

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Wednesday, 13th February, 2019

The House met at 2.51 p.m.

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

PRAYERS

NOTICE OF MOTION

APPOINTMENT OF MEMBERS TO THE HOUSE BUSINESS COMMITTEE FOR THE THIRD SESSION

Hon. Speaker: We have one business by the Majority Leader Hon. Mark Muendo.

Hon. Muendo: Thank you, Madam Speaker.

Aware the Standing Order 151 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 majority of seats held by each of the Assembly Parties in the Assembly;

Aware that the nomination should take into consideration interests of the independent and aware that the parties have nominated Members to serve in the House Business Committee;

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

1. Hon. Tariq Mulatya
2. Hon. Francis Kioko Kitheka
3. Hon. Peter Mutiso
4. Hon. Angela Munyasya
5. Hon. Betty Nzisa
6. Hon. Justus Kiteng'u
7. Hon. Anastasia Mutuku
8. Hon. Joshua Muli

9. Hon. Jacqueline Nziva
10. Hon. Antony Mulu
11. Hon. Judas Ndawa

Thank you, Madam Speaker.

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

MOTION

APPOINTMENT OF MEMBERS TO THE HOUSE BUSINESS COMMITTEE FOR THE THIRD SESSION

Hon. Speaker: We have one business by Hon. Mark Muendo, Leader of Majority.

Hon. Muendo: Thank you, Madam 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 nomination should take into consideration interests of the independent and aware that the 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 of HBC for the Third Session of the Second Assembly of Machakos County in addition to those specified under paragraph a, b, c and d;

1. Hon. Tariq Mulatya
2. Hon. Francis Kioko Kitheka
3. Hon. Peter Mutiso
4. Hon. Angela Munyasya
5. Hon. Betty Nzisa
6. Hon. Justus Kiteng'u
7. Hon. Anastasia Mutuku

Thank you, Madam Speaker. Oh there is another page, sorry for that...

8. Hon. Joshua Muli
9. Hon. Jacqueline Nziva
10. Hon. Antony Mulu
11. Hon. Judas Ndawa

Thank you, Madam Speaker.

Hon. Speaker: Hon. Majority Leader, who wishes to second your motion?

Hon. Muendo: I ask Hon. Mitaa to second the motion.

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

Hon. Speaker: Thank you, Hon. Mitaa.

(Question proposed)

Hon. Speaker: Hon. Members, this is proposing a question for your debate or your comments; I invite you to the same. Hon. Musyimi.

Hon. Musyimi: Thank you, Madam Speaker. I stand to oppose this motion and this is simply because if you read the notice of the motion, there is a clause which says this should be done in consideration with the majority of the parties and also in consideration with the interest of the Independents and Madam Speaker, I am sure the portion of the independent in this House is five and none of them reflect in this motion. Thank you Madam Speaker.

Hon. Speaker: Thank you, Hon. Musyimi. Hon. Mueni.

Hon. (Ms.) Mueni: Thank you, Madam Speaker. I support the motion by saying that this is done by the parties; they are the ones who choose the people who they want and this is inside the House so the member who was on the floor that the independent people were absorbed by the parties they wanted to get in so it does not matter whether you are seeing the independent or what those were absorbed by the parties they wanted. So, Madam Speaker, I think the independent members are comfortable where they are. Thank you, Madam Speaker.

Hon. Speaker: The independent members of this Assembly; there is Hon. Mueni. Hon. Kasyoki.

Hon. Kasyoki: Madam Speaker, I stand to differ with the member who has just spoken right now. We are independent; where we were last year members let us be assured this 2019 and we will make our own decisions.

(Applause)

We are five, we have met, we have a chairman and I am sure at the end of the day you will feel our weight. Thank you.

(Applause)

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

Hon. Ndawa: Thank you, Madam Speaker. I want also to air my views on this. Madam Speaker, this Assembly comprises of different political parties and those who vied as Independent candidates. Madam Speaker, it is going to be unfair if a group of people are going to be lost with no representation. I don't know whether it is a norm or it is what; should we

maintain the 11 members or can we go beyond to 13 and if we to 13 are we going to have done any harm or are we going to break any law.

Hon. Speaker: Hon. Ndawa, it we can only do that by amending the Standing Orders so if you want to move a motion for Standing Orders to be amended please do so, but not on this floor. So discuss this list.

Hon. Ndawa: Thank you, Madam Speaker. The list is very okay and it is only that the Independent members are not represented and the other issue that I would request Madam Speaker is the way Assembly parties have been given chance to give out their members, we would request other committees we follow the same channel because---

Hon. Speaker: Bring a motion on other committees also; not at this time.

Hon. Ndawa: Well-advised.

Hon. Speaker: When you are on your feet Hon. Ndawa you look at Standing Order 151(1)(b); just sit briefly you will resume the position if you wish to finalize your submissions after I have informed you. Standing Order 151(1)(b), the chairperson of committees is Hon. Museku and the record I hold of all of you show that Hon. Museku is an Independent member of this Assembly so out of the five, there is a representation of Hon. Museku in this committee.

So, Hon. Musyimi and Hon. Ndawa please note that it is not true that the Independents are not represented at all. Maybe you could also argue on other points but not that they are not represented. Please proceed and finish.

Hon. Ndawa: Thank you Madam Speaker, for the guidance and the advice. The other thing that I have noted, Madam Speaker, is that there are some names which are written in the heads of the members whoever came up with this list because the name of the Majority Leader who sits in that committee is not appearing here. So, I do not know if it is written in the head or it is written where?

Hon. Speaker: Have you read the motion? In addition to those members specified under paragraph a, b, c and d and I added of Standing Order 151(1) of the Standing Orders of this Assembly. So, those members who are in a, b, c and d include the Majority Leader who is number 1(c); are you okay now? The Minority Leader is under (d). Hon. Helen Matee?

Hon. (Ms.) Ndeti: Thank you, Madam Speaker. I support the motion; however, I would like to comment that in future a rotation of the members might do good to other members in the House.

(Applause)

Hon. Speaker: Thank you, Hon. Helen; that is a matter that the parties need to take note of. Hon. Katumo.

Hon. Katumo: Thank you, Madam Speaker. Hon. Members, I stand on my feet just to support this important motion. Actually, this committee is an engine to the House for business transactions and when I look from number one to number 11, in addition to the others, I think these are able members of this Assembly. What to do is to give them the opportunity to start transacting business for us and therefore, I see these are able and I support.

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

Hon. Mulatya: Thank you, Madam Speaker. Madam Speaker, I would like to quote something small on the list and since that we just came from recess and we need to transact our business very fast, there are somethings I considered in consultation with the Majority Leader and the Minority Whip and the Minority Leader also; I think he was informed. We did not want to change so much this list because it could have raised eyebrows and at least at the end of the day cost the selection committee to retreat to remove members from committees and exchange and that could have taken time maybe two weeks by the time we settle on this list.

That is why we supported the members because every member is comfortable in the House they are in their committees. Those who are supposed to get their responsibilities they are getting so that is why we had to say those members to continue. Thank you.

Hon. Speaker: Hon. Ndawa, the Hon. Member has finished so your information will go nowhere. Hon. Mitaa.

Hon. Mitaa: Thank you, Madam Speaker. Once again, I support the motion but my only concern maybe next time when we are coming up with the names, we consider regions because from the look of things, Kangundo Sub-County does not have representation and also I think at theThank you, Madam Speaker.

Hon. Speaker: Hon. Mueni, Hon. Mitaa has also finished so the point of information will go nowhere. Hon. Musau.

Hon. Musau: Thank you, Madam Speaker. Madam Speaker, I do appreciate the good work of this committee to bring these names but Madam Speaker, I still concur with the Independents that although the chairman is an Independent, they are under-represented. So, in future in another selection, we do implore because despite our Hon. Deputy Speaker being the chairman and an Independent, he has only one vote in that committee.

So, in future I would urge especially my side we surrender one portion for our brothers for equity and equality. Thank you, Madam Speaker.

Hon. Speaker: Hon. Musau, did you say the Speaker, is an Independent? Mean the chairperson of committees that is what you meant

Hon. Musau: Yes, Madam Speaker.

Hon. Speaker: Hon. Majority Leader, I will call you when you are coming to reply because it is your motion. Hon. Pauline.

Hon. (Ms.) Mene: Thank you, Madam Speaker. I am happy that NARC is represented by Hon. Judas Ndawa but I would like to bring to your attention that in some other committees, there are some members of NARC who were removed from the committees and we do not understand---

Hon. Speaker: Do not bring matters of other committees Hon. Pauline so that you are not out of order.

Hon. (Ms.) Mene: Okay, Madam Speaker.

Hon. Speaker: Because the Standing Orders provide that you stick to the motion on the table so that you are not out of order.

Hon. (Ms.) Mene: Okay. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Kamitu.

Hon. Kamitu: Thank you very much, Madam Speaker. Madam Speaker, I stand to support this motion but urge the committee members and the Majority and the Minority in regard to motion been brought on the House Business Committee. Members present should take this committee as a very serious and a very important committee because this is the committee which is mandated to generate from various committees or to forward the business of the House so that issues may be debated.

On that regard, Madam Speaker, during our previous the committee members whom I see are the same members, it is very important that we should also be consulting between the Majority and the Minority Leaders in regard to issues being brought into the House. So---

Hon. Speaker: Hon. Kamitu, that one you would take it to the committee after we form it because it is that committee which will be balloted.

Hon. Kamitu: Thank you, Madam Speaker. Otherwise, I stand to support.

Hon. Speaker: Hon. Majority Leader, the mover of the motion; can you reply.

Hon. Muendo: Thank you, Madam Speaker. Let me start by thanking the members for the debate they have given on this motion. Also let me point out, Madam Speaker, this is one of the committees which has got balance; members are of regions. I represent Mavoko. Kamitu is there, Kangundo.

Hon. Speaker: Who is Kamitu?

Hon. Muendo: Hon. Kamitu is there representing Kangundo, Hon. Francis Kioko is there, Yatta, Hon. Mutiso, Machakos, Hon. Angela Munyasya, Hon. Betty from Mwala. Let me say, this is one of the best combined committee because even the Independent Members Hon. Museku is there. Then there is also the nominated members of the Assembly are there. So,

Madam Speaker, I think I don't need to waste a lot of time on this. I think the members are going to support and your support because it is well-balanced. Thank you, Madam Speaker.

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

(Question put and agreed to)

(Applause)

Hon. Members, you have made your decision as it is supposed to be. The only request from the Chair and actually directions or directive from the Chair is that that committee needs to try and ballot business well in advance so that the members of the public can look at the website of the Assembly and know possibly even one month in advance what business would be coming other than the businesses which come in as a matter of emergency so that they come and listen and participate.

The other directive I will give is that the members of that committee are requested to return or to stay behind because you have to ballot for business for next Tuesday which is the first day of sitting.

ADJOURNMENT

Hon. Speaker: So, Hon. Members, at this point, the sitting is adjourned to commence or to proceed on the 19th day of February, 2019 at 10.00 a.m. Good evening members.

The House rose at 3.20 p.m.