

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY
OFFICIAL REPORT

Tuesday, 9th February, 2021

The House met at 10.22 a.m.

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

PRAYERS

Hon. Speaker: Good morning Hon. Members. Thank you good to see all of you, so we call upon the Clerk we start our session.

COMMUNICATIONS FROM THE CHAIR
WELCOME NOTE FOR THE FIFTH SESSION

Hon. Speaker: So, Hon. Members, it took a while to open the communication on the computer. Hon. Members, I am taking this opportunity to air my welcome note to all of you as we thank God for gathering us again here, we were last year in November and we went through December and January and part of February and we a whole not many have had that privilege so we thank God that you are back to carry on with our work. I am hoping that Hon. Members that you had sufficient time to rest and to interact with your electorates at the grassroots so that you come back fully aware of their needs as they arose in the last few months and also energized from the rest to do the work that is for this Fifth Session.

Hon. Members, this is s session which has a lot of work from you because besides the Assembly business you appreciate that there are also other activities both in the country and the county that relate to you. We have the county senatorial by election which I know has kept you very busy as well as the public and that is proper because every citizen has a right to exercise political action under Article 38 of the Constitution.

Then we also have the BBI which is a proposed amendment to the Constitution and I know members you are also all concerned about next year because you are preparing for a come back to the Assembly after the next year's elections which are just around the corner. So, when you take all those factors, they fill your hands with a lot of work but then remember as you engage on those other activities, you still have your first call which is the duty of serving your people through your activities in this Assembly.

Hon. Members, at that point I will just request that as we advance the causes of our preferred candidates for the senatorial election, we do it in a peaceful manner in a civilized manner, in a manner that brings honour to these seats which you are sitting on because the public gave you that privilege. I have said this before and I will continue asking you of the same so that we are good example to the public.

UPHOLDING HEALTH PROTOCOLS AGAINST COVID-19

So, Members, the other communication is still on COVID-19. Let us not imagine that it has left us; that pandemic is still very well within us and actually I thank you, members because you have cooperated, you have sensitized your family members and the public on safe manners you know particularly to do with the public health protocols on COVID-19 and this way in the county of Machakos we have seen the very low cases of infection especially for those who have been tested and offered in the country in the last four weeks, we have been having a positivity ration of below five.

So, even as we celebrate that seeming achievement, we remind ourselves that the most part of Europe and USA are closed because there are claims again now of another strain of the virus. Let us not drop guard, let us continue sanitizing, continue the social distance, wearing the masks and of course making sure that when you enter the Assembly have your temperature checked for your own good because if there is an alarm action will be taken and then also for the good of the others.

The County Assembly Service Board will continue to supply masks on a monthly basis; that is for you and for your staff in the ward offices and the staff who are here so that we can assist each other in putting that menace at bay.

RECEIPT OF THE CONSTITUTIONAL AMENDMENT BILL 2020 (BUILDING BRIDGES INITIATIVE)

Hon. Members, the other communication I have is on the Constitutional Amendment Bill 2020 popularly known as the BBI. I want to draw your attention Hon. members to the provisions of Article 257(5) of the Constitution of Kenya, 2010. There is a provision that addresses the issue of amending the Constitution by a popular initiative and I want to notify you that on the 28th January, 2021, the office of the Speaker received the Bill, that is the Constitutional Amendment Bill, 2020 from the Independent Electoral and Boundaries Commission (IEBC) and this was forwarded to the Assembly in accordance with the provisions of Article 257 of Constitution.

Hon. Members, in compliance with Article 257(4) of the Constitution, the Commission had undertaken verification of signatures, an exercise you already know but we keep on reminding ourselves because we are leading our electorates.

Hon. Members, in conformity with Article 257(6), these County Assemblies are required to process and resolve the Bill within 90 days of receiving it from the IEBC then submit their resolutions to the Speakers of both the National Assembly and the Senate within 90 days from 28th January, 2021. I will be issuing further guidelines later once the Bill is tabled before the Assembly. Thank you, Hon. Members,

NOTICE OF MOTION

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

APPOINTMENT MEMBERS TO THE HOUSE BUSINESS COMMITTEE FOR THE FIFTH SESSION OF THE SECOND ASSEMBLY

Hon. Muendo: Thank you, Madam Speaker. Let me also welcome back the Hon. Members of this House and also thank God for we have been on recess and we all came back

healthy and knowing that there is Covid-19 but also our Assembly has not lost even a Member or even a staffer. We know in other counties have lost members therefore we thank God and also to thank you Madam Speaker for seeing that before we commence every session, we have prayers although I am sorry, I came a bit late that is the way to go; God every time. Thank you, Madam Speaker.

Hon. Speaker, that aware that Standing Order 151(1) provides that the House Business Committee should be appointed at the commencement of each session; Aware that the Committee is crucial in determining how business is debated in the House and in preparation of the Assembly Calendar;

Noting that the House Business Committee Membership should reflect relative majorities of seats held by each of the Assembly parties in the Assembly;

Aware that the nominations should take into consideration of interests of independents and aware that parties have nominated members to serve in the House Business Committee;

Hon. Speaker, I wish to give notice of the Motion that pursuant to Standing Order 151(1)(e), the House approves the appointment of the following members to the House Business Committee for the Fifth Session of the Second Assembly of Machakos County in addition those members specified under paragraph (a), (b), (c) and (d)

1. Hon. Moses Mitaa
2. Hon. Fredrick Muthoka
3. Hon. Patrick Kituku
4. Hon. Rozina Kanini
5. Hon. Hellen Ndeti
6. Hon. Justus Katumo
7. Hon. Jacqueline Nziva
8. Hon. Annastacia Mutuku
9. Hon. Joshua Muli
10. Hon. George King'ori
11. Hon. Judas Ndawa

Hon. Speaker: Thank you, Majority Leader.

MOTION

APPOINTMENT MEMBERS TO THE HOUSE BUSINESS COMMITTEE FOR THE FIFTH SESSION OF THE SECOND ASSEMBLY

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

Hon. Muendo: Thank you, once again Madam Speaker.

Hon. Speaker, that aware that Standing Order 151(1) provides that the House Business Committee should be appointed at the commencement of each session;

Aware that the Committee is crucial in determining how business is debated in the House and in preparation of the Assembly Calendar;

Noting that the House Business Committee Membership should reflect relative majorities of seats held by each of the Assembly parties in the Assembly;

Aware that the nominations should take into consideration of interests of independents and aware that parties have nominated members to serve in the House Business Committee.

Hon. Speaker, I wish to move the Motion that pursuant to Standing Order 151(1)(e), the House approves the appointment of the following members to the House Business Committee for the Fifth Session of the Second Assembly of Machakos County in addition those members specified under paragraph (a), (b), (c) and (d).

Hon. Speaker, the following are the Members;

1. Hon. Moses Mitaa
2. Hon. Fredrick Muthoka
3. Hon. Patrick Kituku
4. Hon. Rozina Kanini
5. Hon. Hellen Ndeti
6. Hon. Justus Katumo
7. Hon. Jacqueline Nziva
8. Hon. Annastacia Mutuku
9. Hon. Joshua Muli
10. Hon. George King'ori
11. Hon. Judas Ndawa

Thank you, Madam Speaker. In this case, I would like to have the Minority Leader Hon. Kamitu to second my motion.

Hon. Speaker: Thank you, Hon. Majority Leader. Hon. Minority Leader; Kamitu.

Hon. Kamitu: Thank you, Madam Speaker once again. I stand to second the motion. Thank you, Madam Speaker.

Hon. Speaker: Thank you.

(Question proposed)

Hon. Members, I invite you to debate on the motion. Hon. Mwikali.

Hon. (Ms.) Mwikali: Thank you, Hon. Speaker. First of all I want to thank God for bringing the House back all us are here and healthy and we cannot take it for granted therefore we thank God for this opportunity He has given us yet again to serve our County. Madam Speaker, I rise to support and second and possibly third the list of Members that have been nominated to lead the House Business in this Assembly.

When I hear them and I look at them, I find that they are qualified and I am sure they are willing to serve and move this House to great heights. I support Madam Speaker, thank you.

Hon. Speaker: Thank you very much, Hon. Mwikali and for sure you are re-energized, you heard the power with which Hon. Mwikali is submitting; that comes out of the long recess where she rested. Hon. Ndawa.

Hon. Ndawa: Thank you, Madam Speaker. I will first start by thanking God for bringing us here the whole House. Secondly, I would like to thank God for protecting us from this Covid-19 which is killing many people in other areas. Then coming to the matter before us, I want to say that I support the proposal or the motion by Hon. Majority Leader to constitute this House Business Committee.

As we are all aware Madam Speaker, the House Business committee is the engine of the House because it is the committee which generates or which allocates business which is going to be transacted by the House. So, without the House Business Committee, the Assembly will not be able to do anything so, I support the motion and I want to say the Members who have been proposed are equally capable to undertake the task. Thank you, Madam Speaker.

Hon. Speaker: Thank you very much, Hon. Ndawa. Hon. Kaloki.

Hon. Kaloki: Thank you, Madam Speaker. I stand here to support the motion that was presented before this House by the Majority Leader. I agree that we are in support of the list that was presented because we want to move straight into the House business. The House Business Committee is the engine that drives the business of this House and it is important that we all agree to support the motion 100 per cent so that we can get down to serious business. Thank you, Madam Speaker.

Hon. Speaker: Thank you, very much. Do we have any Member in the extended sitting who may want to contribute? Hon. Mueni, I can see you. Hon. Mueni.

Hon. (Ms.) Mueni: Thank you, Madam Speaker. I also thank God to have taken care of us; we have not lost any Member. I also support the motion which has been brought by Majority Leader. We support all the Members I hope by now we have known ourselves. Those Members are very clear in their minds and we ask them not to miss any work in the Assembly. They must offer their time to do the work and to forget about the politics which are outside. Thank you.

Hon. Speaker: Thank you, Hon. Mueni. Hon. Alice Nzioka.

Hon. (Ms.) Nzioka: Thank you, Madam Speaker, for giving me the opportunity. I take this opportunity to support the motion. Madam Speaker, if you listen about the combination from the political parties, the Members who are in the House Business Committee, I know and I am sure that they will deliver. The best way to do it is to be committed on what they are doing so I support the motion. Thank you, very much.

Hon. Speaker: Thank you very much Hon. Alice. I call upon the mover of the motion to reply.

Hon. Muendo: Thank you, Madam Speaker and thank you Members. As most of our Members have said, the House Business committee is very crucial in the Assembly and what I would like to urge them is to have time and also know that without them, there will be no business in this House. Therefore, as Hon. Mueni has said, let us forget the politics which are going on and we concentrate to generate business for this House. Thank you, Madam Speaker.

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

(Applause)

(Question put and agreed to)

(Applause)

Thank you, Hon. Members, for having approved the Membership to the House Business Committee. That is the first business that we had to transact and what we will do Hon. Members, we are going to take a short break so that the House Business you have just constituted can sit and ballot business which is the House is going to address. I will give further directions when we resume and that is going to be at 11.30. We are adjourning just for about 30 to 35 minutes. So we will be coming back.

ADJOURNMENT

Hon. Speaker: The House stands adjourned to resume on the 9th day of February, 2021 at 11.30 a.m.

The House rose at 10.58 a.m.