the Assembly was conducting.

I have information Members of the Assembly and Members of the staff got sick. As we are talking now, the Clerk is in Aga Khan Hospital; he went there out of the same reason. He sought for permission from me today. My PA also has been in hospital since Friday and I have also other Members who have gone to hospital out of the same occurrence. I do not know about members of the public that I have no access to but they must have been equally affected.

Hon. Members, it is about the independence of the Assembly, it is also about assuring the Members that they can seat anywhere as long as you have done the necessary legal processes and the public must also be assured that when you seat anywhere, they can come and participate. The action clearly is an affront to the independence of the Assembly, it is an affront to the security of the Members and of the public, and it is an affront to the principle of devolution.

Remember in my communication about the *Bunge Mashinani*, I had indicated, it is in obeying the principle of devolution; taking services closest to the people. The matter is serious and it does not escape the attention of the Chair and for this reason the Chair is committing this

matter to the Justice and Legal Affairs Committee and because of the urgency of the matter because the Assembly must take whatever action that is necessary against any person who participated in causing mayhem or attempting to cause mayhem in that sitting. That Committee is required to report before this House not later than the 4th day of November, 2018.

(Hon. Speaker consulted the Clerk at the Table)

I am not going for December. Mr. Clerk, give me a date in November.

Hon. Speaker: 18th of November; you do not have a nearer date? Hon. Members, the report should be brought to this House on or before the 6th day of November, 2018 and I can assure the House, Hon. Members, upon interrogation of that report, anyone who will be found culpable, the Assembly will take the necessary legal action and I ask the Committee to be as thorough and to call every member and every member of the public they feel they can call before them including the security officers on the ground and interrogate every piece of evidence about that incident. Thank you, Hon. Members.

(Applause)

Mr. Clerk, proceed.

REPORT OF NOMINATION OF MEMBERS TO VARIOUS COMMITTEES

Hon. Speaker: Hon. Members, under this Order, we have one business by the Hon. Mark Muendo, Majority Leader.

Hon. Muendo: Thank you, Madam Speaker. I have a report of the Committee on Selection on nomination of Members to the Committees.

Madam Speaker, that aware that the committee on Selection is mandated to nominate members to serve in committees pursuant to Standing order 152 (2); Further aware that membership of a committee can be affected by resignation of a member or removal of a member from a committee pursuant to Standing Order 153(3);

Madam Speaker, cognizant that the Assembly party that nominated a member to a select committee may give notice of discharge in writing to the Speaker pursuant to Standing Order 156(1) and (2);

Aware that Standing Order 157 provides for guidelines on the number of members a select committee should have;

Madam Speaker, informed that the committee on Selection is in receipt of several discharge cases as effected by Assembly parties pursuant to Standing Order 156; Also aware that the discharges have also affected the membership of various committees;

Madam Speaker, I wish to move the motion that this Hon. House discusses and approves the report on nomination of members to various committees.

Thank you, Madam Speaker. I call upon Hon. Museku to second my Motion.

Hon. Speaker: Thank you, Hon. Mark Muendo. Hon. Museku.

Hon. Museku: Thank you, Madam Speaker. I do second the Motion.

Hon. Speaker: Hon. Mark Muendo.

Hon. Muendo: Thank you, Madam Speaker. As I said earlier, report of the Committee on Selection on nomination of Members to the Committees. Hon. Speaker, I think---

(Low consultations)

Okay.

Hon. Speaker: Hon. Museku, what are you saying?

(Hon. Museku spoke off record)

Hon. Muendo: Should I wait for the circulation of the report, Madam Speaker?

Hon. Speaker: Yes. Just resume your seat.

Hon. Muendo: Okay.

(The report was circulated to Hon. Members)

Hon. Speaker: Proceed, Hon. Majority Leader.

Hon. Muendo: Thank you, Madam Speaker. I hope every Member has a copy now.

INTRODUCTION

Preamble

Madam Speaker, the principle purpose of parliamentary committees is to perform functions which the House itself is not well fitted to perform, that is, finding out the facts of a case, examining witnesses, sifting evidence and drawing up reasoned conclusion. Committees also oversight and scrutinize the Executive and can contribute towards a better informed administration and Government policy-making process.

Madam Speaker, the committee on selection has tabled several reports on nomination of members to committees since 2017. Further, Madam Speaker there have been changes and vacancies in committees occasioned by change in leadership and discharge of members from committees by Assembly parties pursuant to Standing Order 156.

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 constituted by this Hon. House;

- | | |
|-----------------------------|-------------------------------|
| 1. Hon. Mark Muendo | - 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 from 11th to 13th October, 2018 to Weston Hotel, Nairobi to balance the committees membership as per Standing Order 153 and to align with to 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 not more than 13.’

The committee guided by Standing Order 154(1) which states that ‘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;

- Those committees which a member holds by virtue of his position such as Liaison (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 in nominating members to the committees.

Committee Members

Madam Speaker, the change in leadership and discharge of members from Committees by Assembly parties resulted to members of committees being 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 not more than 13.

A: 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 of the Constitution of Kenya.

These committees and their members are as follows:

1) TRADE, ECONOMIC PLANNING AND INDUSTRIALIZATION

1. Hon. Cosmas Kieti Muia
2. Hon. Anthony Mulu
3. Hon. Joseph Wambua
4. Hon. Betty Nzioki
5. Hon. Christine Koki
6. Hon. Annastaciah Mutuku
7. Hon. Brian Kisila
8. Hon. Josphat Kasyoki
9. Hon. Pauline Munguti
10. Hon. Mark Muendo
11. Hon. Mohammed Ali
12. Hon. Peter Mutiso
13. Hon. Winfred Mutua

2) EDUCATION AND SOCIAL WELFARE

1. Hon. Daniel Kiilu
2. Hon. Hellen Ndeti
3. Hon. Alice Nzioka
4. Hon. Angela Munyasya
5. Hon. Benedette Musyoka
6. Hon. Geoffrey Kamulu
7. Hon. Francis Kioko
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

3) TRANSPORT, ROADS AND PUBLIC WORKS

1. Hon. Daniel Mbevi
2. Hon. Irene Mbivya
3. Hon. John Musyimi
4. Hon. Caleb Mule
5. Hon. Cosmus Masesi

6. Hon. Grace Mutwiwa
7. Hon. Justus Kiten'gu
8. Hon. Margaret Mbithi
9. Hon. Margaret Ndalana
10. Hon. Patrick Kituku
11. Hon. Pauline Munguti
12. Hon. Tariq Mulatya
13. Hon. Antony Mulu

4) JUSTICE AND LEGAL AFFAIRS

1. Hon. Moffat Maitha
2. Hon. Jane Nyawira
3. Hon. Eric Musembi
4. Hon. Alice Nzioka
5. Hon. Dominic Ndambuki
6. Hon. Francis Kalumu
7. Hon. Patrick Kituku
8. Hon. Mohammed Ali
9. Hon. Cosmus Masesi
10. Hon. Robert Kisini
11. Hon. Stephen Mwanthi
12. Hon. Tariq Mulatya
13. Hon. Winfred Mutua

5) AGRICULTURE COMMITTEE

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

6) 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. Jeremiah Munguti

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

7) FINANCE AND REVENUE COLLECTION

1. Hon. Stephen Mwanthi
2. Hon. Josephat Kasyoki
3. Hon. Betty Nzioki
4. Hon. Brian Kisila
5. Hon. Caleb Mule
6. Hon. Fredrick Muthoka
7. Hon. Grace Mutwiwa
8. Hon. Justus Kiteng'u
9. Hon. Margaret Mbithi
10. Hon. Moffat Maitha
11. Hon. Phoebe Mawa
12. Hon. Hellen Ndeti
13. Hon. Thomas Mutinda

8) HEALTH AND EMERGENCY SERVICES

1. Hon. Cosmus Masesi
2. Hon. Pauline Munguti
3. Hon. Annastasia 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. Peter Mutiso

9) LABOUR, PUBLIC SERVICE AND ICT

1. Hon. Francis Kalumu
2. Hon. Agatha Mutunga
3. Hon. Alex Kamitu
4. Hon. Christine Koki
5. Hon. Constance Nzioki
6. Hon. Antony Muli

7. Hon. Jacinta Luka
8. Hon. Joshua Nzuki Muli
9. Hon. Justus Katumo
10. Hon. Nicholas Mutuku
11. Hon. Paul Nyanzi
12. Hon. Rozina Kanini
13. Hon. Dominic Ndambuki

10) 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. Annastacia Mutuku
10. Hon. Joshua Muli Nzuki
11. Hon. Alice Nzioka
12. Hon. Pauline Munguti
13. Hon. Francis Ngunga

11) YOUTH, WOMEN PWDs AND SPORTS COMMITTEE

1. Hon. Geoffrey Kamulu
2. Hon. Justus Katumo
3. Hon. Jacinta Luka
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
12. Hon. Micheal Mutiso
13. Hon. Antony Mulu

12) BROADCASTING AND LIBRARY COMMITTEE

1. Hon. Florence Mwangangi
2. Hon. Abdirahman Mohamed
Ali
3. Hon. Eric Musembi
4. Hon. Jacinta Luka
5. Hon. Cosmas Kieti

13) PROCEDURE AND RULES COMMITTEE

1. Hon. Florence Mwangangi
2. Hon. Paul Nyanzi
3. Hon. Paul Museku
4. Hon. Jane Nyawira
5. Hon. Constance Nzioki

14) BUDGET AND APPROPRIATION

1. Hon. Dominic Ndambuki
2. Hon. Angela Munyasya
3. Hon. Thomas Mutinda
4. Hon. Daniel Mbevi
5. Hon. Ikusya Kaloki
6. Hon. Jacqueline Munyao
7. Hon. Margaret Mbithi
8. Hon. Moffat Maitha
9. Hon. Paul Museku

15) WARD DEVELOPMENT FUND

1. Hon. Thomas Mutinda
2. Hon. Joseph Peter Mutiso
3. Hon. Alex Kamitu
4. Hon. Anastaciah Mutuku
5. Hon. Betty Nzioki
6. Hon. Stephen Mwanthi
7. Hon. Fredrick Muthoka
8. Hon. Rozina Kanini
9. Hon. Robert Kisini

16) COMMITTEE ON IMPLEMENTATION

1. Hon. Fredrick Muthoka
2. Hon. Rozina Kanini
3. Hon. Angela Munyasya
4. Hon. Caleb Mule
5. Hon. Geoffrey Kamulu
6. Hon. Grace Mutwiwa
7. Hon. Irene Mbivya
8. Hon. John Musyimi
9. Hon. Justus Kiteng'u
10. Hon. Justus Katumo
11. Hon. Francis Kioko Kalumu
12. Hon. Mohamed Ali
13. Hon. Moses Mitaa

17) DEVOLUTION AND INTER-GOVERNMENTAL RELATION

1. Hon. Jeremiah Munguti

2. Hon. Justus Katumo
3. Hon. Johana Munyao
4. Hon. Francis Ngunga
5. Hon. Benedette Musyoka
6. Hon. Daniel Kiilu
7. Hon. Phoebe Koki

18) POWERS AND PRIVILEGES

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

19) COMMITTEE ON APPOINTMENTS

1. Hon. Florence Mwangangi
2. Hon. Mark Muendo
3. Hon. Alex Kamitu
4. Hon. Winfred Mutua
5. Hon. Brian Kisila
6. Hon. Tariq Mulatya

20) PUBLIC ACCOUNTS AND INVESTEMENT

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

21) DELEGATED LEGISLATION COMMITTEE

1. Hon. Patrick Kituku
2. Hon. George Kingori
3. Hon. Judas Ndawa
4. Hon. Josphat Kasyoki
5. Hon. Cosmas Kieti
6. Hon. Daniel Kiilu
7. Hon. Mark Muendo
8. Hon. Daniel Mbevi
9. Hon. Thomas Mutinda
10. Hon. John Nzomo Musyimi
11. Hon. Nicholas Mutuku
12. Hon. Paul Nyanzi
13. Hon. Michael Mutiso

22) SELECTION COMMITTEE

1. Hon. Mark Muendo
2. Hon. Alex Kamitu
3. Hon. Justus Kiteng'u
4. Hon. Tariq Mulatya
5. Hon. Grace Mutwiwa
6. Hon. Christine Koki
7. Hon. Peter Mutiso
8. Hon. Geoffrey Kamulu
9. Hon. Jacqueline Nziva
10. Hon. Johana Munyao
11. Hon. Ikusya Kaloki
12. Hon. Moffat Maitha
13. Hon. Pauline Munguti

23) HOUSE BUSINESS COMMITTEE

1. Hon. Florence Mwangangi
2. Hon. Paul Museku
3. Hon. Mark Muendo
4. Hon. Alex Kamitu
5. Hon. Tariq Mulatya
6. Hon. Jacqueline Nziva
7. Hon. Justus Kiteng'u
8. Hon. Betty Nzioki
9. Hon. Angela Munyasya
10. Hon. Francis Kalumu
11. Hon. Peter Mutiso
12. Hon. George King'ori
13. Hon. Annastaciah Mutuku
14. Hon. Joshua Muli
15. Hon. Judas Ndawa

24) SPEAKER'S PANEL

- | | |
|----------------------------|-----------------|
| 1. Hon. Margaret Mwikali | - First Member |
| 2. Hon. Jacinta Luka | - Second Member |
| 3. Hon. Nicholas Muia | - Third Member |
| 4. Hon. Annastaciah Mutuku | - Fourth Member |

Recommendations

Madam Speaker, the committee recommends that;

1. The Committees without Chairpersons should meet as soon as possible to elect the chairpersons and the vice chairpersons of the committees.
2. This Hon. House adopts the Selection Committee Report.

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 committee undertake its mandate. I wish to express my appreciation to the Hon. Members of the Committee who sacrificed their time to participate in the meeting and in preparation of the report. Thank you, Madam Speaker.

(Loud consultations)

Hon. Speaker: At this point no; I will not allow it Hon. Maitha. Can you discuss it on amendment in the debate if there is a mistake because it is interrupting the flow of the motion?

(Question proposed)

Hon. Members, the report is now open for debate. Hon. Maitha.

Hon. Maitha: Thank you, Madam Speaker. I want to congratulate the chairman for good work done, but when we come to the House Business Committee, I am a member of the House Business Committee, I do not know and I was in that meeting even this afternoon and I do not know how they took out my name and replaced it with Mheshimiwa King'ori. Thank you, Madam Speaker.

Hon. Speaker: The committee on selection is listening. Hon....on that point?

Hon. Mulatya: Yes.

Hon. Speaker: Hon. Tariq Mulatya.

Hon. Mulatya: Yes, I think the Hon. Member should be informed that that is a typo error.

Hon. Speaker: It is a typo error? Hon. Majority Leader.

Hon. Muendo: Thank you, Madam Speaker. I concur with the Whip it was a typo error. He is a member of that committee, selection committee. Thank you; it will be corrected and Madam Speaker, you have noticed even my report there was a lot of typo errors some of the---

Hon. Speaker: Why does it have many typo errors?

Hon. Muendo: Well that is---

Hon. Speaker: You did it in a hurry?

Hon. Muendo: Not in a hurry but I was looking at it today but it was corrected during the afternoon.

Hon. Speaker: So the Clerks at the Table need---

Hon. Muendo: The Clerk needs to do something on this and it is actually not good when you read the report and then it has got those small errors. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Majority Leader. When did you give...you gave a notice of this report was it yesterday? When was it; today in the morning? Maybe then if they had time they would have corrected but that is no excuse for bringing reports with errors. The secretariat you need to note that. Hon. Ndawa?

Hon. Ndawa: Thank you, Madam Speaker. Madam Speaker, I want to say of all the reports which have ever been tabled in this House, this is the worst and it is the most biased report because by looking at the contents of the report, it is meant to frustrate and punish some Hon. Members, Madam Speaker.

Madam Speaker, Standing Order 153(1) is very clear, if I can read; unless otherwise provided by any written law all these Standing Orders, the committee on selection shall in consultation with Assembly parties nominate members who shall serve on a select committee.

Madam Speaker, NARC Party is an Assembly party in this Assembly because it has the required percentage---

Hon. Speaker: What is the required percentage, Hon. Ndawa?

Hon. Ndawa: It is supposed to be three that is the required membership.

Hon. Speaker: The members of NARC are three?

Hon. Ndawa: Yes.

Hon. Speaker: So what is the minimum, Mr. Clerk? There is a minimum for a party to qualify as an Assembly party I remember there is a percentage or something. Can you get me that particular...Hon. Ndawa, just resume your seat briefly. Alright the percentage is Five percent so for a party to qualify to be an Assembly party must have not less than five percent of the membership of the Assembly. The Assembly has 59 members; what is five percent? What is five percent of 59?

Hon. Mwanthi: Point of information.

Hon. Speaker: I am in some calculation and when I used to do mathematics I was not to disrupt those who---

Hon. Mwanthi: Madam Speaker, this might help you not to do all that.

Hon. Speaker: I am seeing it is five percent.

Hon. Mwanthi: You see it happens that even Hon. Pauline Munguti happens to be a member of NARC is in the selection committee so I do not see that one happening.

Hon. Speaker: No, we wanted to finalize on the issue of Assembly party. Hon. Ndawa, you were on the floor. Assembly party under Standing Orders 2 means a political party or a coalition of political parties consisting of not less than five percent of the membership of the Assembly. This Assembly has 59 members excluding the Speaker and then five percent of 59 to the nearest is? Five percent? Let me have the five percent, Hon. Members.

Hon. Wambua: Madam Speaker, five percent is 2.95.

Hon. Speaker: 2.95 percent which is three.

Hon. Wambua: Which is three, Madam Speaker.

Hon. Speaker: Hon. Ndawa, proceed.

Hon. Ndawa: Thank you, Madam Speaker. For---

Hon. Speaker: But remember the Standing Order says not less than five percent so it should not be less than three. Isn't it? As long as you are at three and above

Hon. Ndawa: Yes.

Hon. Speaker: Proceed.

Hon. Ndawa: We meet that requirement, Madam Speaker. So, Madam Speaker, according to that Standing Order, our NARC party did not sit down and discuss who to replace or who to remove from this committee to the other committee. Madam Speaker, when the Majority Leader was tabling the report, he made it clear that he has received numerous reports that require some members---

Hon. Speaker: Point of information Hon. Ndawa, allow to be informed. Hon. Mulatya.

Hon. Mulatya: Thank you, Madam Speaker. I think the Hon. Member is just going round and pushing the House to the wrong direction. He belongs to a party, the party is well represented in the selection committee and the report we received from his party was satisfactory to us. So, I do not know why the member is complaining; if he was disciplined, he was disciplined by his party so he should not drag party---

Hon. Speaker: Did the Hon. Member talk of being disciplined, Hon. Mulatya.

Hon. Mulatya: Yes, it is disciplinary. There is something behind it so I think he is just tiring the House we can move on with other suggestions, Madam Speaker.

(Applause)

Hon. Speaker: Hon. Ndawa, please proceed and finalize.

Hon. Ndawa: Yes, Madam Speaker. That is confirming exactly what I said. Madam Speaker, it is unfair if one member of a particular party can sit in five committees while another member is allocated only two committees. That is quite unfair, Madam Speaker. That is point number one; point number two---

Hon. Speaker: Does the NARC party have representation Hon. Ndawa in the selection committee.

Hon. Ndawa: Yes, Madam Speaker. We had one Pauline Munguti and that member herself has put her name in almost every committee. She is serving in five committees while---

Hon. Speaker: Is Hon. Pauline here?

Hon. Wambua: Madam Speaker, allow me to inform Mheshimiwa Ndawa.

Hon. Speaker: Who is.....Hon. Musau?

Hon. Wambua: Yes, Madam Speaker. I take it as a very wise decision for the NARC house to go and put their house in order instead of derailing this process, Madam Speaker. Please, Madam Speaker.

Hon. Speaker: Thank you. Hon. Ndawa, there is a proposition and it is right that matters of political parties should not be brought to this House. Finalize on your matters, in-house matters, this is now a different forum.

(Applause)

Hon. Ndawa: Madam Speaker, the other issue that I would request the chairperson or the Majority Leader who has tabled the report is to table the discharge note that he might have received from the party or from any quarters because if you are removing somebody from a select committee and you are saying you have the discharge note, you ought to have attached that note in this report.

So, Madam Speaker, I strongly oppose this report and say it is the worst and the most biased report which has been done by Hon. Members using County Funds to frustrate others. Madam Speaker---

(Laughter)

Madam Speaker, it is quite unfair; if you are using this report to remove me from committees, so that I can come to your side, I am not coming. Thank you, Madam Speaker.

(Loud consultations)

Hon. Speaker: Hon. Ndawa, you are out of order but you have finished your submissions. Hon. Muthoka.

Hon. Muthoka: Yes.

Hon. Speaker: And no information or order because the Hon. Member has finished.

Hon. Muthoka: Thank you, Madam Speaker. I stand here to support this report by our Majority Leader and we are saying it is a good work we have done so if there is an issue of parties, let the party go and consult from elsewhere; not here in this Assembly. Again I will be short; I want to thank my committee my Hon. Members who I have been their chairman for one year, I will miss you I have moved on---

Hon. Speaker: Now, Hon. Muthoka you are out of order...

(Applause)

You will do that in your committee.

Hon. Muthoka: Okay.

Hon. Speaker: Nobody stops you from going there and telling them goodbye.

Hon. Muthoka: Okay, there is a serious matter you have just committed to us now Madam Speaker, so I wish to wish the chairman who is taking over to be serious and this committee needs somebody who is serious and not wavering. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Muthoka. Hon. Members, I call the mover of the motion to reply.

Hon. Muendo: Thank you, Madam Speaker. There is another correction which I have noticed on delegated legislation committee. You know...

Hon. Speaker: Number?

Hon. Muendo: Number five on.

Hon. Speaker: Number five is agriculture.

Hon. Muendo: No, number 22 delegated legislation committee, number five. You know, Madam Speaker, there are two Cosmos and these two Cosmos one is Kieti and the other one is Ngula Masesi; so there was a typo number five is supposed to be Hon. Cosmos Ngula Masesi. Let me say Madam Speaker, if you have noticed this report of selection committee, we have done our level best. Most of the sensitive committees whereby you need expertise, we have tried to put some members who have shown that they are good in some of the committees.

For example, the committee of finance, we have put some people who have background of accounts. PAIC the same and most of the committees when you look we have done a lot to realign the members because majority of the members in the House have no problem serving in any committee. There is that issue of party membership---

Hon. Speaker: Hon. Mark Muendo, the member who had raised the issue is not here; you want to address a---

Hon. Muendo: No, I was not addressing him; I was trying to---

Hon. Speaker: A general comment?

Hon. Muendo: A general comment on what happened in my committee; everybody was represented in that committee. All the parties were there and I think we did our level best and let me say Hon. Speaker, we will continue, as the chair of selection committee, we will continue transferring members from one committee to another as far as when we realize we have such good people in certain committee and they are not serving well we will move them to serve well in the right committees.

There are people who are good in accounts, others good in engineering, others who are good in culture and we will keep on moving them now and then, Madam Speaker, to balance and make the House and also the committees effective in their work. So, with that Madam Speaker, I hope members are satisfied and I would like them to adopt the report. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Mark Muendo.

(Question put and agreed to)

ADJOURNMENT

Hon. Speaker: Hon. Members, at this time the sitting of the House adjourns...

(A phone was switched on)

That is not the way the House adjourns; whose phone is that? Hon. Members, at this point, the sitting of the House adjourns to resume on the 24th day of October, 2018 at 10.00 a.m. Have a good day.

The House rose at 4.16 p.m.