

MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Thursday, 29 May, 2013

The House met at 2.30 p.m.

[The Speaker (Mr. Mung'ata) in the Chair]

PRAYERS

NOTICE OF MOTION

EMPLOYMENT OF WARD ADMINISTRATORS

Hon. Kyuli: Thank you Mr. Speaker, if the Standing Orders will allow, may I move a notice of a motion that has come up because of issues the members wish to be addressed. Actually it's one because we discussed the issue of ward administrators yet we still have issues in regard to employment of staff in this County so Mr. Speaker I wish to introduce a notice of motion that we discuss the employment of the ward administrators.

Hon. Speaker: Yes hon. members you know that issue has been addressed in another motion and we have already summoned the minister for Labour. I will urge the House to await the outcome of that process that is still ongoing.

MOTIONS

CONFIRMATION OF CECM FINANCE

Majority Leader (Hon. Mwonga): Mr. Speaker sir and members of the House, I wish to table before the House a report of Committee on Appointment.

Hon. Speaker: Proceed.

Majority Leader (Hon. Mwonga): Thank you Mr. Speaker.

Hon. Kasimu: Before we table the motion on confirmation of the minister for finance, we would like to know from the Chair if what we agreed as a House yesterday for Ksh. 158 million to be wired in the County Assembly account has been done before we proceed. Thank you, Mr. Speaker.

(Applause)

Majority Leader (Hon. Mwonga): Mr. Speaker, I think the member is out of order because when the Clerk of the Assembly was taking us through, there was Order No. 4, Notice of Motion. That is where he was supposed to raise the issue. We are now on agenda No. 6 which is

confirmation of minister of finance, Machakos County. Mr. Speaker, I beg that you rule that member out of order and allow me.....Mr. Speaker I seek your protection.

Hon. Speaker: Hon. Member, that point is rejected.

Majority Leader (Hon. Mwonga): Thank you Mr. Speaker for your protection. Mr. Speaker, I am now obliged to table and present to this House the nominee for the docket of ministry of finance.

Hon. Speaker: Allow the report to be tabled and then I will allow the points of order.

Majority Leader (Hon. Mwonga): Thank you Mr. Speaker. The Committee on Appointment sat last week Thursday and the members also invited the public to witness the vetting of this nominee which was a success. The committee also sat yesterday at a prestigious hotel in Maanzoni and compiled the report and Mr. Speaker, not taking too much time of the House, I think every member has the report I am tabling. And since every member can read for himself, the report is self-explanatory but just to take members through it. Report of vetting of Elizabeth Mutheu Nzyoka that members deliberated on. I think members you have the copy.

Hon. Speaker: Proceed.

Majority Leader (Hon. Mwonga): The committee found the nominee was fit for the appointment, she had the passion and the County at heart and actually, members, you will agree with me, especially those who witnessed her vetting. Remember she is leaving her position at the National Treasury to come and serve her people in this County. The nominee is a visionary leader and you can remember vividly what she told us when she was taking us through her CV; she has the required skills, competence and experience having worked in a senior position in the ministry of finance for the last 15 years. She is young and would like to give her services to people of Machakos where she was born, for the rest of her working years. It is a recommendation of this committee that in future, all appointments that require vetting of the House must go through the process that this nominee went through. Thank you, Mr. Speaker and now ask members to contribute and urge them to approve her because you know we have been having problems with the ministry because we do not have a minister in that docket except for the one in acting capacity.

Hon. Speaker: I will open the floor for a member in support of the report. Minority Leader, you are part of this Committee on Appointment.

Minority Leader (Hon. Kasoa): Thank you Mr. Speaker. As you can read, the mood of the House is totally divided on the nomination of this minister. I kindly request that we adjourn the debate on the report to allow for further consultation.

Majority Leader (Hon. Mwonga): Mr. Speaker sir, if you allow me, I am wondering why the Minority Leader is opposing the approval of this nominee whereas he is a member of the same Committee on Appointment. How can he rise up and say the mood of the House. Is he having a 'moodometer' to measure the mood of these members?

Hon. Speaker: Honourable member, before you proceed. The business of invitation to the chair was to confirm whether the report was correct so that it is adopted as a report of the House and thereafter open debate. Proceed, Minority Leader. Just confirm the contents of the report are true and that you participated.

Minority Leader (Hon. Kasoa): I confirm it is a true copy.

(Applause)

Hon. Speaker: Then the House proceeds to adopt it as a report of the House and we now open debate on adoption of the report. Yes.

Hon. Kyuli: Mr. Speaker, with all due respect, we have received the report tabled by the Majority Leader and it has been confirmed it is the report they sat and passed. But Mr. Speaker sir, adoption or no adoption, if you look at this House, even the Minority Leader had proposed that we adjourn. I second that we adjourn for further consultations. This report has just been given to us right now as we entered the Chamber. Are we angels to read such a document and just pass it? We don't want to do things as we did before and so we must be cautious because we know where we went wrong. For this particular report, I have not even read it, so how can I stand and propose that we pass such a report. It will be like rubber stamping, Mr. Speaker. This House cannot sit here to rubber stamp things. Mr. Speaker, can we adjourn until tomorrow so that we can read this document and then know what to do. Every member here, when we were entering, we were given a book to sign and told 'andika jina.' We wrote our names and we were told 'this is the report.' It should have been brought to us as early as yesterday. I second the Minority Leader that we adjourn until tomorrow.

Hon. Speaker: We can have another member.

Hon. Kasimu: Mr. Speaker sir, I support the adjournment because in the past we have been shortchanged and members are aware of that and we want to scrutinize the papers that are in front of us and I propose 24 hours from now is when we will be sober and ready to come and discuss. Not to pass the motion, but to discuss it again all of us here. I stand to support the adjournment.

Hon. Itumo: I stand here to support what the immediate member has said to adjourn so that we may gain a good debate because the mood of the members seem to be dim and again Mr. Speaker we are shocked and before we continue with any other business in the House, you remember that during the visit to Mombasa, it is like some of us were threatened. We don't want them to be taken to these hotels, with these Somali guards who are very cracked and inhuman. We want.....can I continue Mr. Speaker.

Hon. Speaker: Allow the member to proceed.

Hon. Itumo: Thank you Mr. Speaker. We want to be taken to the hotels that are in town and not those guarded by these Somalis who are very brutal. Again Mr. Speaker sir, we want to know from this House exactly because I believe today is 29th May, 2013 and we were promised that the Ksh. 158 million for the County Assembly will be disbursed by now and I wonder whether that amount is here with us.

Hon. Speaker: Hon. Member, you are now out of order.

Hon. Itumo: Thank you Mr. Speaker, let me just settle down

Hon. Mbithi: Thank you Mr. Speaker. I want to point out that the finance docket is a very sensitive ministry and if we have to move Machakos County to greater heights, this is a ministry we cannot just brush off like a dream. With that Mr. Speaker sir, we see so many CVs that don't really reflect the kind of person we are looking for. We have seen so many CVs that have exaggerations of person we are looking for and I want to pose a challenge to the Committee on Appointment. I have looked at the CV and seen the referees. As we claim we want to adopt this report, a referee is a person who knows you and your working conditions than any other person. Has Appointment Committee contacted any of these referees to know how competent this lady is or we are just accepting this report as the gospel truth without challenging the

working conditions of this lady? The Committee on Appointment should know that before we adopt this report---

Hon. Speaker: Granted.

Majority Leader (Hon. Mwonga): That member is out of order. He is now discussing the contents of the report which I have already tabled and it has already been adopted by the House.

Hon. Speaker: Point of order allowed. The report is already the property of the House where you cannot attack its contents. The motion at hand is that of adjournment.

Hon. Mbithi: Thank you Mr. Speaker sir and my support is for adjournment so that we scrutinize the information concerning the said nominee.

Hon. Speaker: Thank you very much.

Hon. Kitheka: Thank you Mr. Speaker. I think it is good enough and prudent that this House to take action when necessary because we have decided to adjourn this sitting, we should not even contribute a single word to this document. We should now adjourn the sitting until 24 hours when we will have adequately read the document and get satisfied by the contents therein. So I truly, 100 per cent support the adjournment which should be now Mr. Speaker.

Hon. Speaker: Can I have a member of a contrary opinion, opposing the adjournment

Majority Leader (Hon. Mwonga): Mr. Speaker, I am totally opposed to the adjournment. Mr. Speaker, when I was tabling the report from the Committee on Appointment, members agreed with me that this is a very important docket. And Mr. Speaker, if members can remember, those who are in Budget and Appropriation Committee, Labour and Social Welfare and Committee on Appointment, we have a minister who is just standing in for somebody who could not answer the issues that were raised by this House last week. Now members, if you say we are not going to approve this nominee, are we going to stay without salaries, allowances, are we going to stay without going---

(Loud consultations)

Hon. Speaker: You are out of order.

Majority Leader (Hon. Mwonga): Mr. Speaker, as I had said earlier, we have no 'moodometer' to measure the mood of all these members. It is only a few members who are opposing.

Hon. Speaker: Honourable members we should also hear the voice of the opposition. Another member opposing the adjournment? Have the floor.

Hon. T. Kilonzo: Mr. Speaker, what I was trying to say is that we give just about 18 hours so that we can meet tomorrow morning instead of 24 hours. That was my contribution, Mr. Speaker, Sir.

(Loud consultations)

But I am trying to limit the time we have given ourselves from 24 hours to tomorrow morning.

Hon. Speaker: Point taken. Let us hear the honourable member for Ekalakala.

Hon. Muinde: Mr. Speaker, I want to contribute by telling the Majority Leader that there is no gap in the government and our pay does not depend on us having a finance minister.

(Loud applause)

We are an independent House and have qualified officers who can handle finances here and even when a minister stands in for another minister, that is a minister already representing the government. I don't think we should be pushed to discuss about the minister, we are not rejecting the nominee but we need more time to scrutinize her documents and have our word recorded. Particularly, this is a finance minister but I would have thought as much as it was the business of the Appointment Committee, the Budget and Appropriation Committee should also have had its word heard because the minister will work with this committee very closely so at least the Chairman or any member should have been given an opportunity to have had a close scrutiny of the nominee. That was not done and so if the House gives us more time, that will be done. Even the Chairman of Labour and Social Welfare and his Committee. So we are saying, let us be given more time and when the opportune time comes when we have thoroughly looked at the CV, then we shall discuss and possibly pass the motion if there is no reason to reject. For the moment, I support that we adjourn to a later date.

Hon. Speaker: Hon. Members, now I pose the question.

(Question put and agreed to)

(Applause)

ADJOURNMENT

Hon. Speaker: The House therefore adjourns until tomorrow 2.30 pm

The House rose at 2.55 p.m.