

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Thursday, 26th September 2017

The House met at 2.33 p.m.

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

PRAYERS

PAPER LAID

NOMINATION OF MEMBERS TO SELECT AND SECTORAL COMMITTEES

Hon. Ngunga: Madam Speaker, pursuant to Standing Order 155(1), I wish to lay the following paper on the Table of the Assembly today, the 26th September, 2017; report of the committee on Selection and nomination of Members to select and sectoral Committees.

Hon. Speaker: Paper is tabled. Clerk proceed.

NOTICES OF MOTIONS

NOMINATION OF MEMBERS TO SELECT AND SECTORAL COMMITTEES

Hon. Speaker: Hon. Members, we have notice of motion as listed in the appendix. There are two sets by the Majority Leader.

Hon. Ngunga: Madam Speaker, I wish to move the motion that, pursuant to Standing Order 155(1), the Assembly approves the report of the committee on selection on nomination of Members to select and sectoral Committees.

Hon. Speaker: Hon. Members, I propose the motion that pursuant---
I am being guided and I appreciate the guidance that we have the other set of motion so that we discuss all together. Majority Leader.

Hon. Ngunga: Madam Speaker, I want to apologize to the House for that mishap; you realize that we have a lot of business at hand and therefore, these are expected. Madam Speaker, therefore, I wish to give notice of motion that pursuant to the Standing Order 155(1), the

Assembly approves the report of the committee on selection on nomination of Members to select and sectoral Committees. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Majority Leader. Clerk proceed.

Hon. Members, as the Majority Leader indicated, there was a mishap because of the lots of business of the Hon. Members and so I am calling upon Majority Leader, second time to move the next notice of motion.

NOMINATION OF MEMBERS TO COMMITTEE ON APPOINTMENTS

Hon. Ngunga: Thank you, Madam Speaker. I wish to give notice of the following motion;

THAT, pursuant to the Standing Order 184(1), the Assembly approves the nomination of the following Members to the committee on appointment for the first three years of the Second Assembly of Machakos in addition to those Members specified under this Standing Order.

1. Hon. Brian Kisila.
2. Hon. Tariq Mulatya.
3. Hon. Mark Kimanthi.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Majority Leader. The two notices of motion are placed before the House. Mr. Clerk, proceed.

Hon. Muthoka: Point of Order!

Hon. Speaker: Point of order from, Hon. Muthoka.

Hon. Muthoka: Thank you, Madam Speaker. These names which the Majority Leader has tabled, I think it is not well discussed to us Members.

(Applause)

I think we need a review of these Members. Madam Speaker, as I am talking, there are Members who are sitting in many committees when we have not yet...some of us are still. So, this---

Hon. Speaker: Hon. Muthoka, if I may just guide you; we have notices of motion and we have the motions themselves. So, the point of order, you are moving can be properly moved

during the debate on the motions and I ask you just to wait so that we can move to the debate on the motions and then now you can raise any issues you have. Are we in agreement?

Hon. Muthoka: Yes.

Hon. Speaker: Clerk, proceed.

STATEMENT

REVIEW OF HOUSE BUSINESS FOR 26TH TO 27TH SEPTEMBER, 2017

Hon. Speaker: The statement we have is from the Majority Leader.

Hon. Ngunga: Madam Speaker, I stand pursuant to Standing Order 151(5)(e), which states that, ‘the House Business Committee may take decision and issue directives and guidelines to prioritize or postpone any business of the House acting with concurrence with the Leader of the Majority Party or Minority Party as the case may be.’

Madam Speaker, the House Business Committee met today, Tuesday 26th September, 2017 and reviewed business of the House tabled on Thursday last week the 21st September, 2017.

The committee moved the business balloted for Wednesday, 27th September, 2017 afternoon to Wednesday 27th September, 2017 in the morning. The committee was informed by the need to give committees ample time to meet on Wednesday, 27th September, 2017, afternoon and on Thursday the 28th September, 2017, to elect Chairpersons and Vice Chairpersons to their committees. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Majority Leader your statement is received by the House. Clerk, proceed.

MOTIONS

NOMINATION OF MEMBERS TO SELECT AND SECTORAL COMMITTEES

Hon. Speaker: We have motions under Order No. 8; the first one is nomination of members to select and sectoral committees. Can we have the mover of that motion?

Hon. Ngunga: 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 pursuant to Standing Order 153(1) the committee shall in consultation with Assembly parties, nominate Members who shall serve on select and sectoral Committees.

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 to the number of members a select committee should have.

Madam Speaker, informed that the committee on Selection retreated to Naivasha on 21st to 24th September, 2017, this is last week, to nominate members to the various committees.

Madam Speaker, I wish to move the motion that, pursuant to Standing Order 155(1) the Assembly approves the report of the Committee on selection or nomination of Members to select and Sectoral Committees.

Thank you, Madam Speaker.

Hon. Speaker: Who is the seconder of your motion?

Hon. Ngunga: Madam Speaker, in this connection, I would wish to call upon the Hon. Christine Koki to second this motion.

Hon. (Ms.) Koki: Thank you, Madam Speaker. I second the motion moved by Majority Leader, Hon. Francis Ngunga.

Hon. Speaker: Thank you, Hon. Christine Koki.

(Question proposed)

Hon. Muthoka.

Hon. Muthoka: Thank you, Madam Speaker. I have no problem with other committees but this committee of appointment; I think we have an issue with it. Because if we look here, Hon. Kisila, Hon. Tariq, on our side I think Majority Leader, we need correction on this issue of committee of appointment. We have an issue with it. Thank you.

Hon. Speaker: Hon. Members, the motion that is at hand is the one that was---

(Laughter)

The first motion. I believe Hon. Muthoka your problem is possibly with the next motion. Isn't it? So, we can wait and when we get to that motion, I see you are burning to talk about it.

(Laughter)

Then you will talk about it. So, let us have the Leader of Majority read the report that is on the motion at hand.

Hon. Ngunga: Thank you, Madam Speaker. I am aware that Members are eager to make corrections and that is the business of this House. Thank you, Madam Speaker, for that guidance and therefore Madam Speaker, having moved my motion, I stand here in front of this Hon. Members to read the report on committee on selection that retreated to the Naivasha, as I have said, last week, and we were able to come up with a very detailed report which we came up with a consensus and this is the following;

Madam Speaker, the principal 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 conclusions. Because of their composition and method of procedure, which is structured but generally informal compared with the House, committees are well suited to the gathering of evidence from expert groups or individuals.

Further, Madam Speaker, Committees oversight and scrutinize the Executive and contribute towards a better informed administration and government policy-making process. In respect of their formal proceedings committees are extensions of the House itself, limited in their power of inquiry by the extent of the authority delegated to them and governed for the most part in their proceedings by procedures and practices which reflect those which prevail in the House by which they were appointed from.

Madam Speaker, the Committee on Selection is established pursuant to the Standing Order 152(1) and its mandate spelt out in Standing Order 152(3), ‘the Committee on Selection shall nominate Members, the word I want members to note here is ‘members’ to serve in Committees, save for the membership of the House Business Committee and Committee on Appointments.’

So, Madam Speaker, I would want Members to note that it is not the mandate of the selection committee to appoint Members to the House Business Committee neither is it their mandate to appoint Members to the Committee on appointment.

Madam Speaker, I therefore would want to move and maybe state as in annexure there you can see the Composition of the Members of the Select Committee. Madam Speaker, the committee has 13 members as listed. This is the only committee that is chaired by the Majority Leader in the House, that is;

- | | | | |
|----|------------------------|---|-----------------------------|
| 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. Phoebe Koki “
10. Hon. Johana Munyao “
11. Hon. Ikusya Kaloki “
12. Hon. Moffat Maitha “
13. Hon. Pauline `Munguti

Madam Speaker, that is the committee that retreated and wrote this report. I want to report to the House that, today this morning, we were able to sit and this is a committee finding and the committee was able to adapt this report and therefore I am reading a report on the Committee on Selection.

Madam Speaker, the committee retreated to Naivasha from 21st to 24th September, 2017 to carry out the task of nominating members to committees pursuant Standing Order 153. The committee guided by the Standing Order 154(1); ‘in nominating Members to serve on a select committee, the Selection Committee shall ensure the membership of each committee reflects the relative majorities of the seats held by each of the Assembly parties in the Assembly’ nominated members to committees.’

Madam Speaker, the committee also made the following rules to guide them in the exercise;

- That each Hon. Member to have at least three committees comprising of two sectoral committees and at least one select committee.
- That the committee on Appointment and Committee on Selection shall not be considered in getting the total number of committees a member has since they do not meet often.
- Those committees which a Member holds by virtue of his position such as Liaison Committee (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 which a Member is entitled to sit.
- The committee considered regional and gender balance when nominating members to the committees.

Madam Speaker, Standing Order 157 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.’

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 Select 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

1. Hon. Annastasia Mutuku
2. Hon. Anthony Mulu
3. Hon. Betty Nzioki
4. Hon. Christine Koki
5. Hon. Cosmas Kieti Muia
6. Hon. Johana Munyao
7. Hon. Josephat Kasyoki
8. Hon. Judas Ndawa
9. Hon. Justus Katumo
10. Hon. Mark Muendo
11. Hon. Mohammed Ali
12. Hon. Peter Mutiso
13. Hon. Winfred Mutua

Agriculture

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

Labour, Public Service and ICT

1. Hon. Agatha Mutunga
2. Hon. Alex Kamitu
3. Hon. Angela Munyasya
4. Hon. Constance Nzioki
5. Hon. Francis Kalumu
6. Hon. Irene Mbivya
7. Hon. Jacinta Luka
8. Hon. Jeremiah Munguti

9. Hon. Joshua Nzuki Muli
10. Hon. Justus Katumo
11. Hon. Nicholas Mutuku
12. Hon. Paul Nyanzi
13. Hon. Rozina Kanini

Education, Youth, Women and Social Welfare

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

Environment, Energy, Lands and Natural Resources

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

Finance and Revenue Collection

1. Hon. Betty Nzioki
2. Hon. Brian Kisila
3. Hon. Caleb Mule

4. Hon. Cosmas Masesi
5. Hon. Fredrick Muthoka
6. Hon. Josephat Kasyoki
7. Hon. Judas Ndawa
8. Hon. Justus Kiteng'u
9. Hon. Margaret Mbithi
10. Hon. Moffat Maitha
11. Hon. Phoebe Koki
12. Hon. Stephen Mwanthi
13. Hon. Thomas Mutinda

Transport, Roads and Public Works

1. Hon. Caleb Mule
2. Hon. Cosmas Masesi
3. Hon. Daniel Mbevi
4. Hon. Francis Ngunga
5. Hon. Grace Mutwiwa
6. Hon. Irene Mbivya
7. Hon. John Musyimi
8. Hon. Justus Kiten'gu
9. Hon. Margaret Mbithi
10. Hon. Margaret Ndalana
11. Hon. Patrick Kituku
12. Hon. Pauline Munguti
13. Hon. Thomas Mutinda

Health and Emergency Services

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

Justice and Legal Affairs

1. Hon. Alice Nzioka
2. Hon. Anthony Mulu
3. Hon. Dominic Ndambuki
4. Hon. Eric Musembi
5. Hon. Francis Kalumu
6. Hon. Fredrick Muthoka
7. Hon. John Musyimi
8. Hon. Mohammed Ali
9. Hon. Moses Mitaa
10. Hon. Robert Kisini
11. Hon. Stephen Mwanthi
12. Hon. Tariq Mulatya
13. Hon. Winfred Mutua

Hon. Ngunga: So, we move to Select Committees. You realize that, in the Select Committees the number of Membership will change. In the sectoral Committees we are placing 13 Members per committee but the number here will vary from Committee to Committee.

SELECT COMMITTEES**Public Accounts and Investments**

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

Assembly Broadcasting Committee

Standing Order 215(5) provides that the Assembly Broadcasting committee shall consist of the Speaker who shall be the Chairperson and not more than four other Members. The committee nominated the following members in addition to those members specified under this Standing Order above.

1. Hon. Cosmas Kieti
2. Hon. Eric Musembi
3. Hon. Jacinta Luka
4. Hon. Patrick Kituku

Procedure and Rules Committee

Standing Order 187 (2) provides that the Procedure and House Rules Committee shall comprise the Speaker as the Chairperson, Chairperson of Committees and not more than three other members. The committee nominated the following members in addition to those members specified under this Standing Order.

1. Hon. Constance Nzioki
2. Hon. Jane Nyawira
3. Hon. Paul Nyanzi

Budget and Appropriation

1. Hon. Christine Koki
2. Hon. Daniel Mbevi
3. Hon. Dominic Ndambuki
4. Hon. Ikusya Kaloki
5. Hon. Jacqueline Munyao
6. Hon. Margaret Mbithi
7. Hon. Moffat Maitha
8. Hon. Paul Museku
9. Hon. Tariq Mulatya

Ward Development Fund

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

Committee on Implementation

1. Hon. Angela Munyasya
2. Hon. Caleb Mule
3. Hon. Francis Ngunga
4. Hon. Geoffrey Kamulu
5. Hon. Grace Mutwiwa
6. Hon. Irene Mbivya
7. Hon. John Musyimi
8. Hon. Justus Kiteng'u

9. Hon. Justus Katumo
10. Hon. Mark Muendo
11. Hon. Michael Mutiso
12. Hon. Mohamed Ali
13. Hon. Rosina Kanini

Devolution and Inter-governmental Relations

1. Hon. Benedette Musyoka
2. Hon. Brian Kisila
3. Hon. Daniel Kiilu
4. Hon. Francis Kalumu
5. Hon. Jeremiah Munguti
6. Hon. Nicholas Mutuku
7. Hon. Phoebe Koki

Powers and Privileges

Standing Order 189A(a), provides that the Powers and Privileges Committee shall consist of the Speaker who shall be the Chairperson, Chairperson of Committees and not more than three other Members. The committee nominated the following members in addition to those members specified under this Standing Order.

1. Hon. Margaret Ndalana
2. Hon. Moses Mitaa
3. Hon. Thomas Mutinda

Madam Speaker, the committee recommends that;

1. The committees named above or the Members named above or populated in those committees above should meet and elect their chairpersons and the vice chairpersons of the committees with immediate effect. In fact, the two days should not be a guideline; with immediate effect.
2. That the procedure and rules committee should review the Standing Orders to include the committees that were terminated in the previous Assembly and are still relevant to the running of the assembly business. These are;
 - Youth, women and sports committee.
 - Tourism and culture committee.
 - Delegated legislation committee.
3. The pending business in the previous Assembly Committees should be given the first priority by the new committees and reports to be tabled in this Hon. House. In other words, Madam Speaker, for their not be a gap between these new Members and the committees that they are going to sit in would like them to take up from somewhere and we would like them to take up from what the other previous committees left up and

therefore as a way of moving forward, the committees are expected to pick the minutes from the other committees and start from there.

Madam Speaker, nominating members to the various committees was not an easy job, but the committee ensured fair and equal distribution or equal nomination of members taking cognizant the gender, regional balance, Members with disabilities and all those kinds of considerations were done and I guess this needed some kind Solomonic wisdom which we prayed for and we were able to be given.

Madam Speaker, the Committee on Selection is grateful to the Office of the Speaker, in the first place for having given us that opportunity to retreat and to able to come up with this kind of report that I am laying before the House for adoption and that of the Clerk as well for facilitating the retreat to enable the committee to undertake its mandate.

We were very comfortable, Madam Speaker, our two days there were very comfortable. I wish to express my appreciation to the Hon. Members in the Committee who sacrificed their time to participate in the meeting and in preparation of this report. I cannot be able, Madam Speaker, to mention each by name but I would want to acknowledge the Minority Leader for the teamwork that we saw there.

I would want also to acknowledge Hon. Moffat Maitha, I realized that Hon. Moffat Maitha is a leader of an Assembly Party and also acknowledge Hon. Ndawa also being the leader of the NARC Party for the kind of co-operation that we got during our retreat at Naivasha.

(Applause)

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

(Applause)

Hon. Speaker: Thank you Majority Leader for the able presentation.

(Question proposed)

Hon. Speaker: Majority Leader, I wish to draw the attention of the House to one aspect here; we are dealing with Standing Order 155(2), it is important to note that if you are going to object, object the whole membership, if you are going approve, you approve the whole membership not on individual members. I am waiting for comments members. Yes, Hon. Dominic.

Hon. Ndambuki: Thank you, Madam Speaker. I wish to say that, first, we are grateful to the commendable job that the committee on selection did; it was a big task they undertook and I wish to adopt the report given on the basis that it is all-inclusive. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Hon. Kisila.

Hon. Kisila: Madam Speaker, I think this is a true situation of when people sit together and work as a team; this is not an easy task and I want to comment the Majority and Minority and the other party Leaders for a wonderful job within two days and I support.

Hon. Katumo: Thank you, Madam Speaker, for that opportunity you have given to me. I want to applaud the committee and the chairperson therein for the great work they have done. You should realize Hon. Members it is not very easy to do this work, there is a lot that goes to it. What lays before us as committees to the places we have been nominated, there is a lot of work to be done and I would pray to this Hon. House that we don't waste time, we should get down to work and serious work so that we can go forth and deliver to what we promised the people of Machakos.

Secondly, I would like to say, indeed, it is not always the case that you find yourself in that committee that you would wish to be in but for the appointment and select committee, it is always a going concern; you will always get reviews here and then. So, I support and wish that we should get down to serious work. Thank you.

(Applause)

Hon. Speaker: Hon. Margaret Mwikali.

Hon. (Ms.) Mwikali: Thank you, Madam Speaker. I wish to take this opportunity to that the Leader of Majority and his committee for a serious and tedious work that they did only for two days. Most of us are just applauding them because it would have been a serious work that needed more time. Therefore, I wish to suggest that we move very fast, start our job and do what we must do to make Machakos County a good county. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Mwikali. Hon. Ndawa.

Hon. Ndawa: Thank you, Madam Speaker. I want to take this opportunity to comment the team which retreated to Naivasha and brought us the report. The report is very okay. According to me, these members sacrificed their time and they did a commendable job. So, I propose that we move on so that the work of the assembly can move.

(Applause)

Hon. Speaker: Hon. Mueni.

Hon. (Ms.) Mueni: Thank you, Madam Speaker, Sir. I stand to thank the committee---

Hon. Kiilu: Point of order, Madam Speaker.

Hon. Speaker: Hon. Kiilu.

Hon. Kiilu: I wish to remind the Hon. Member, she has repeatedly referred you to Madam Speaker, Sir. She is, Madam Speaker. Thank you.

(Laughter)

Hon. Speaker: It appears that the title becomes more powerful when it is Madam Speaker, Sir. But on record, let it be Madam Speaker.

(Laughter)

Hon. (Ms.) Mueni: Thank you, Madam Speaker. Mine is to thank the team which went to Naivasha; they have done good work. What I can ask the members is to forget about themselves; which committee you have been given, you have to go to your committee and do the best, what will be seen by the people who sent you here. Whichever committee you are taken to, show them that you have been given the best committee and that can be good for you.

A good leader would not mind which committee you have been given; do your work and your people will know that you are in the assembly. Thank you, Madam Speaker.

(Laughter)

Hon. Speaker: Thank you, Hon. Mueni for those words of great wisdom. Hon. Johanna.

Member for Mutituni/Ngelani (Hon. Johanna Munyao): Thank you, Madam Speaker. Mine is to thank the House for being considerate and appreciating the tedious work and our efforts as selection committee. It would have been so demoralizing to see so many hands arising on points of order to oppose the exercise but on behalf of the team, we are very grateful for your appreciation. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Johanna. Hon. Jeremiah.

Hon. Munguti: Thank you, Madam Speaker. Mine is to request the House, through the Clerk and the Speaker to look in to the committees which have been left, we have the Tourism and culture, Delegated Legislation and the other committees, so that they can be put in order so that the House can start its work immediately. Thank you, Madam Speaker.

Hon. Speaker: Thank you. Hon. Alice.

Hon. (Ms.) Nzioka: Asante Bi. Spika kwa kunipa nafasi. Kongole kwa kamati kwa kazi nzuri ambayo wamefanya, ni kazi mwafaka ambayo sisi kama waheshimiwa wa bunge la Machakos tunawezajivunia. Hata kama umepewa kamati gani, haja kubwa ni kufanyia watu wako. kazi ili wananchi wa Machakos waone tofauti wa bunge ambayo tunayo sasa na iliyopita. Wale ambao wamekuja na wamechaguliwa, wananchi nyumbani wanaangalia kabisa kuona tumefanya kazi. Nawauliza wote ambao tumepewa kamati, wakati ukifika, uchangie na kuleta Machakos mbele hili iwe kaunti ambayo tunaweza kujivunia. Asante sana kwa kamati, mwenyezi Mungu aibariki.

Hon. Speaker: Thank you, Hon. Alice. Hon. Annastaciah.

Hon. (Ms.) Syomwai: Thank you, Madam Speaker. It is very grateful to have these members all in the committee but I will request Hon. Members to dignify our leadership to transform Machakos County. Secondly, Madam Speaker, I would like to request Hon. Members to consider the women when we come to elect the chairperson in the committees.

Please kindly consider women to be the chairpersons in these committees so that we can see the gender equality in this big House in Machakos County. Thank you, Madam Speaker.

Hon. Speaker: Thank you Hon. Annastaciah. Hon. Mitaa?

Hon. Mitaa: Thank you, Madam Speaker, for this occasion of have granted me. Mine is to thank the committee which was given the mandate to come up with the names. They have shown leadership because they forgot about party affiliations and they have come up with a list which to me is well-balanced and mine is just to recommend them and I commend the House because we have kicked off on a positive note and I believe we will be able to achieve what Machakos residents have been yearning for. Thank you.

Hon. Speaker: Thank you, Hon. Mitaa. Hon. Cosmus Masesi?

Hon. Masesi: Thank you, Madam Speaker. Mine is just to give some credit to the committee on selection for a job well done and also urge the full House that as a team we will always stand but when we are divided, we will always fall. I have a point of concern on page number 3; as much as we want to acknowledge that we have those committees where some

members hold by the virtue of their position, I would also like to request those members like the chairperson of committees, the leader of Majority and Minority parties also for them to be considerate.

We might have a situation whereby we have one member with six committees while another member on the other side with one or two committees. I will urge them to be considerate. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Cosmus Masesi. Hon. Musyimi.

Member for Kangundo North (Hon. John Nzomo Musyimi): Thank you, Madam Speaker. Mine is to thank the committee which went out for the formation of committees but my worry was during the formation of the selection committee. According to the guidelines which you gave us or which are on the Standing Orders, there were to be independent members to be represented in the formation of selection committee but that has never happened. Please the Speaker, may you control or may you check on that. Thank you.

Hon. Speaker: Thank you, Hon. Nzomo. Hon. Kalumu.

Hon. Kalumu: Thank you, Madam Speaker. I would like take this opportunity to thank the select committee for the good work they have done. And also to tell my fellow members that our wishes or all the wishes we have to be in various committees cannot be served all the time. Because now they have done what they can considering what they have told us they have considered, gender and everything, I want to them, Madam Speaker, that the ball is now on the field and work should start so that we can start serving our people who sent us here. Thank you, Madam Speaker.

Hon. Speaker: Thank you Hon. Kalumu. Hon. Ikusya.

Hon. Kaloki: Thank you Madam Speaker, I would like to say a big thank you to our team that went to Naivasha and I think we did a good job. I want to draw attention to Mheshimiwa Nzomo Musyimi and remind him that we took care of each and every member of this House regardless of their party affiliations. Whether independent elected or nominated.

(Applause)

Just to be sure of what I am talking about, if we can look at the committee on implementation and two other committees, actually he is a member of almost three committees. So, kindly be guided.

Hon. Speaker: Thank you, Hon. Ikusya. Hon. Irene.

Nominated Member (Hon. (Ms.) Irene Mwendu Mbivya): Thank you, Madam Speaker. I would like to commend the selection committee on a job well done. My prayer is that we shall work as a team. You remember the clip we watched on orientation day let us work as a team. Thank you, Madam Speaker.

Hon. Speaker: Thank you very much Hon. Irene. Hon. Caleb.

Hon. Mule: Thank you, Madam Speaker. I think we are thanking the selection committee for a job well done and I can feel there is no descending voice so I would ask the Speaker to put the question because everyone is thanking the committee.

(Applause)

Hon. Speaker: Thank you. It is always fair that you let as many members as possible speak. Let me have Hon. Minority and then Hon. Majority.

Hon. Kamitu: Thank you, Madam Speaker. We had team spirit in Naivasha it is only that, Madam Speaker, I would urge my Hon. Members that it is only the committees now, if you are going to choose your chairpersons and vice, I would kindly request you to make a move because it is only the committees now that you can move out. We shall be making quarterly reports, so what I am saying is that it is on strength of this that we shall be able to see exactly how each committee is going to perform.

Your scorecard will also depend on the team spirit of each committee. Your scorecard will also depend with the vigorous and good leadership of the leaders that you are going to elect as the chairpersons because it is out of that leadership in every committee that we shall be able to interrogate the executive. It is only through the committees we shall be making the executive to be on their toes.

(Applause)

It is my humble request, Hon. Members, that we put the executive on their toes and that is by interrogation. You summon them; if there is any problem, each committee has a mandate to do its duty. So, it is on this that, I congratulate, in advance, those who are going to be elected as chairpersons and my concluding remark will be; each committee should, as we have said, see to it that the person or the chairperson who is going to be elected as the chair, we should also mix them that is majority, minority parties so that, as we said, standing in this House we should work as brothers and remember matters regarding parties should not come up as the way we are supposed to do as a team.

(Applause)

Hon. Speaker: Hon. Members, I had said I will have the Majority Leader but there is a member here who has been trying to catch my eye. I think Hon. Thomas Mutinda needs to say something.

Hon. Mutinda: Thank you, Madam Speaker, for giving me this opportunity. I am very grateful. Mine is just to thank that selection committee on a job well done. I think it is the high time we start doing the much we can so that we support each other. Maybe a Hon. Member was not allocated the preferred committee but I think we should say we will be there for each other. We will be available, we will support and now it is the high time we start these committees business and we make the house business moving.

Mine is to support and say it is a good job done for those two days so, Madam Speaker, I am thankful and maybe for the remaining committees, you may consider nominating the members so that they also start moving on so that the whole house is well composed and can take all the business. Thank you, Madam Speaker.

Hon. Speaker: Thank you Hon. Mutinda. Hon Majority Leader, Francis Ngunga.

Hon. Ngunga: Thank you, Madam Speaker. I stand here to appreciate the contributions from the members and I would want to say, like we learnt when we were in Mombasa, as someone did say that a House in committees is a House at work, a house at plenary is a House in display.

Madam Speaker, when we went to Naivasha we were a House at work and I kept reminding members we were a part of the assembly even then. Madam Speaker, we observed the Standing Orders even when we were in Naivasha and today we have come to display in the public what we did as a working committee.

I want to appreciate members who have been able to contribute. Going by the mood of the members, I think they have appreciated it was a work well done. This was not an individual effort; it was an effort of all members. Taking the cue from the committee on selection, Madam Speaker, I think we must also take this opportunity to challenge the members that have been populated in the committees herein, so that you take up the mantle of leadership again.

There have been questions here and there that definitely from my side that we populate members in terms of house population. Let members go and lobby, let us have competent chairpersons coming from those committees. Let us have people lobbying as you know from now on wards it is going to be a political process, Madam Speaker. Let members go there out on those numbers we are going to have this list with you. Go and sit in those committees, lobby and give us competent chairmen and chairpersons that will be able, as Minority Leader has said, will be able to check or do whatever appertains in that particular committee.

Remember, Madam Speaker, we have a lot at stake. We have a statement that is coming tomorrow by the Minority Leader; we expect by the day after, to have a committee that statement

can be referred so that we do investigations so that we do a thorough surgery of what is taking place in our county.

Madam Speaker, we love this county and that is why we have been able to sacrifice and we are requesting the members here to also sacrifice time between now and almost immediately to constitute and have chairmen and vice chairmen so that we can be able to move.

Madam Speaker, again as I have proposed in my report, we would also want these committees that we have said, the committee on procedure and rules to also constitute very fast so that we can refer this matter of these committees that were dormant so that we revive them. We are aware that, Madam Speaker, Machakos County is going to host all the sports for the counties and it is on this basis that we propose that we have a committee that is going to deal on that; sports, youth and women in place.

When this committee is in place, it is the committee that will be hosting those games. So it is also important that this committee moves in speed and approves this committee so that my committee will place members and will start work. Thank you, Madam Speaker for your guidance and thank you the House for seeing this report fit.

(Applause)

Hon. Speaker: Thank you Hon. Majority Leader and now I put the question.

(Question put and agreed to)

(Applause)

NOMINATION OF MEMBERS TO COMMITTEE ON APPOINTMENTS

Hon. Speaker: We have a motion on approval of members for the committee on appointment. Can we have the mover who is the Leader of Majority?

Hon. Ngunga: Madam Speaker,

That aware that the county assembly parties forwarded their nominees and Madam Speaker, I am saying that aware County Assembly Parties forwarded their nominees to the house business committee;

Aware that there shall be a select committee to be designated the committee on appointment appointed by the House consisting of Speaker as the chairperson, the Leader of Majority as a member, the Leader of Minority as a member and not more than three other members nominated by the House Business Committee; I wish to move a motion that pursuant to Standing Order 184(1) the assembly approves the nomination of the following members to the committee on

appointments for the first three years of the second assembly of Machakos in addition to those members specified under this Standing Order;

1. Hon. Brian Kisila.
2. Hon. Tariq Mulatya.
3. Hon. Mark Kimanthi.

Thank you, Madam Speaker.

Hon. Speaker: Who is the seconder of your motion?

Hon. Ngunga: I wish, Madam Speaker, at this particular point, to call upon the Hon. Paul Museku to second this motion.

Member for Mumbuni North (Hon. Paul Museku): Thank you, Madam Speaker. I would like to second the motion on approval of members to the committee on appointment as tabled by the Majority Leader. Thank you.

(Question proposed)

Hon. Speaker: The debate is open. We have Hon. Muthoka.

Hon. Muthoka: Thank you, Madam Speaker. I think this motion has been biting me inside since I came here.

(Laughter)

I have an issue and we need your guidance, Madam Speaker, because I do not know how many times a member should sit in one committee or sectoral committees. Let me set an example; number 2 Hon. Tariq Mulatya, he is my friend and I do not have personal vendetta with him but I have a question. He is our Chief Whip, one; he is in the House Business Committee, two; selection committee, three; agriculture, four; justice and legal affairs, five; budget and appropriations, six; appointment, seven. I am telling you, I am asking where the fairness is.

(Applause)

Where is the fairness of this House? Madam Speaker, I think should guide us on this issue. One member cannot be sitting in seven committees without while I have three somebody has two? No, we have to be fair. Thank you.

(Laughter)

Hon. Speaker: Hon. Ndalana.

Nominated Member (Hon. (Ms.) Margaret Ndalana): Madam Speaker. In that committee there is no gender balance.

(Applause)

Hon. Speaker: Members wishing to contribute to this motion. Hon Winnie.

Hon. (Ms.) Mutua: Thank you Madam Speaker. My colleague Hon. Margaret has spoken on the gender issue. It is very important that we recognize that we have gender issue. It is not good for men to be mean when we are doing selection.

(Applause)

Please let us be fair when we are doing these appointments. The appointment committee please we should have gender balance. Also, Madam Speaker, be guiding us on these appointments because you can't just be receiving papers and then it is brought to the House and the members have said yes. Everything should be approved by the members of the House. Thank you Madam Speaker.

Hon. Speaker: Thank you, Hon. Winnie. I am looking, Hon. Robert Kisini.

Hon. Kisini: Thank you Madam Speaker. I stand here to defend a one name Hon. Mark. Muendo I think he does not appear in many committees. So, I think that one name qualifies.

(Applause)

Hon. Speaker: Hon. Constance Mbula.

Hon. (Ms.) C. Nzioki: Thank you Madam Speaker. I think as much as gender was not considered, we would also like to know what criteria the selection committee used because I see many people are complaining. Thank you, Madam Speaker.

Hon. Speaker: Hon. Members, remember we are on the second motion; that is on the appointment of the committee on appointments. We have passed the motion on select committees and you know the outcome. Hon. Members we continue with the motion at hand. Remember relevance of the debate. Hon. Rozina Kanini.

Hon. (Ms.) Kanini. Thank you, Madam Speaker. I think it is quite unfair for one Hon. Member to hold more than seven committees while us here, we have only three and we are not complaining. So, I think it is quite in order for him to withdraw from some. Thank you, Madam Speaker.

Hon. Speaker: I am looking. Hon. Mulatya.

Hon. Mulatya. Thank you, Madam Speaker. Madam Speaker, I can see for the fairness in the House, I would wish to withdraw from this committee to save the time of this House. Thank you.

(Applause)

Hon. Speaker: Hon. Members, it appears you still want to debate more on this issue. I will not shut a member from speaking their mind. Can I have Hon. Katumo?

Hon. Katumo. Thank you, Madam Speaker, for this an opportunity. One, I also want to continue applauding the committee on selection for the good work they have done but I had a concern on this particular committee and the concern has a genesis; we were asked for our CVs for those things and I thought the mandate of this particular committee is huge considering the work that will be coming to this House, and whether the members that have been nominated to that committee are up to the task to perform that kind of duty.

Because I don't understand for what reason you requested for our CVs and those other details and then, of course, when it comes to such committees, according to the provisions that we have in our Standing Orders, that is not put in to consideration. It leaves a lot to be desired and therefore, I want some guidance from, maybe the Speaker, whether that was put into consideration. You know the mandate of this committee. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Katumo. Hon. Ndawa.

Hon. Ndawa. Thank you, Madam Speaker. I want to comment the Hon. Member, Hon. Mulatya for withdrawing the position and I would also urge the rest who hold more than six or more committee to do the same, because like myself, I am a leader of a political party in this House and I am only holding three. So, it is not fair for me to have three committees while others have seven. So, I would request the others to follow suit.

The other issue before I terminate my contribution, I would also say it is going to inconvenience some committees because if you are in seven committees and may be one other committees wants to sit and you are in other committee, there are committee members who are

meeting the same time; you cannot divide yourself to sit in this committee, that other committee and that other committee. So those people will inconvenience other people. Thank you, Madam Speaker.

Hon. Speaker: Hon. Margaret.

Hon. (Ms.) Mwikali. Thank you, Madam Speaker. It is true that it wrong to hold many committees, to be a committee member in very many committees and I thank and applaud the member, Hon. Tariq for coming out clear that he is withdrawing, because I had also realized he was in the justice and legal affairs committee where we have only two members who are lady Hon. Members.

While we appreciate that we as women, it looks like we are put down seriously and we are only asking our counterparts to be very considerate. We are not that weak; we can also lead committees and therefore if you see a lady member is qualified, please let us now be encouraged to contest chairing those committees because a committee of 13 members and we can only see two ladies, even when they shout and cry and what have you, it will be very unfortunate because they will not even get to be the vice chairmen.

So, can we also know because this is a very serious committee, hii ya appointment ni very serious committee and I believe there are serious members who are also qualified but we also have---

Hon. Speaker: Point of order, Hon. Margaret from Hon. Mark Muendo.

Hon. Muendo: Thank you, Madam Speaker. I think we are mixing business; we have passed a motion and that member is alluding the motion we have passed. Can you please guide the House, Madam Speaker?

Hon. Speaker: Thank you, Hon. Mark Muendo. I did guide the House when Hon. Rozina Kanini was on her feet. I asked that we stick to the motion. Can we do that? We stick to the motion at hand. Contribute to the motion of the appointment committee and not the selection committee, not the other committees; sectoral and select committees. We have passed that motion. Mheshimiwa Geoffrey.

Hon. Kamulu: Thank you, Madam Speaker. I want to thank Hon. Mulatya for reading signs of the time and now that he has withdrawn and only two members are remaining, I think it is in order for the Chair to give us directions because one person has gone and maybe we are supposed to go and bring another person, and if that person is going to be brought in, I am feeling that it should be consider gender.

Otherwise, Madam Speaker, if we continue discussing the motion and one member has already gone, I think we will be repeating ourselves. Thank you, Madam Speaker.

Hon. Speaker: Members, it is very critical that members ventilate their thoughts. Up to now, Hon. Geoffrey has brought another aspect to the composition of that committee and I could not have locked him out because we could have locked out that idea. I am going to guide the House, just be patient. Can I have more contribution to this motion, Hon. Hellen?

Hon. (Ms.) Ndeti: Mine is just to say that when we are singing our national anthem, we normally talk about justice being our defender. Justice can never be there if there is no fairness and transparency. So, as members, let us try to be fair, let us try to be fair with the gender, let us think about gender.

(Applause)

Hon. Speaker: Thank you, Hon. Hellen. Very finally, Hon. Kalumu.

Hon. Kalumu. Thank you, Madam Speaker. I would like to thank Hon. Mulatya for withdrawing from the committee on appointments and thank him for the show of statesmanship. I would like to request Madam Speaker to work on how we can do the replacement and we save time. Thank you.

Hon. Speaker: Thank you, Hon. Kamulu. I will give directions at this point. This business is going to be referred back to the House Business Committee that is going to sit immediately after this and is going to table the report again tomorrow, Hon. Members.

ADJOURNMENT

Hon. Speaker: Hon. Members, at this point the House is adjourned up to Wednesday, 27th September, 2017 at 10.00 a.m.

The House at 3.49 p.m.