

MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Tuesday, 8th July, 2014

The House met at 3.00 p.m.

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

PRAYERS

PAPERS LAID

VETTING OF CHIEF OFFICERS

Hon. Muli: Mr. Speaker Sir, I beg to lay the following paper on the table of the County Assembly today Tuesday, 8th July, 2014: The report of Agriculture, Environment and Natural Resources Committee on vetting of various officers of various departments under the committee, Mr. Speaker.

(Hon. Muli laid the paper on the Table)

Hon. Speaker: Proceed, paper laid.

Hon. (Ms.) R. Nduku: Mr. Speaker, Sir, I beg to lay the following paper on the table of the Assembly today Tuesday, 8th July, 2014: The report of the Budget and Appropriations Committee on the vetting of Chief Officer of County Treasury and the Financial Secretary. Thank you, Mr. Speaker.

(Hon. (Ms.) R. Nduku laid the paper on the Table)

Hon. Speaker: Thank you. Paper laid. Proceed.

Hon. Nduva: Mr. Speaker Sir, I beg to lay the following paper on the table of the Assembly today Tuesday, 8th July, 2014: The report of the Planning, Trade, Tourism and Cooperatives Committee on the vetting of Chief Officers of various departments. Thank you, Mr. Speaker.

(Hon. Nduva laid the paper on the Table)

Hon. Speaker: Proceed.

Hon. Itumo: Mr. Speaker Sir, I beg to lay the following paper on the table of the House today Tuesday, 8th July, 2014: The report of the Justice and Legal Affairs Committee on the vetting of Senior Legal Officer, County Law Office. Thank you, Mr. Speaker.

(Hon. Itumo laid the paper on the Table)

Hon. Speaker: Proceed.

Hon. (Ms.) Sereka: Mr. Speaker Sir, I beg to lay the following paper on the table of the House today Tuesday, 8th July, 2014: The report of the Health Services Committee and the Children, Culture and Community Services Committee on the vetting of the Chief Officer of Health and Emergency Services. Thank you, Mr. Speaker.

(Hon. (Ms.) Sereka laid the paper on the Table)

Hon. Speaker: Proceed.

Hon. Manyolo: Mr. Speaker Sir, I beg to lay the following paper on the table of the House today Tuesday, 8th July, 2014: The report of the Early Childhood Education and Vocational Training Committee on the vetting of the Chief Officer nominee for the Department of Education, Youth and Social Welfare for consideration. Thank you, Mr. Speaker.

(Hon. Muli laid the paper on the Table)

Hon. Speaker: Proceed.

Hon. Kanui: Mr. Speaker Sir, I beg to lay the following paper on the table of the House today Tuesday, 8th July, 2014: The report on the vetting of the Chief Officers nominees for the Department of Special Programmes and Projects and the Department of Tourism and Culture, for consideration. Thank you, Mr. Speaker.

(Hon. Kamui laid the paper on the Table)

Hon. Speaker: Proceed.

Hon. Katela: Mr. Speaker Sir, I beg to lay the following paper on the table of the House today Tuesday, 8th July, 2014: The report on the vetting of the Chief Officers for the Department of Public Service, Labour and ICT and the Department of Decentralized Units, Urban Areas and Municipalities. Thank you.

(Hon. Katela laid the paper on the Table)

Hon. Speaker: Proceed.

Hon. Ngui: Mr. Speaker Sir, I beg to lay the following paper on the table of the House today Tuesday, 8th July, 2014: The report on the vetting of the Chief Officers for the Department

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of Roads and Transport and the Department of Public Works and Housing, for consideration. Thank you Mr. Speaker Sir.

(Hon. Ngui laid the paper on the Table)

NOTICES OF MOTIONS

TRANSPORT, ROADS, PUBLIC WORKS AND HOUSING DEPARTMENT

Hon. Ngui: Mr. Speaker Sir, I wish to give notice of the following motion. That this House discusses and approves the Transport, Roads, Public Works and Housing committee report on the vetting of Chief Officers of the Department of Roads and Transport and the Department of Public Works and Housing as laid today, Tuesday, 8th July, 2014. Thank you Mr. Speaker Sir.

Hon. Speaker: Is your motion supported by anybody?.....Okay, that will come much later then. We can hear information, yes?

Hon. Kathinzi: Thank you Mr. Speaker. I've risen in concern over the just introduced motion by Hon. Felix Ngui that the matter he is requesting to be discussed in this House, the Speaker is aware that this issue is in court and therefore I don't think it is necessary for us to discuss it now until that one is finished. Thank you.

Hon. Kitheka: Thank you Mr. Speaker Sir. Being aware that we must have been given a notice of this information calling for this meeting which is very sensitive to the County Government of Machakos, we should be given a notice of 24 hours which has not been given. Secondly, Mr. Speaker, pursuant to our constitution, we know very well that you cannot discuss an issue which is in court. I wish we don't continue discussing an issue which has been served and which is within the court and which is being dealt within the court. Thank you, Mr. Speaker.

Hon. Speaker: Objection overruled. There are no orders restraining debate. Proceed.

[Some Members walk out while others applaud]

AGRICULTURE, ENVIRONMENT AND NATURAL RESOURCES DEPARTMENT

Hon. Muli: Mr. Speaker Sir, I wish to give notice of the following motion. That this House discusses and approves the Agriculture, Environment and Natural Resources Committee report on the vetting of Chief Officers of various departments as laid on the floor of the House today, Tuesday, 8th July, 2014. Thank you Mr. Speaker Sir.

BUDGET AND APPROPRIATIONS DEPARTMENT

Hon. (Ms.) R. Nduku: Mr. Speaker, Sir, I wish to give notice of the following motion. That this House approves the Budget and Appropriations Committee report on the vetting of Chief Officers of the County Treasury and the Financial Secretary. Thank you Mr. Speaker Sir.

Hon. Speaker: Okay.

PLANNING, TRADE, TOURISM AND COOPERATIVES DEPARTMENT

Hon. Nduva: Mr. Speaker Sir, I wish to give notice of the following motion. That this House discusses and approves the Planning, Trade, Tourism and Cooperatives Committee report on the vetting of Chief Officers as laid on the floor of the House today, Tuesday, 8th July, 2014. Thank you Mr. Speaker, Sir.

JUSTICE AND LEGAL AFFAIRS DEPARTMENT

Hon. Itumo: Mr. Speaker Sir, I wish to give notice of the following motion. That this House discusses and approves the Justice and Legal Affairs Committee report on the vetting of the Senior Legal Officer, County Law Office as laid today, Tuesday, 8th July, 2014. Thank you, Mr. Speaker.

HEALTH SERVICES COMMITTEE

Hon. (Ms.) Sereka: Mr. Speaker Sir, I wish to give notice of the following motion. That this House discusses and approves the report of the Health Services Committee and the Children, Culture and Community Services Committee on the vetting of the Chief Officer of Health and Emergency Services Department. Thank you Mr. Speaker, Sir.

EARLY CHILDHOOD EDUCATION AND VOCATIONAL TRAINING DEPARTMENT

Hon. Manyolo: Mr. Speaker Sir, I wish to give notice of the following motion. That this House discusses and approves the report of the Early Childhood Education and Vocational Training Committee on the vetting of the Chief Officer for the Department of Education, Youth and Social Welfare as laid today, Tuesday, 8th July, 2014. Thank you Mr. Speaker Sir.

CHILDREN, CULTURE AND COMMUNITY SERVICES DEPARTMENT

Hon. Kanui: Mr. Speaker, Sir, I wish to give notice of the following motion. That this House discusses and approves the Children, Culture and Community Services Committee report

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on the vetting of the Chief Officers for the Department of Special Programmes and Projects and the Department of Tourism and Culture, as laid today, Tuesday, 8th July, 2014. Thank you Mr. Speaker Sir.

LABOUR AND SOCIAL WELFARE DEPARTMENT

Hon. Katela: Mr. Speaker, Sir, I wish to give notice of the following motion. That this House discusses and approves the Labour and Social Welfare Committee report on the vetting of the Chief Officers for the Department of Public Service, Labour and ICT and the Department of Decentralized Units, Urban Areas & Municipalities as laid today, Tuesday, 8th July 2014. Thank you.

MOTIONS

BUDGET AND APPROPRIATIONS DEPARTMENT

Hon. (Ms.) R. Nduku: Mr. Speaker Sir, aware that this House received names of nominees for the posts of Chief Officer of the County Treasury and that of the Financial Secretary, and as per Standing Order 42 (1) was committed to the Budget and Appropriations Committee and aware that the Public was invited as announced through the media to participate, Mr. Speaker, Sir, pursuant to Standing Order 191 (5), the Budget and Appropriations Committee vetted the nominees for the posts taking into account the qualifications, experience and integrity.

Mr. Speaker Sir, aware that the nominees were interviewed by the County Public Service Board and nominated by His Excellency the Governor, the Budget and Appropriation Committee vetted the nominees, Ms. Jacinta Mwelu Masila for the position of Chief Officer of County Treasury and Mr. David Musembi Mutia for the position of Financial Secretary, and found them suitable. I wish to move the motion that this Honourable House discusses and approves the said nominees for the posts of the Chief Officer of the County Treasury and that of the Financial Secretary. Thank you Mr. Speaker Sir. I call upon Hon. Sammy Nduva to second this motion.

Hon. Nduva: Mr. Speaker, I stand here to second the motion on the committee of Budget as it was discussed in the meeting that was held to vet the Chief Officers. Mr. Speaker, I second the motion. Thank you very much.

Hon. Speaker: Thank you. The motion is properly before the House for debate and debate is opened.

Hon. (Ms.) R. Nduku: Thank you Mr. Speaker Sir. This is the report of the Budget and Appropriations Committee on the vetting of Chief Officer of the County Treasury and the Financial Secretary.

Preamble

Mr. Speaker, Sir, the budget and appropriation committee is one of the select committees established under Standing Order No. 187 and is mandated to, inter alia; vet and report on appointments where the Constitution or law requires the County Assembly to approve.

Mr. Speaker, Sir, S.O No. 187 (1) and (3)(a) states that there shall be a select committee to be known as Budget and Appropriation Committee and that the mandate of the committee shall be to investigate, inquire into and report on all matters related to coordination, control and monitoring of the county budget.

Committee Membership

Mr. Speaker, Sir, the following members of the committee as constituted by the House and other invited members, on 3rd July 2014, participated in the occasion of vetting the nominees for the following posts,

- | | | |
|-------------------------------------|---|-----------------------------------|
| 1. Chief Officer of County Treasury | - | Mrs. Jacinta Mwelu Masila. |
| 2. Financial Secretary | - | Mr. David Musembi Mutia. |

Members Present

- | | | |
|-----------------------------|---|------------------|
| 1. Hon. Isaac Muinde | - | Chairman |
| 2. Hon. (Ms.) Rachael Nduku | - | Vice Chairperson |
| 3. Hon. Charles Mutisya | - | Member |
| 4. Hon. Renson Muthiani | - | ” |
| 5. Hon. John Sila | - | ” |
| 6. Hon. Sammy Nduva | - | ” |
| 7. Hon. Willy Mukewa | - | ” |
| 8. Hon. (Ms.) Ruth Ndumi | - | ” |
| 9. Hon. Christine Mutune | - | ” |

Invited Members

- Hon. Mary Ndinda
- Hon. Nzeki Munyaka
- Hon. Winston Kanui
- Hon. Felix Ngui
- Hon. David Manyolo
- Hon. Benedette Musyoka
- Hon. Jacqueline Nziva
- Hon. Veronica Mbithe
- Hon. Justus Katumo
- Hon. Jacinta Luka
- Hon Michael Mutuku

12. Hon. Leonard Katela
13. Hon. Alex Kamitu
14. Hon. Francis Matheka
15. Hon. Kyalo Kyuli
16. Hon. Peter Nzoka
17. Hon. Gideon Kavuu
18. Hon. Edrick Ngunzi
19. Hon. Margaret Ndalana

In Attendance

Mathew Muange and Sarah Mwanja, who are the Clerks.

Nomination of the Chief Officer and the Financial Secretary

Mr. Speaker, Sir, pursuant to section 30 (d) of the County Government Act, H.E the Governor is required to nominate persons for appointment as Chief Officer for County Treasury and Financial Secretary, as recommended by the County Public Service Board; and with the approval of the County Assembly, appoint the Chief Officer of County Treasury and the Financial Secretary.

Mr. Speaker, Sir, on 3rd July, 2014 the Budget and Appropriation Committee commenced the vetting process for the nominees for the posts of Chief Officer of the County Treasury and the Financial Secretary. The whole process was done by meeting with the nominees, and included examining the candidates’:

1. Academic credentials
2. Professional affiliations,
3. Employment records and experience
4. Potential conflict of interest
5. Overall suitability for the position
6. Tax compliance and
7. Personal integrity.

Mr. Speaker, Sir, S.O No. 172 states that any Committee shall enjoy and exercise all the powers and privileges bestowed on County Assembly by the Constitution and statute including; power to summon witness, receive evidence and to request for, and receive papers and documents from the Government and the public.

Mr. Speaker, Sir, as per S.O No. 42(1) “Upon receipt of a notification of nomination for appointment to an office as is under the Constitution or under any other legislation required to be approved by the County Assembly, the nomination shall stand committed to the relevant Sectoral Committee of the County Assembly for consideration”.

Mr. Speaker, Sir as per S.O No.42 (4) “The Committee shall conduct a hearing on the proposed appointment and shall, unless otherwise provided in law, table its report in the County Assembly within fourteen days of the date on which the notification was received under paragraph (1) ‘the Committee conducted hearings on 3rd July, 2014, from 9.00 a.m. to 12.45 p.m.

Mr. Speaker, S.O No.191 (5f) empowers any Sectoral committee to vet and report on all appointments to the Assembly for approval except appointments under S.O 185.

Recommendation

Mr. Speaker, Sir, guided by standing order No.191 (5),the committee vetted the Nominees for the posts of Chief Officer of the County Treasury and Financial Secretary on 3rd July 2014, from 9:00am to 12:45pm and found them qualified. The committee recommends to this house to approve the nominees:

1. **Mrs. Jacinta Mwelu Masila** for the post of Chief Officer of county treasury and,
2. **Mr. David Musembi Mutia** for the post of Financial Secretary.

Thank you, Mr. Speaker Sir.

Hon. Speaker: Thank you very much. Those in support? I want a member of that committee perhaps to rise up and tell us whether this is exactly what happened.

Hon. Nduva: Mr. Speaker, I stand to support the nomination of the two members who were vetted by the Committee on Budget and support that the information that has been given by the Vice-Chairperson is the deliberations of that day. Thank you, Mr. Speaker.

Hon. Speaker: Ok, any other person in support. Anybody in opposition of the report. We can hear your remarks Hon. Member.

Hon. Katela: Thank you Mr. Speaker Sir. I attended the vetting of the Budget Chief Officers as an invited member and I personally was satisfied with their integrity and approach of issues according to the questions raised to them. Thank you Mr. Speaker Sir.

Hon. Speaker: Thank you. Maybe we can Okay, yes?

Hon. M. Mutuku: Thank you Mr. Speaker. I would like to say I did also attend as an invited guest the vetting of those Chief Officers and I would like to say they really met all the qualifications which were required for them to be appointed as Chief Officers and I would like to say without wasting time, truly this House really needs to approve the same. Thank you, Mr. Speaker.

Hon. Speaker: We can hear from the mover of the motion whether this exercise was open to the public because I don't appear to see that in the report.

Hon. (Ms.) R. Nduku: Thank you Mr. Speaker Sir. Yes indeed, we invited the public. We invited other members who are not members of the committee and they all contributed towards the vetting of the Chief Officer for Treasury and the Financial Secretary in the County Treasury. Thank you, Mr. Speaker, Sir.

Hon. Speaker: Thank you. It appears that there is nobody in opposition to this report and therefore I will now proceed to put the question that those in support of the report as presented by the Budget and Appropriations Committee on the vetting of the Chief Officer of the County Treasury and the Financial Secretary dated 4th July, 2014.

(Question put and agreed to)

Proceed.

TRANSPORT AND PUBLIC WORKS DEPARTMENT

Hon. Ngui: Mr. Speaker Sir, aware that this House received names of nominees for the posts of Chief Officers Department of Roads and Transport and the Department of Public Works and Housing, and as per Standing Order 42 (1), they were committed to the Transport and Public Works Committee and aware that the Public was invited as advertised through the media to participate, Mr. Speaker Sir, pursuant to Standing Order 191 (5), the Transport, Roads, Public Works and Housing Committee vetted the nominees for the posts taking into account the qualifications, experience and integrity. Mr. Speaker Sir, aware that the nominees were interviewed by the County Public Service Board and nominated by His Excellency the Governor of Machakos County, the Transport, Roads and Public Works Committee vetted Mr. Morris Paul Aluanga Omuyonga and Ms. Sarah Mbithe Mutua for the positions of Chief Officers for the Departments of Roads and Transport and the Department of Public Works and Housing respectively and found them suitable for these positions. I wish to move the motion that this Honourable House discusses and approves the said nominees for the posts of the Chief Officers in the aforementioned departments. Thank you, Mr. Speaker Sir. I call upon Hon. Peninah Kaluki to come over and support my motion.

Hon. (Ms.) Peninah Kaluki (Nominated Member, Democratic Party of Kenya): Thank you Mr. Speaker Sir and the House at large. I hereby stand to support and second the motion that this Honourable House discusses and approves the nominees for the Departments of Transport and roads and the Department of Public Works and Housing. The nominees are Mr. Paul Morris Aluanga and Ms. Sarah Mbithe Mutua. I stand to support. We were in the vetting and these nominees exhibited a wealth of qualifications and a lot of experience and they had passion for the jobs they were nominated for. So I ask this House to discuss and approve their names for the positions. Thank you Mr. Speaker Sir.

Hon. Speaker: Thank you very much. The motion is open for debate. Those in support of the motion, please give your contribution.

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Hon. Ngui: Thank you Mr. Speaker Sir. Mr. Speaker Sir, this is the report of the Committee concerning the vetting of the Chief Officers of the said departments.

Mr. Speaker Sir, the Committee on Transport, Roads, Public Works and Housing convened to fulfill its Constitutional responsibility to vet the nominees listed below, from the Departments and on the dates specified.

Name	Department	Date & Time
1. Eng. Aluanga Morris Paul	Transport and Roads	1 st July 2014 at 2.30pm
2. Ms. Mutua Sarah Mbithe	Public Works and Housing	2 nd July 2014 at 2.30pm

The members present in that exercise are as below: -

Members Present

- | | | |
|-------------------------------|---|----------|
| 20. 1. Hon. Felix Ngui | - | Chairman |
| 21. 2. Hon. Peninah Kaluki | - | V/Chair |
| 22. 3. Hon. Christine Mutune | - | Member |
| 23. 4. Hon. Rachael Nduku | - | ” |
| 24. 5. Hon. Alphonse Wambua | - | ” |
| 25. 6. Hon. Michael Mutuku | - | ” |
| 26. 7. Hon. Isaac Muinde | - | ” |
| 27. 8. Hon. Dominic Maitha | - | ” |
| 28. 9. Hon. Nathaniel Nganga | - | ” |
| 29. 10. Hon. Joseph Kalunde | - | ” |
| 30. 11. Hon. Oliver Nzeki | - | ” |
| 31. 12. Hon. Thomas Kasoa | - | ” |
| 32. 13. Hon. Magdalene Ndawa | - | ” |
| 33. 14. Hon. John Sila | - | ” |
| 34. 15. Hon. Ruth Ndumi | - | ” |
| 35. 16. Hon. Margret Ndalana | - | ” |
| 36. 17. Hon. Brigid Kitili | - | ” |
| 37. 18. Hon. Jacqueline Nziva | - | ” |
| 38. 19. Hon. Raphael Mutuku | - | ” |
| 39. 20. Hon. Timothy Kilonzo | - | ” |
| 40. 21. Hon. Charles Mutisya | - | ” |
| 41. 22. Hon. Leonard Katela | - | ” |

Invited Members

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1. Hon. Bibiana Kilonzo
2. Hon. Veronica Mbithe
3. Hon. David Manyolo
4. Hon. Jacinta Luka
5. Hon. Gideon Kavuu
6. Hon. Justus Katumo
7. Hon. Benedette Musyoka
8. Hon. Willy Kasimu
9. Hon. Alex Kamitu
10. Hon. Catherine Mbithe
11. Hon. Ann Wairimu

Among other members of the public who were invited.

We had Mwikali Mwaniki – *Snr. Clerk Assistant* and Luke Maingi - *1ST Clerk Assistant*

Justification for Vetting

Mr. Speaker Sir, as per S.O 172, any Committee shall enjoy and exercise all powers, and privileges bestowed on County Assembly by the Constitution and Statute including; power to summon witness, receive evidence and to request for papers and documents from the Government and the public.

Mr. Speaker, pursuant to S.O 42(1), upon receipt of notification for appointment to an office, the nomination is committed to the relevant committee for consideration.

Further Mr. Speaker, S.O 42(4) requires the concerned committee to table its report to the House within 14 days.

Mr. Speaker Sir, S.O 191 (5f) empowers any sectoral committee to vet and report on all appointments except appointments under S.O 185.

Recommendations

Mr. Speaker Sir, pursuant to S.O 191(5)(f) above and upon consideration of the academic qualifications, work experience, previous achievements and the strong passion to serve, the committee on Transport, Roads, Public Works & Housing hereby recommend for approval by this House the following nominees:

1. Eng. Aluanga Morris Paul to the position of Chief Officer, Dept. of Transport and Roads.
2. Mutua Sarah Mbithe to the position of Chief Officer, Dept. of Public Works and Housing.

Thank you Mr. Speaker Sir. I call upon Hon. Peninah Kaluki to second.

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Hon. (Ms.) Kaluki: Thank you Mr. Speaker Sir. I stand here to second the nomination of the said two Chief Officers and also to second that these were the discussions of that day. Thank you Mr. Speaker Sir.

Hon. Speaker: Thank you very much. The matter is now before the House for debate. Those in support you can begin.

Hon. Nzeki: Thank you Mr. Speaker. I attended the vetting of the two said officers as a member of the committee and I found that the two members were overqualified. So I ask this House to pass that and approve the motion of vetting the two officers. Thank you Sir.

Hon. Speaker: I think Hon. Member, if the members were overqualified, then they are not deserving these positions.

[Laughter]

Hon. Nzeki: I found that they were qualified and over-qualified. That means they are very, very qualified.

Hon. Speaker: Thank you very much. Mheshimiwa *pale*.

Hon. (Ms.) Ndinda: Thank you Mr. Speaker Sir. I hereby second the nomination of Eng. Aluanga Morris Paul and Mutua Sarah Mbithe for their respective positions. I was a witness when we were doing the vetting - although my name was not read in the list so it should be amended – because they qualify for those positions. Thank you.

Hon. Speaker: Thank you. Thank you very much. Yes, Mheshimiwa Kalunde.

Hon. Kalunde: Mr. Speaker Sir, I stand to support the approval of the two nominations. I am by profession, an Engineer and I know what it takes to be an engineer. These people are very much qualified as engineers and they deserve to be given those jobs. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. Yes, Mheshimiwa---

Hon. T. Kilonzo: Thank you Mr. Speaker Sir. I stand to second the approval of the two officers and particularly Mr. Speaker, I want to say I have worked with Eng. Aluanga as the municipal engineer and he had upgraded this town to number two in accordance with the grades we were given that time.

Hon. Speaker: Number two in the world or what?

Hon. T. Kilonzo: Number two in Kenya. One of the best towns in Kenya and he has also worked with the City Council of Nairobi. So he is a person with experience and he's a person who can do better to our County. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. Can we hear somebody, anybody in opposition to the report? Somebody with a point that he feels should go on record on this report? ... (*Silence*)

At that point, can I therefore put the question that those in support of the report as presented by the Chair, Transport, Roads, Public Works and Housing Committee for the approval of the two officers, Eng. Aluanga Morris Paul and Eng. Mutua Sarah Mbithe.

[Question put and agreed to]

AGRICULTURE, ENVIRONMENT AND NATURAL RESOURCES DEPARTMENT

Hon. Muli: Mr. Speaker, Sir, aware that this House received names of nominees for the posts of Chief Officers of the following Departments:

1. Agriculture, Livestock, Fisheries and Cooperative Development Department,
2. Land and Urban Development Department
3. Water Department
4. Irrigation and Sanitation Department
5. Energy, Environment and Natural Resources,

Mr. Speaker, Sir, as per Standing Order 42 (1), the nominees were committed to the Agriculture, Environment and Natural Resources Committee and the Planning, Trade, Tourism & Cooperatives Committee and aware that the Public was invited as announced through the media to participate, Mr. Speaker Sir, pursuant to Standing Order 191 (5), the Committee vetted the nominees for the posts taking into account the qualifications, experience and integrity. Mr. Speaker Sir, aware that the nominees were interviewed by the County Public Service Board and nominated by His Excellency the Governor of Machakos County, the two committees vetted the following nominees: -

1. Ms. Jane Muthoka for the post of the Chief Officer of Land & Urban Development
2. Ms. Pauline Mbondo for the post of Chief Officer, Agriculture, Livestock, Fisheries & Cooperative Development
3. Mr. Jeremiah Lemi for the post of Chief Officer, Water Department
4. Mr. Nicholas Muli for the post of Chief Officer, Irrigation & Sanitation Department
5. and Mr. Urbanus Wambua for the post of Chief Officer, Energy, Environment & Natural Resources.

Mr. Speaker, Sir, the committee found the above nominees suitable for the respective positions. Mr. Speaker Sir, I wish to move the motion that this Honourable House discusses and

approves the said nominees for the posts of the Chief Officers of the said departments. Thank you Mr. Speaker Sir. I call upon Hon. Alex Kamitu to second the motion.

Hon. Kamitu: Mr. Speaker Sir, I stand here strongly to second the approval of the five nominees for the agriculture department, namely: Ms. Jane Muthoka, Chief Officer of Land and Urban Development, Ms. Pauline Mbondo, Chief Officer, Agriculture, Livestock, Fisheries and Cooperative Development, Mr. Jeremiah Lemi , Chief Officer, Water Department, Mr. Nicholas Muli, Chief Officer, Irrigation and Sanitation Department and Mr. Urbanus Wambua, Chief Officer, Energy, Environment and Natural Resources Department. Mr. Speaker, I stand here as I said, strongly to recommend for the approval of these nominees. Thank you Mr. Speaker Sir.

Hon. Muli: Thank you Mr. Speaker. This is the report of the Agriculture, Environment and Natural Resources Committee and the Planning, Trade, Tourism and Cooperatives Committee.

Preamble

Mr. Speaker, Sir, the Committee on Agriculture, Environment and Natural Resources and the Committee on Planning, Trade, Tourism and Cooperatives met on 1st and 2nd July, 2014 to vet different nominees from various departments as indicated below: -

1. On 1st July, 2014 at 11.30 a.m., the Committees vetted Pauline Nduku Mbondo for the post of Chief Officer, Agriculture, Livestock, Fisheries and Cooperative Development department
2. On 1st July, 2014 at 4.00 p.m, the Committees vetted Jeremiah Lemi Muia for the post of Chief Officer, Water Department
3. On 2nd July, 2014 at 9.00 a.m, the Committees vetted Miss Jane Mwikali Muthoka for the post of Chief Officer, Lands Department
4. On 2nd July, 2014 at 11.35 a.m, the Committees vetted Nicholas Makau for the post of Chief Officer, Irrigation and Sanitation Department
5. On 2nd July, 2014 at 2.00 p.m, the Committees vetted Urbanus Wambua for the post of Chief Officer, Energy, Environment and Natural Resources.

The following Hon. Members participated in the process

Members Present

- | | | |
|----------------------|---|----------------------|
| 1. Hon. Joseph Muli | - | Chairman Agriculture |
| 2. Hon. Philip Ndolo | - | V/Chairman |
| 3. Hon. Sammy Nduva | - | Chairman Planning |
| 4. Hon. Isaac Muinde | - | Member |
| 5. Hon. Gideon Kavuu | - | '' |

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6. Hon. Peter Kyuli	-	”
7. Hon. Charles Mutistya	-	”
8. Hon. Willy Mutiso	-	”
9. Hon. Felix Ngui	-	“
10. Hon. Nathaniel Nganga	-	”
11. Hon. Geoffrey Munyao	-	”
12. Hon. John Sila	-	”
13. Hon. Edrick Ngunzi	-	”
14. Hon. Joseph Itumo	-	”
15. Hon. Joshua Mwonga	-	”
16. Hon. Alex Kamitu	-	”
17. Hon. Raphael Mutuku	-	”
18. Hon. Bibiana Nduku	-	”
19. Hon. Nina Mbithe	-	”
20. Hon. Veronica Mbithe	-	”
21. Hon. Jacqueline Munyao	-	”
22. Hon. Catherine Nguluku	-	”
23. Hon. Jacinta Luka	-	”

Invited Members

1. Hon. Michael Mutuku
2. Hon. Leonard Katela
3. Hon. Nzeki Munyaka
4. Hon. Justus Kimata
5. Hon. Benedette Musyoka
6. Hon. Magdalene Ndawa
7. Hon. Ann Musyoki
8. Hon. Dominic Maitha
9. Hon. Brigid Kitili
10. Hon. Cecilia Sereka
11. Hon. Rachael Nduku

In Attendance

- | | | |
|-------------------|---|------------------------|
| 1. Sarah Mwanja | - | Senior Clerk Assistant |
| 2. Matthew Muange | - | Senior Clerk Assistant |
| 3. Evelyn Kimote | - | Senior Clerk Assistant |

Mr. Speaker, Sir, S.O No. 172 states that any Committee shall enjoy and exercise all the powers and privileges bestowed on County Assembly by the Constitution and statute including the power to summon witness, receive evidence and to request for, and receive papers and documents from the Government and the public.

Mr. Speaker, Sir, as per S.O No. 42(1) “Upon receipt of a notification of nomination for appointment to an office as is under the Constitution or under any other legislation required to be approved by the County Assembly, the nomination shall stand committed to the relevant Sectoral Committee of the County Assembly for consideration”.

Mr. Speaker, Sir as per S.O No.42 (4) “The Committee shall conduct a hearing on the proposed appointment and shall, unless otherwise provided in law, table its report in the County Assembly within fourteen days of the date on which the notification was received under paragraph (1)”. The Committee conducted hearings on 1st and 2nd July, 2014.

Mr. Speaker, Sir, S.O No.191 (5f) empowers any Sectoral committee to vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under S.O 185.

Recommendation

Mr. Speaker, Sir, the Committee on Agriculture, Environment and Natural Resources together with the Committee on Planning, Trade, Tourism and Cooperatives found the following nominees suitable for their positions: -

1. Ms. Jane Muthoka - Chief Officer, Land and Urban Development
2. Ms. Pauline Mbondo - Chief Officer, Agriculture, Livestock, Fisheries and Cooperative Development
3. Mr. Jeremiah Lemi - Chief Officer Water
4. Mr. Nicholas Muli - Chief Officer, Irrigation and Sanitation, and
5. Mr. Urbanus Wambua - Chief Officer, Energy, Environment and Natural Resources.

And hereby recommends them to this House for approval. Thank you Mr. Speaker Sir.

Hon. Speaker: Yes, the report is presented. Can we hear arguments in support of the report?

Hon. Kamitu: Thank you once again Hon. Speaker Sir. I once again stand here strongly to tell Mr. Speaker Sir that the five nominees on the various days as mentioned, the interviews were done and we also went through their testimonies and we had a face to face interview and they confidently answered the questions put to them by members correctly. I once again stand here to recommend the approval of the House. Thank you Mr. Speaker Sir.

Hon. Speaker: Thank you. Any other member in support of the report?

Hon. Nganga: Thank you Mr. Speaker Sir. I rise to support the report by the committee and recommend further that the officers that were recommended to this House for approval are fit to serve this County in the various dockets that they have been recommended for. Mr. Speaker, I would also wish to applaud the wisdom of the Governor in splitting the Ministry of Agriculture and Fisheries and the Ministry of Lands, bearing in mind that those two departments were quite big and we would want people that will be able to address those matters effectively.

Mr. Speaker, with those few remarks, having gone through the competence of the various nominees, they have the skills and capability to undertake their responsibilities. Two of them have already had experience serving in those positions before and I'm more than convinced that they will be able to deliver at their job within their jurisdiction. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much Deputy Speaker for that. Any other in support? Yes?

Hon. (Ms.) Ndinda: Mr. Speaker Sir, I stand in this House to recommend the five nominees for their respective positions for approval because I was also present. Secondly, my name is still not appearing in the list, I don't know whether somebody is sabotaging, but I recommend because I was there when we were doing the vetting. Thank you very much.

Hon. Speaker: Thank you. Chairman you need to amend your report to include the name of that Member. Yes, finally?

Hon. Kalunde: Mr. Speaker, I'm afraid that I attended the vetting of those nominees and my name is not appearing on the list but anyway, I support the approval of those members because they are well qualified.

Hon. Speaker: Thank you. I think the Chairman should appreciate the attendance of those members in the register. Any voice of opposition to the report? There appears to be general consensus---

Hon. Members: Point of information.

Hon. Speaker: Point in opposition? I doubt whether we need your information. I therefore put the question, that those in support of the report as presented by the Chair, Agriculture, Environment and Natural Resources Committee dated 4th July, 2014 on the approval of the following nominees: Ms. Jane Muthoka, Ms. Pauline Mbondo, Mr. Jeremiah Lemi, Mr. Nicholas Muli and Mr. Urbanus Wambua, can you in togetherness say 'ayes.'

[Question put and agreed to]

Hon. Speaker: At this point, I would wish to grant the Deputy Speaker permission to present a motion that we feel is valuable to the County and I shall urge him to begin with apologies because he was not here on time.

Hon. Nganga: Thank you Mr. Speaker Sir. My apologies are in order for being here a little bit late out of commitment in service to the people of Ikombe Ward. However, Mr. Speaker, I would like to beg to move the following motion in accordance to Standing Order 228. Mr. Speaker Sir, aware that the Machakos County hosted the Masaku Sevens Rugby competition, aware that the event was hosted at a time when the Agricultural show was on and further aware that the Agricultural Show was attended by school going children among others and further aware that the events were attended by many of our youth and further aware that the events of the two functions painted this County negatively and Mr. Speaker Sir we cannot bury our heads and pretend that whatever happened on that day is not known to us, I therefore wish to move the following motion that this Honourable House discusses the future hosting of rugby competitions in Machakos County. Thank you, Mr. Speaker Sir.

Hon. Speaker: Thank you very much. Do you have anybody in support of your motion?

Hon. Nganga: Mr. Speaker, allow me to call Hon. Kiviu Manyolo to second the motion

Hon. Manyolo: Thank you. I stand here, Mr. Speaker Sir, to second that motion, aware that we had given a negative image, not the image of the place to be. So I stand to second the motion. Thank you Sir.

Hon. Speaker: Thank you very much. The motion is admitted for debate but debate will be reserved. We'll find if we'll have time today. If we don't have time, then it will be reserved for the early hours of tomorrow. Proceed with the order of the day, but before the Clerk proceeds, you realize that it is of essence and importance that we think through the rugby event with a view to legislation. I'm sure the Deputy Speaker has been moved by those general concerns. So that is what we need to think through. Proceed.

PLANNING, TRADE, TOURISM AND COOPERATIVES DEPARTMENT

Hon. Nduva: Mr. Speaker Sir, aware that this House received names of nominees for the posts of Chief Officers Department of Trade, Economic Planning and Industrialization, Department of Cooperative Development and Marketing and the Department of Executive Services, and as per Standing Order 42 (1), they were committed to the Planning, Trade, Tourism and Cooperatives Committee and aware that the Public was invited as advertised through the media to participate, Mr. Speaker Sir, pursuant to Standing Order 191 (5), the Planning, Trade, Tourism and Cooperatives Committee vetted the nominees for the posts taking into account their qualifications, experience and integrity.

Mr. Speaker, Sir, aware that the nominees were interviewed by the County Public Service Board and nominated by His Excellency the Governor of Machakos County, the Planning, Trade,

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Tourism and Cooperatives Committee vetted Mrs. Sheila Mueni Mukunya for the position of Chief Officer, Department of Trade, Economic Planning and Industrialization and Ms. Catherine Monthe Nzila and found them suitable for these positions and further aware that the Chief Officer, Executive Services, Mr. Jonam Ngau Kinama did not turn up, I wish to move the motion that this Hon. House discusses and approves the said nominees for the posts of the Chief Officers in the aforementioned departments and also discuss the way forward for the Chief Officer who did not appear for the vetting .

Thank you, Mr. Speaker. I want to upon Hon. Kiviu Manyolo to second the motion.
Thank you, Mr. Speaker.

Hon. Manyolo: Thank you Mr. Speaker Sir. I'm here Mr. Speaker to second the motion of Planning, Trade, Tourism and Cooperatives Committee on vetting Chief Officers and the House to discuss Mrs. Sheila Mueni Mukunya, Ms. Catherine Monthe Nzila and Jonam Ngau Kinama and their various offices which they were vetted for. I stand here Mr. Speaker to second that motion. Thank you.

Hon. Speaker: Thank you. The motion is now on the floor. I open debate on the motion. Those in support of the motion? Yes mheshimiwa.

Hon. Nduva: Thank you Mr. Speaker. Planning, Trade, Tourism And Cooperatives Committee Report.

Preamble

Mr. Speaker, Sir, the Committee for Planning, Trade, Tourism and Cooperatives met on July 1st and 2nd, 2014 to vet Mrs. Sheila Mueni Mukunya, Ms. Catherine Monthe Nzila and Jonam Ngau Kinama nominees for Chief Officers- departments of Trade, Economic Planning & Industrialization, Cooperative Development & Marketing and Executive Services respectively. The following members attended:-

Members Present

1. Hon. Sammy Nduva - Chairman
2. Hon. Ruth Ndumi - Vice Chairperson
3. Hon. Gideon Kavuu
4. Hon. Joshua Mwonga
5. Hon. Phillip Ndolo
6. Hon. Cecilia Sereka
7. Hon. Wilson Kasimu
8. Hon. Joseph M. Musyoka
9. Hon. Thomas Kaso
10. Hon. Francis Matheka
11. Hon. Alex Kamitu

12. Hon. Michael Mutuku
13. Hon. Leonard Katela
14. Hon. Peter Nzioki
15. Hon. Timothy Kilonzo
16. Hon. Bibiana Nduku
17. Hon. Mbithe Mutiso
18. Hon. Anne W. Musyoki

Invited Members

1. Hon. Winston M. Kanui
2. Hon. Benedette Musyoka
3. Hon. Christine Mwendu
4. Hon. Peninah Kaluki
5. Hon. Catherine Mbithe
6. Hon. Jacinta N. Luka
7. Hon. Justus Katumo
8. Hon. Ndalana Margaret
9. Hon. Veronica Mbithe
10. Hon. David Manyolo
11. Hon. Geoffrey Munyao
12. Hon. Mary Ndinda
13. Hon. Charles Mutisya
14. Hon. Nzeki Munyaka
15. Hon. Rachael Nduku
16. Hon. Felix Ngui
17. Hon. Ndawa Magdalene
18. Hon. John Sila
19. Hon. Renson Muthiani
20. Hon. Alphonse Wambua
21. Hon. Isaac Muinde
22. Hon. Nathaniel Nganga Reuben
23. Hon. Mutua Ngunzi
24. Hon. Brigid Kitili
25. Hon. Kyalo Kyuli
26. Hon. Dominic Maitha
27. Hon. Joseph Kalunde
28. Hon. Amina Mutio

In Attendance

1. Dominic Musyoka – Senior Clerk Assistant

2. Evelyn Kimote – Senior Clerk Assistant

Nominees Present

1. Mrs. Sheila Mueni Mukunya – Department of Trade, Economic Planning and Industrialization.
1. Ms. Catherine Monthe Nzila – Department of Cooperative Development and Marketing.

Vetting of Chief Officers

Mr. Speaker, Sir, the Committee received the names of Mrs. Sheila Mueni Mukunya, Ms. Catherine Monthe Nzila and Mr. Jonam Ngau Kinama nominees for Chief Officers - Departments of Trade, Economic Planning and Industrialization, Cooperative Development and Marketing and Executive Services respectively as forwarded by H.E the Governor of Machakos County to the County Assembly as per S.O 42(1) “Upon receipt of a notification of nomination for appointment to an office as is under the Constitution or under any other legislation required to be approved by the County Assembly, the nomination shall stand committed to the relevant Sectoral Committee of the County Assembly for consideration”.

Mr. Speaker, Sir, the Constitution of Kenya recognizes the existence of Committees in the Assembly which constitute the power point of any business to be transacted within the County. In reference to powers and privileges of Committees, Mr. Speaker Sir, S.O 172 states that, “Committees shall enjoy and exercise all the powers and privileges bestowed on County Assembly by the constitution and statute, including power to summon witness, receive evidence and to request for, and receive papers and document from the Government and the public”.

Mr. Speaker, Sir, the Committee conducted vetting as per S.O 42 (4) “The Committee shall conduct a hearing on the proposed appointment and shall, unless otherwise provided in law, table its report in the County Assembly within fourteen days of the date on which the notification was received under paragraph (1)” and also as per S.O 191 (5) (f) “To vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing order 185 (Committee on Appointments)”.

Mr. Speaker, Sir, the following nominees appeared for vetting on the dates and time shown below:-

S.NO	NAME OF CHIEF OFFICER	DEPARTMENT	DATE	TIME
1.	Mrs. Sheila Mueni Mukunya	Trade, Economic Planning & Industrialization	01.07.2014	9:00 a.m.
2.	Ms. Catherine Monthe Nzila	Cooperative Development & Marketing	02.07.2014	11:30a.m.

Further, Mr. Speaker, Sir, Mr. Jonam Ngau Kinama who was scheduled to appear before the committee for vetting on July 2nd, 2014 at 4:00 p.m. did not turn up.

Recommendation

Mr. Speaker, Sir, the Committee for Planning, Trade, Tourism and Cooperatives found Mrs. Sheila Mueni Mukunya and Ms. Catherine Monthe Nzila suitable for the positions of Chief Officers- departments of Trade, Economic Planning and Industrialization and Cooperative Development and marketing respectively and hereby recommend to the House for their approval. Mr. Speaker, Sir, the Committee did not vet Mr. Jonam Ngau Kinama nominee for Chief Officer, Executive Services as he did not turn up for the exercise.

Thank you, Mr. Speaker, Sir. Let me call Hon. Leonard Katela to second the motion because.....Hon. Manyolo is back. I call upon Hon. Manyolo to second the motion.

Hon. Manyolo: Thank you Mr. Speaker, Sir. I support this report because the committees that sat approved the nominees and I call upon members to adopt that report.

Hon. Speaker: Maybe before contributions are invited, maybe the mover of the motion, perhaps you can come and indicate to the House because I have noted when the sitting began this afternoon, some of the members indicated that they don't have information on this report. Among the members who walked out of this Assembly, Hon. Ndawa, I can see her name in this list of the members who attended his committee meeting. Can you explain to this House whether the members who walked out of this House are indeed party to this report? I am calling the mover of this motion. Maybe you can clarify on that.

Hon. Nduva: Thank you, Mr. Speaker. All the members listed in the committee report are members who attended this meeting and in case a member attended this meeting and later felt he or she was not present, then his name had already been captured. So Mr. Speaker, I strongly believe the members who signed and who are listed were present in the committee meeting that day. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much for that clarity. Proceed.

Majority Leader (Hon. Mwonga): Thank you Mr. Speaker. I am rising on a point of information. The point of information I have is concerning Jonam Ngau Kinama. The Planning committee chairman has said that Mr. Kinama did not appear before the committee. That is true. The communication I have from the Executive side is that Mr. Kinama declined the nomination. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. Any other member in support of the report?

Hon. Nzioki: Thank you Mr. Speaker. I stand to support the motion and being a member of the vetting panel that day, we found the nominees qualified to the positions. Thank you, Mr. Speaker.

Hon. Speaker: Any voice in opposition. Leader of Minortiy, Hon. Kasoa, let us hear your sentiments to opposition on this report.

Minority Leader (Hon. Kasoa): Thank you Mr. Speaker. I am not here to oppose but support in totality. I am a member of the committee and the vetting was done very well and there was not form of nepotism or discrimination so I recommend the approval of the nominees by this House. Thank you.

Hon. Speaker: Thank you. Finally, here.

Hon. Muli: Than you Mr. Speaker. I am an active member of the committee and the chairman can bear me witness. I attended the meeting keenly and we found the nominees are totally qualified very well in terms of education and experience. They are passionate about Machakos County. We interrogated fully the integrity issues and other sections in the committee's jurisdiction. I totally support the nominees.

Hon. Speaker: Without much ado and with there being no other voice in opposition, I now put the Question that those in support of the committee's recommendation that they found Mrs. Sheila Mueni Mukunya and Ms. Catherine Monthe Nzila suitable for the positions of Chief Officers – Departments of Trade, Economic Planning and Industrialization and Cooperative Development and marketing respectively and hereby approve their recommendation.

[Question put and agreed to]

Hon. Itumo: Thank you Mr. Speaker, Sir. Aware that this House received the name of the nominees for the post of Senior Legal Officer, County Law Office as per Standing Order 42 (1) and was committed to the Justice and legal affairs committee and aware that the public was invited as advertised through the media pursuant to Standing Order 191 (5), the Justice and legal affairs committee vetted the nominee taking into account his qualifications, experience and integrity. Mr. Speaker, Sir, aware that the nominee was interviewed by the CPSB and nominated by H.E. the Governor, the committee vetted Mr. James Musango Kathili for the post of Senior Legal Officer, County Law Office and found him suitable, I am going to move the motion that this House discusses and approves the said nominee for the post. I now call upon Hon. Catherine Mbithe alias Kalembe to come and support this motion.

Hon. (Ms.) Nguluku: Thank you Mr. Speaker. I second that this House discusses and approves one Mr. James Musango Kathili to be the Senior Legal Officer, County Law Office. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. The motion is now laid before the House. You can move it.

Hon. Itumo: Here I go. Mr. Speaker Sir, the Committee for Justice and Legal Affairs met on July 3rd, 2014 to vet Mr. James Musango Kathili nominee for Senior Legal Officer–County Law Office. The following members attended:

Members Present

1. Hon. Joseph Itumo - Chairman
2. Hon. Justus Kimata - Vice Chairperson
3. Hon. Alphonse Wambua
4. Hon. Gideon Kavuu
5. Hon. Kyalo Kyuli
6. Hon. Wilson Kasimu
7. Hon. David Manyolo
8. Hon. Alex Kamitu
9. Hon. Dominic Maitha
10. Hon. Stephen Muthuka
11. Hon. Joseph Muli
12. Hon. Winston Kanui
13. Hon. Benson Kasyoka
14. Hon. Nzoka P. Munywoki
15. Hon. Festus Ndeto
16. Hon. Amina Mutio
17. Hon. Benedette Musyoka
18. Hon. Alice M. Nzioka
19. Hon. Jacinta Luka
20. Hon. Anne W. Musyoki
21. Hon. Catherine M. Nguluku
22. Hon. Brigid Kitili
23. Hon. Raphael Mutuku

Invited Members

1. Hon. Peter Nzioki
2. Hon. Mary Ndinda
3. Hon. Felix Ngui
4. Hon. Veronica Mbithe

5. Hon. Justus Katumo
6. Hon. Sammy Nduva
7. Hon. Nzeki Munyaka
8. Hon. Rachael Nduku
9. Hon. Renson Muthiani
10. Hon. Francis Matheka
11. Hon. Bibiana Nduku

In Attendance

1. Peter Kivelenge – Senior Clerk Assistant

Nominee

Mr. James Musango Kathili – Nominee for Senior Legal Officer– County Law Office.

Vetting of Chief Officer

Mr. Speaker, Sir, the Justice and Legal Affairs Committee received the name of Mr. James Musango Kathili, nominee for Senior Legal Officer–County Law Office which had been forwarded to the County Assembly by H.E the Governor of Machakos County as per S.O 42(1) “Upon receipt of a notification of nomination for appointment to an office as is under the Constitution or under any other legislation required to be approved by the County Assembly, the nomination shall stand committed to the relevant Sectoral Committee of the County Assembly for Consideration”.

Mr. Speaker, Sir, the Constitution of Kenya recognizes the existence of Committees in the Assembly which constitute the power point of any business to be transacted within the County. In reference to powers and privileges of Committees, Mr. Speaker Sir, S.O 172 states that, “Committees shall enjoy and exercise all the powers and privileges bestowed on County Assembly by the constitution and statute, including power to summon witness, receive evidence and to request for, and receive papers and document from the Government and the public”.

Mr. Speaker, Sir, the Committee conducted vetting on 3rd July, 2014, at 9:00 a.m. as per S.O 42 (4) “The Committee shall conduct a hearing on the proposed appointment and shall, unless otherwise provided in law, table its report in the County Assembly within fourteen days of the date on which the notification was received under paragraph (1)” and also as per S.O 191 (5) (f) “To vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing order 185 (Committee on Appointments)”.

Recommendation

Mr. Speaker, Sir, the Committee of Justice and Legal Affairs found Mr. James Musango Kathili suitable for the position of Senior Legal Officer – County Law Office and hereby

recommend to the House for approval. Thank you Mr. Speaker, Sir. I call Hon. Catherine Mbithe to come and second this nomination. Thank you, Mr. Speaker.

Hon. Speaker: Thank you Chairman Legal.

Hon. (Ms.) Nguluku: Thank you Mr. Speaker. Looking at the credentials of the nominee both professional and experience, I stand to support his nomination and approval as the Senior Legal Officer – County Law Office. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. Any points in support? I think this must have been a very serious exercise for the chairman.

Hon. R. Mutuku: Mr. Speaker, Sir, I stand to support the approval of Mr. James Musango Kathili for the position of Senior Legal Officer – County Law Office. When we were interrogating the nominee, he proved he was competent for that position. We went through his credentials and at the same time I learnt that he was admitted to the bar back in 2001. We interrogated him and were convinced that the man is up to the task in that position. Mr. Speaker, Sir, I request the House to approve James Musango for that position. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. Maybe you can tell us what you meant by saying ‘admission to the bar.’

Hon. Manyolo: Well, Mr. Speaker, Sir that is known to him. I stand to support the nominee by virtue of being a member of Justice and legal affairs committee. We had a good time and we discussed the nominee’s code of conduct and courtesy for him was excellent and also academic status was excellent, mutual understanding and interaction good and we recommended him. I stand to support his nomination and request members to adopt.

Hon. Speaker: Thank you very much. Hon. Manyolo, admission to the bar was a condition to this post in this exercise. You cannot tell the house that you do not know what that meant. I again urge you to tell this House what that means.

Hon. Manyolo: Mr. Speaker, Sir, it is true what you are saying and I need not repeat.

[Laughter]

Hon. Speaker: Any further points in support of this?

Hon. Katela: Thank you Mr. Speaker. First I would like to support my colleagues that the nominee proved competent and again give a point of information to Hon. Manyolo, through

the Chair, that admission to the bar means to be admitted to the High Court to practice. Thank you Mr. Speaker, Sir.

Hon. Speaker: Thank you. That means that he can practice in the High court and the lower court in the Republic. Any other point in support? Then I proceed to put the question but chairman, I would love to hear from you vice. Is he in the House? Then I proceed to put the Question. For those is support as presented by the Chairman of Justice and legal affairs that found James Musango Kathili suitable for the position of Senior Legal Officer – County Law Office as recommended in the House for his approval.

[Question put and agreed to]

Hon. (Ms.) Sereka: Thank you Mr. Speaker, Sir. Aware that this House received the name of the nominee for the post of Chief Officer, Health and Emergency services department as per Standing Order 42 (1) and was committed to the Health Services committee and aware that the public was invited as announced through the media to participate. Mr. Speaker, pursuant to Standing Order 191 (5), the Health Services committee vetted the nominee taking into account his qualifications, experience and integrity.

Mr. Speaker, Sir, aware that the nominee was interviewed by the CPSB and nominated by H.E. the Governor, the committee vetted Mr. Kennedy Odhiambo Auma for the post of Chief Officer, Health and Emergency services and found him suitable. I wish to move the motion that this House discusses and approves the said nominee for the post of Chief Officer, Health and Emergency services. Mr. Speaker, Sir, I wish to call Hon. Kanui to second this motion.

Hon. Kanui: Thank you Mr. Speaker, Sir. I stand here to second the nomination of the officer. He is qualified in terms of healthcare services and has worked in several institutions of healthcare and I feel it is high time this House approved his appointment because he has been acting in the position.

Hon. Speaker: Thank you very much. Now you can formally move.

Hon. (Ms.) Sereka: Thank you Mr. Speaker, Sir. This is the report of the health services committee and children culture and community services committee on the vetting of chief officer of health and emergency services.

Preamble

Mr. Speaker, Sir, the Health Services Committee is one of the Sectoral committees established under Standing Order No. 191 and is mandated to, inter alia; vet and report on appointments where the constitution or law requires the County Assembly to approve.

Committee Membership

Mr. Speaker, Sir, the following members of the committee as constituted by the House and other invited members participated in the occasion of vetting the nominee for the post of, Chief Officer, Department of Health and Emergency Services, Mr. Kennedy Odhiambo Auma

Members Present

1. Hon. Cecilia Sereka - Chairlady (Health services)
2. Hon. Winston Kanui - Chairman (Children, Culture and Community Services)
3. Hon. Penina Kaluki
4. Hon. Jacinta N. Luka
5. Hon. Sammy Nduva
6. Hon. Christine Mwendu
7. Hon. Thomas Kasoa
8. Hon. Peter Nzoka
9. Hon. David Manyolo
10. Hon. Magdalene Ndawa
11. Hon. Edrick Ngunzi
12. Hon. Geoffrey Munyao
13. Hon. Isaac Muinde
14. Hon. Joseph Kalunde
15. Hon. Mary Ndinda
16. Hon. Michael Mutuku
17. Hon. Ruth Ndumi
18. Hon. Brigit Kitili
19. Hon. Winston Kanui
20. Hon. Justine Katumo
21. Hon. Joseph Itumo
22. Hon. Rachael Nduku
23. Hon. Leonard Katela
24. Hon. Veronica Mbithe
25. Hon. Renson Muthiani
26. Hon. Nathaniel Nganga
27. Hon. Nina Mbithe
28. Hon. Kyalo Kimata

Invited Members

1. Hon. Catherine Mbithe
2. Hon. Joseph Musyoka
3. Hon. Benedette Musyoka
4. Hon. Jacqueline Nziva
5. Hon. Bibianna Kilonzo
6. Hon. Nzeki Munyaka
7. Hon. Gideon Kavuu
8. Hon. Philip Ndolo
9. Hon. Alex Kamitu

In Attendance

1. Mathew Muange
2. Norah Muteti

Nomination of the Chief Officer

Mr. Speaker, Sir, pursuant to section 30 [d] of the County government Act, H.E the Governor is required to nominate a person for appointment as a Chief Officer for Health and Emergency Services as recommended by the County Public Service Board and with the approval of the County Assembly, appoint the Chief Officer of Health and Emergency Services Department.

Mr. Speaker, Sir, on 1st July, 2014 the Health Services Committee commenced the vetting process of the nominee for Health and Emergency Services department, Chief Officer. The whole process was done by meeting with the nominee and included examining the candidates'

1. Academic credentials
2. Professional affiliations
3. Employment record and experience
4. Potential conflict of interest
5. Overall suitability for the position
6. Tax compliance
7. Personal integrity.

Mr. Speaker, Sir, as you very well know that the nominee comes from the minority side. He is the only nominee from the nominee. Mr. Speaker, Sir, S.O No. 172 states that any Committee shall enjoy and exercise all the powers and privileges bestowed on County Assembly by the constitution and statute including; power to summon witness, receive evidence and to request for, and receive papers and documents from the Government and the public.

Mr. Speaker, Sir, as per S.O No. 42(1) “Upon receipt of a notification of nomination for appointment to an office as is under the Constitution or under any other legislation required to be approved by the County Assembly, the nomination shall stand committed to the relevant Sectoral Committee of the County Assembly for consideration”.

Mr. Speaker, Sir, as per S.O No.42 (4) “The Committee shall conduct a hearing on the proposed appointment and shall, unless otherwise provided in law, table its report in the County Assembly within fourteen days of the date on which the notification was received under paragraph (1)”. The Committee conducted a hearing on July 1st 2014, from 2:00 pm.

Mr. Speaker, S.O 191(5) (f) empowers any Sectoral committee to vet and report on all appointments to the Assembly for approval except appointments under S.O No. 185.

Recommendation

Mr. Speaker Sir, guided by standing order No.191 [5],the committee vetted the Nominee for the post of Chief Officer for Health and Emergency Services on 1st July 2014 from 2:00pm and found him qualified. The committee recommends to this house to approve the nominee, Mr. Kennedy Odhiambo Auma, who has served the docket in an acting capacity, for the post of Chief Officer of Health and Emergency Services. Thank you, Mr. Speaker. I now call Hon. Kanui to second this motion.

Hon. Speaker: Thank you.

Hon. Kanui: Mr. Speaker, I wish to recommend the nominee to be appointed for the post. He is qualified in terms of his career and is well-versed with healthcare services with wide exposure up to the international level. Thank you.

Hon. Speaker: Any other member. Yes we can hear the Leader of Majority.

Majority Leader (Hon. Mwonga): Thank you Mr. Speaker. Mr. Speaker, I stand to support the approval of Kennedy Odhiambo Auma. I have dealt one on one with the nominee. He is competent and to prove what I am saying, any member can just pay a visit to Level Five hospital, Machakos will be ushered in by cleanliness and order which was not there when he was not the acting chief officer in that ministry. When one of us Hon. Charles Mutisya of Masii ward, was involved in an accident, I was among the first members to go to Level Five when it was communicated to me by the Executive.

Mr. Speaker, I found the nominee on the bedside of the Hon. Member. In approving the name of the nominee, this House will be justifying the constitution which requires that 30 per cent of the employees from outside the county and the nominee comes all the way from Western

Nyanza so it is my humble request that this House approves Kennedy Odhiambo Auma as the Chief Officer of Health and Emergency Services. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. Any point in opposition. Then I proceed to put the question for those in support of the report as presented by Hon. Cecilia Sereka, chairperson of Health Services committee and agree with the recommendation that then nominee Kennedy Odhiambo Auma be approved for the post of Chief Officer of Health and Emergency Services.

[Question put and agreed to]

Hon. Manyolo: Thank you Mr. Speaker, Sir. Aware that this House received the name of a nominee for the post of Chief Officer, department of Education, youth and Social Welfare as per Standing Order 42 (1) and was committed to Early childhood and Vocational Training and Labour and Social Welfare committees and aware that the public was invited as advertised through the media. Mr. Speaker, Sir, pursuant to Standing Order 191 (5), the Early childhood and Vocational Training and Labour and Social Welfare committees vetted the nominee taking into account his qualifications, experience and integrity.

Mr. Speaker, Sir, aware that the nominee was interviewed by the CPSB and nominated by H.E. the Governor, the committees vetted Mr. Collins Sila Kaia for the post of Chief Officer, department of Education, Youth and Social Welfare and found him suitable. I wish to move the motion that this House discusses and approves the said nominee for the post of Chief Officer, department of Education, Youth and Social Welfare. I now call upon Hon. Peter Nzioki to second the motion.

Hon. Nzioki: Thank you Mr. Speaker, Sir. I stand before this House to second the motion.

Hon. Speaker: The motion is on the floor proceed.

Hon. Manyolo: Mr. Speaker Sir, I understand this nominee was vetted by two committees that is Early Childhood, Education and Vocational Training committee and Labour and Social Welfare committee. Mr. Speaker Sir, the committees for Early Childhood Education and Vocational Training and Labor and Social Welfare met to vet Mr. Collins Sila Kaia, the nominee for Chief Officer; Department Education, Youth and Social Welfare

Members Present

1. Hon. David Manyolo - Chairman ECD
2. Hon. Leonard Katela - Chair Labour and Social Welfare
3. Hon. Christine Mwendu - Vice Chair ECD
4. Hon. Renson Muthiani - Vice Chair Labour and Social Welfare

5. Hon. Justus Kimata - Member
6. Hon. Veronica Mbithe “
7. Hon. Charles Mutisya “
8. Hon. Peter Nzioki “
9. Hon. Benedette M Musyoka “
10. Hon. Mary Ndinda “
11. Hon. Cecilia Sereka “
12. Hon. Jaqueline Nziva “
13. Hon. Justus Katumo “
14. Hon. Felix Ngui “
15. Hon. Nzeki Munyaka “
16. Hon. Penina Kaluki “
17. Hon. Alex Kamitu “
18. Hon. Bibiana Kilonzo “
19. Hon. J.M. Kalunde “

Present By Invitation

1. Hon. Ruth Ndumi
2. Hon. Winston Kanui
3. Hon. Gedion Kavuu
4. Hon. Kyalo Kimata
5. Hon. Nathaniel Nganga

Nominee

1. Mr. Collins Sila Kaia - Acting Chief Officer, Department of Education,
Youth and Social Welfare

In Attendance

1. Norah Muteti
2. Dominic Musyoka
3. Mwikali Mwaniki

Vetting Of Chief Officer

Mr. Speaker, Sir, Pursuant to S.O 172, “Committees shall enjoy and exercise all the powers and privileges bestowed on the County Assembly by the Constitution and statute, including the power to summon witness, receive evidence and to request for and receive papers and documents from the Government and the public.”

Mr. Speaker, Sir, the Early Childhood Education and Vocational Training and Labor and Social Welfare Committees received the name of Mr. Collins Sila Kaia, nominee for Chief

Officer- Department of Education, Youth and Social Welfare which had been forwarded to the County Assembly by H. E the Governor of Machakos County.

Mr. Speaker, Sir, as per S.O 42 (1) upon receipt of a notification of nomination for appointment to an office as is under the Constitution or under any other legislation required to be approved by the County Assembly, the nomination shall stand committed to the relevant Sectoral Committee of the County Assembly for Consideration”.

Mr. Speaker, Sir, the Committee conducted hearing on 1st July, 2014, at 4.00 p.m. as per S.O 42 (4) “The Committee shall conduct a hearing on the proposed appointment and shall, unless otherwise provided in law, table its report in the County Assembly within fourteen days of the date on which the notification was received under paragraph (1)”.

Mr. Speaker, Sir, further pursuant to S.O 191 (5) (f) “To vet and report on all appointments here the Constitution or any law requires the County Assembly to approve, except those under Standing order 185 (Committee on Appointments)”.

Recommendation

Mr. Speaker, Sir, the Committees of Early Childhood Education and Vocational Training and Labor and Social Welfare found Mr. Collins Sila Kaia suitable for the position of Chief Officer - Department of Education, Youth and Social Welfare and hereby recommend to the house for approval. Thank you, Mr. Speaker, Sir. I call my vice-chairman ...he is not present. I now call upon Hon. Peter Nzioki to second the motion. Thank you Mr. Speaker, Sir.

Hon. Nzioki: Thank you Mr. Speaker. Being a member of that committee and the chairman of Delegated County Legislation and being a member of the vetting panel that day, I found the man to be equal to that task. I request the House to approve and adopt this report. Thank you.

Hon. Speaker: Thank you very much. Any point in further support? Any point in opposition? Then I put the question: that the report as presented by Hon. David Manyolo, chairperson of ECD, and I also need to appreciate the other alternate chair, Hon. Leonard Katela, that the report that recommends the approval of Collins Sila Kaia as the nominee for Chief Officer , department of education, youth and social welfare.

[Question put and agreed to]

Hon. Kanui: Once again Mr. Speaker, I am Hon. Kanui. Aware that this House received the names of a nominees for the post of Chief Officers, departments of Tourism and Culture and department of Special programmes and projects as per Standing Order 42 (1) was committed to Children, Culture and Community services and Planning, Trade, tourism and co-operatives committees and aware that the public was invited as advertised through the media.

Mr. Speaker, Sir, pursuant to Standing Order 191 (5), the Children, Culture and Community services and Planning, Trade, tourism and co-operatives committees vetted the nominees taking into account his qualifications, experience and integrity. Mr. Speaker, Sir, aware that the nominee were interviewed by the CPSB and nominated by H.E. the Governor, Children, Culture and Community services and Planning, Trade, tourism and co-operatives committees vetted Mr. John Kilonzo Muthama for position of Chief Officer, department of Special Programmes and projects, Grace Muluki Mutuku for position of Chief Officer, trade and culture and found them suitable.

I wish to move the motion that this House discusses and approves the said nominees for the posts of Chief Officers in the aforesaid departments. Thank you Mr. Speaker, Sir. I now call upon Hon. Sammy Nduva to second the motion.

Hon. Nduva: Thank you, Mr. Speaker. Having been in that committee where the nominees Grace Muluki Mutuku and John Kilonzo Muthama, Mr. Speaker, I stand here to support their approval in consideration of their credentials and their qualifications as pertains to Chapter six of the constitution of Kenya. I stand to second their approval.

Hon. Speaker: Thank. Proceed.

Hon. Kanui: Mr. Speaker Sir, the committees for Children, Culture and Community Services and Planning, Trade, Tourism and Cooperatives met to vet the following Chief Officers:

1. Miss. Grace Muluki Mutuku- Nominee for Chief Officer, Department of Tourism and Culture
2. Mr. John Kilonzo Muthama- Nominee for Chief Officer, Department of Special Program and Projects.

Members Present

- | | |
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| 1. Hon. Winston Kanui | - Chair Children, Culture and Community Services |
| 2. Hon. Sammy Nduva | -Chair Planning, trade, tourism and cooperatives |
| 3. Hon. Veronica Mbithe | -Member |
| 4. Hon. Benedette M Musyoka | “ |
| 5. Hon. Anne Musyoki | “ |
| 6. Hon. Mary Ndinda | “ |
| 7. Hon. Cecilia Sereka | “ |
| 8. Hon. Jacqueline Nziva | “ |
| 9. Hon. Joshua Mwonga | “ |
| 10. Hon. Joseph Itumo | “ |
| 11. Hon. Leonard Katela | “ |
| 12. Hon. Nina Mbithe | “ |

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| 13. Hon. Rachael Nduku | “ |
| 14. Hon. John Sila | “ |
| 15. Hon. Magdalene Ndawa | “ |
| 16. Hon. Margaret Ndalana | “ |
| 17. Hon. Justus Katumo | “ |
| 18. Hon. Nathaniel Nganga | “ |
| 19. Hon. Renson Muthiani | “ |
| 20. Hon. Collins Mbithi | “ |
| 21. Hon. Peter Nzioki | “ |
| 22. Hon. Timothy Kilonzo | “ |
| 23. Hon. Ruth Ndumi | “ |

Present By Invitation

1. Hon. David Manyolo
2. Hon. Joseph Kalunde
3. Hon. Kyalo Kyuli
4. Hon. Brigid Kitili
5. Hon. Charles Mutisya

Nominee

1. Miss. Grace Muluki Mutuku - Nominee for Chief Officer, Department Of Tourism and Culture
2. Mr. John Kilonzo Muthama -Nominee for Chief Officer, Department of Special Program and Projects

In Attendance

1. Norah Muteti - Clerk Assistant

Vetting Of Chief Officers

Mr. Speaker, Sir, Pursuant to S.O 172, “Committees shall enjoy and exercise all the powers and privileges bestowed on the County Assembly by the Constitution and statute, including the power to summon witness, receive evidence and to request for and receive papers and documents from the Government and the public”. Mr. Speaker, Sir, the Children, Culture and Community Services and Planning, Trade, Tourism and Cooperatives Committees received the names of Miss. Grace Muluki Mutuku- nominee for Chief Officer, Department of Tourism and Culture and Mr. John Kilonzo Muthama-Nominee for Chief Officer, Department of Special Program and Projects, which had been forwarded to the County Assembly by H. E the Governor of Machakos County.

Mr. Speaker Sir, as per S.O 42 (1) upon receipt of a notification of nomination for appointment to an office as is under the Constitution or under any other legislation required to be approved by the County Assembly, the nomination shall stand committed to the relevant Sectoral Committee of the County Assembly for Consideration”.

Mr. Speaker Sir, the Committees conducted hearing on 2nd July, 2014 at 10.00 am for Miss Grace Muluki and on 2nd July, 2014 at 4.00 p.m. for Mr. John Kilonzo Muthama as per S.O 42 (4) “The Committee shall conduct a hearing on the proposed appointment and shall, unless otherwise provided in law, table its report in the County Assembly within fourteen days of the date on which the notification was received under paragraph (1)”.

Mr. Speaker Sir, further pursuant to S.O 191 (5) (f) “To vet and report on all appointments here the Constitution or any law requires the County Assembly to approve, except those under Standing order 185 (Committee on Appointments)”.

Recommendation

Mr. Speaker, Sir, the Committees of Children, Culture and Community Services and Planning, Trade, Tourism and Cooperatives found Miss. Grace Muluki Mutuku- nominee for Chief Officer, Department of Tourism and Culture and Mr. John Kilonzo Muthama - nominee for Chief Officer, Department of Special Program and Projects, suitable for the position of Chief Officers in the above stated Departments. Thank you, Mr. Speaker Sir. I wish to call Hon. Sammy Nduva to support the recommendation.

Hon. Nduva: Thank you, Mr. Speaker. I stand here to support the approval of Miss. Grace Muluki Mutuku and Mr. John Kilonzo Muthama as they were vetted in a committee I jointly chaired with Hon. Kanui. Mr. Speaker, we found these two nominees suitable for the positions and I request the House to approve their appointment.

Hon. Speaker: The motion is on the floor. Any point in support? Any point in opposition to the motion? Then I put the question; that the report as presented by Hon. Chairperson Winston Kanui, dated 4th July, 2014 on the recommendations of Miss. Grace Muluki Mutuku and Mr. John Kilonzo Muthama, both the nominees for positions of chief officers in departments of Tourism and Culture and Special programmes and projects respectively, that those in support of recommendations of the report.

[Question put and agreed to]

Hon. Katela: Thank you Mr. Speaker sir, chairman Labour and Social Welfare. Aware that this House received the names of a nominees for the post of Chief Officers, department of Labour ICT and Public Service and Department Of Decentralized Units, Urban Area And Municipalities Special Programmes as per Standing Order 42 (1) was committed to labour and

social welfare committee and aware that the public was invited as advertised through the media. Mr. Speaker, Sir, pursuant to Standing Order 191 (5), the Labour and Social Welfare Committee vetted the nominees taking into account his qualifications, experience and integrity.

Mr. Speaker, Sir, aware that the nominees were interviewed by the CPSB and nominated by H.E. the Governor, the Labour and Social Welfare Committee vetted Mr. Jackson Musyoka Kalla and one Mr. Nimrod Mbithuka Mbai for positions of Chief Officer, Department Of Labour, ICT and Public Service and Department Of Decentralized Units, Urban Areas and Municipalities respectively and found them suitable. I wish to move the motion that this House discusses and approves the said nominees for the posts of Chief Officers in the aforementioned departments. Thank you Mr. Speaker, Sir. I now call upon Hon. Nzeki Munyaka to second the motion. Thank you.

Hon. Nzeki: Thank you Mr. Speaker, Sir. I stand here on the floor of the House to second the motion and urge the members to adopt the report and approve the nominees namely Musyoka Kalla and Mbithuka Mbai. Thank you, Sir.

Hon. Speaker: Thank you very much. Then the mover kindly, proceed.

Hon. Katela: Mr. Speaker, Sir, the Committee for Labour and Social Welfare met on 1st July, 2014 to vet Mr. Jackson Musyoka Kalla and Mr. Nimrod Mbithuka Mbai nominees for Chief Officers – Departments of Public Service, Labour and ICT and Decentralized Units, Urban Areas and Municipalities. The following members attended:

Members Present

1. Hon. Leonard Katela - Chairman
2. Hon. Renson Muthiani - Vice Chairman
3. Hon. Alex Kamitu
4. Hon. Felix Ngui
5. Hon. Rachael Nduku
6. Hon. Phillip L.M. Ndolo
7. Hon. Oliver Nzeki
8. Hon. Francis Matheka
9. Hon. Sammy Nduva
10. Hon. Justus Katumo
11. Hon. Catherine M. Nguluku
12. Hon. Bibiana Nduku
13. Hon. Mary Ndinda
14. Hon. Peninah Kaluki

Invited Members

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1. Hon. Raphael N. Mutuku
2. Hon. Cecilia M. Sereka
3. Hon. Christine Mwendu
4. Hon. Nina Mbithe
5. Hon. Joseph M. Musyoka
6. Hon. Michael M. Mutuku
7. Hon. David Manyolo
8. Hon. Jacqueline Nziva
9. Hon. Mueni Musyoka
10. Hon. Ruth Ndumi
11. Hon. Kyalo Kimata
12. Hon. Geoffrey Munyao
13. Hon. Gideon Kavuu
14. Hon. Willy Kasimu
15. Hon. Nzoka Peter
16. Hon. Mutua Ngunzi
17. Hon. Jacinta N. Luka
18. Hon. Veronica Mbithe
19. Hon. Joseph K. Itumo
20. Hon. Benedette Mueni
21. Hon. John Sila
22. Hon. Margaret Ndalana
23. Hon. Winston Kanui

In Attendance

1. Dominic Musyoka - Senior Clerk Assistant
2. Mwikali Mwaniki - Senior Clerk Assistant

Nominee

1. Mr. Jackson Musyoka Kalla – Department of Public Service, Labour & ICT.
2. Mr. Nimrod Mbithuka Mbai – Department of Decentralized Units, Urban Areas and Municipalities.

Vetting of Chief Officers

Mr. Speaker, Sir, the Committee received the names of Mr. Jackson Musyoka Kalla and Mr. Nimrod Mbithuka Mbai nominees for Chief Officers - Departments of Public Service, Labour and ICT and Decentralized Units, Urban Areas and Municipalities respectively as forwarded by H.E the Governor of Machakos County to the County Assembly as per S.O 42(1) "Upon receipt of a notification of nomination for appointment to an office as is under the Constitution or under any other legislation required to be approved by the County Assembly, the

nomination shall stand committed to the relevant Sectoral Committee of the County Assembly for consideration”.

Mr. Speaker Sir, the Constitution of Kenya recognizes the existence of Committees in the Assembly which constitute the power point of any business to be transacted within the County. In reference to powers and privileges of Committees, Mr. Speaker Sir, S.O 172 states that, “Committees shall enjoy and exercise all the powers and privileges bestowed on County Assembly by the constitution and statute, including power to summon witness, receive evidence and to request for, and receive papers and document from the Government and the public”.

Mr. Speaker Sir, the Committee conducted vetting on the dates shown below as per S.O 42 (4) “The Committee shall conduct a hearing on the proposed appointment and shall, unless otherwise provided in law, table its report in the County Assembly within fourteen days of the date on which the notification was received under paragraph (1)” and also as per S.O 191 (5) (f) “To vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing order 185 (Committee on Appointments)”.

Dates of Vetting

S.NO	NAME OF CHIEF OFFICER	DEPARTMENT	DATE	TIME
1.	Mr. Jackson Musyoka Kalla	Public Service, Labour and ICT	01.07.2014	9:00 a.m.
2.	Mr. Nimrod Mbithuka Mbai	Decentralized Units, Urban areas & Municipalities	01.07.2014	11:30a.m.

Recommendation

Mr. Speaker Sir, the Committee of Labor and Social Welfare found Mr. Jackson Musyoka Kalla and Mr. Nimrod Mbithuka Mbai suitable for the positions of Chief Officers Departments of Public Service, Labour and ICT and Decentralized Units, Urban Areas and Municipalities and hereby recommend to the House for their approval. Thank you Mr. Speaker, Sir. I call upon hon. Nzeki Munyaka to support the same. Thank you.

Hon. Nzeki: Thank you Mr. Speaker, Sir. I stand here in support of the process of vetting the two Chief Officers that is Mr. Musyoka Kalla and Mr. Mbithuka Mbai. Thank you Sir.

Hon. Speaker: Thank you very much. Is there any other additional proposer of the motion? Yes, Majority Leader.

Majority Leader (Hon. Mwonga): Thank you Mr. Speaker. I stand to second the approval of the two chief Officers in those different departments. Mr. Speaker, allow me to contribute on the nominee by the name Nimrod Mbai, Mr. Speaker, I want to thank His

Excellency the Governor for being guided by wisdom in appointing Nimrod Mbai to be the Chief Officer in this sensitive department which will handle matters of security, Mr. Speaker.

The same department Mr. Speaker is headed by a County Executive Committee Member who is a former Provincial administration officer and likewise, Mr. Speaker, the nominee Nimrod Mbai is a former Administration Police officer, Mr. Speaker, having joined the administration force in the year 1996. Mr. Speaker up to the year 2013 when he was appointed as an acting Chief Officer, he had risen through the ranks of police having been recruited in the year 1996 and having graduated as a constable in the year 1997, Mr. Speaker, he was promoted to a police corporal, to a Sergeant, to a senior Sergeant, to a Sergeant Major and finally to an Inspector of police, Mr. Speaker. Mr. Speaker, these Hon. Members will agree with me that in a record of 13 years, he was promoted from constable to the sixth rank in the police force, Mr. Speaker that is the Inspector.

Mr. Speaker, I want to say this is rare. I am a former soldier in the defunct Kenya Army where I served for only 4 years, 10 months and 28 days. Mr. Speaker, I am not a deserter but I resigned honourably on compassionate grounds, Mr. Speaker or maybe God was preparing me for this noble job. Mr. Speaker, in the few instances we have been having in our county and I want to cite an example of when we had some Hon. Members of this House throwing eggs and other missiles, Mr. Speaker, the nominee acted promptly as if he had been confirmed or approved by this House. Mr. Speaker, yesterday when some errant members of this Hon. House blocked the road, Mr. Mbai was there in hand to unearth whatever was happening and Mr. Speaker, I think, if there is one nominee who required to be approved as early as yesterday, it is one Nimrod Mbai, Mr. Speaker.

Mr. Speaker, there are some people who have been moving around the county saying that, and allow me to quote; “there are ‘*Nguu*’ in our County.” Mr. Speaker, that is a tortoise. The people who are moving around are referring to Mbai as one of the ‘*Nguu*,’ Mr. Speaker and I want to say, he hails from Kitui and we are justifying the Constitutional requirement of giving 30 per cent vacancies to members from outside the County. So, it is my humble request, let’s not dwell on this matter for long. Mr. Mbai qualifies to be the Chief Officer in this sensitive department. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. At least we now know that Mbai has a checkered career.

Hon. Muli: Thank you Mr. Speaker. I think the Majority Leader was touched because birds of a feather flock together. Once upon a time he was a military when Nimrod was also in military. Mr. Speaker, having seen invited members were many in this committee, there was a very sensitive issue whereby we wanted to hear from the member, not responding to what the majority has said, the word ‘*Nguu*’ we needed to know much about it because it is mostly related to corruption. We had very intelligent questions, we interrogated the nominee very kindly and being one of the invited members, I listened very carefully.

Mr. Speaker, my solution and what the mood of the Members was, the nominee is fit for the job, he is hardworking and he has the capacity. I stand to support the Chief Officer, Nimrod Mbai. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. Any other point in support? Where is the majority leader? I would have wanted him to tell us more about a tortoise. I thought a tortoise is a very humble creature of the earth. Kindly expound, what is a tortoise in relation to Mbai? I thought a tortoise is a very humble animal.

Majority Leader (Hon. Mwonga): Mr. Speaker, I said there are some people within the County Assembly and more so from the Executive side who have been roaming around, Mr. Speaker - I don't want to say they have been moving – but they have been roaming about Mr. Speaker saying that the waters in Machakos County cannot settle because of tortoise which are coming from outside Machakos County and they are using the word 'Nguu' Mr. Speaker, in quotes and you know, a tortoise is an animal which lives in water and whenever it is in water, that water cannot settle. I think I have expounded enough, Mr. Speaker.

Hon. Speaker: Thank you. I am now home with that definition.

Hon. (Ms.) Ndinda: Mr. Speaker Sir, I also second and support the nomination of the two nominees. After the vetting, I discovered there were no other nominees who could have come in their position because they qualified even after the way they were in the interim position. There is none who could have taken the place, so I recommend that Jackson Musyoka Kalla qualified for that and qualifies for his position and also Nimrod Mbithuka Mbai just the way the majority leader has said, he qualifies and if there is a word over-qualification I think I can say so. Thank you.

Hon. Speaker: Thank you very much. There seems to be no voice in opposition to this report and therefore I proceed to put the question that those who support the recommendations by the chair, Leonard Katela, of the Labour and Social Welfare committee dated 7th July, 2014 that recommends the two Chief Officers Jackson Musyoka Kalla and Nimrod Mbithuka Mbai, of the Public Service, Labour and ICT and Decentralized Units, Urban Areas and Municipalities respectively be considered for approval by this Assembly and that they be approved in their respective positions of application, those in support of that preposition.

[Question put and agreed to]

[Applause]

Thank you very much for today's exercise. I would want to remind the Hon. Members that the affairs of this assembly will move on.

[Applause]

And nothing will deter us from moving on. We have received a few summonses here and there, court actions, and we are happy that people are starting to go to court on issues that they feel they have been aggrieved. That's the way to go and we shall deal with it there.

[Applause]

I am urged that we need a group photograph, so find some time and stand outside straight away and have a group photograph for our strategic plan. We will be guided, members, on where we shall stand. We can go there quickly and have a group photograph.

ADJOURNMENT

Hon. Speaker: The Assembly has not yet adjourned. Thank you very much and have a good afternoon.

The House rose at 5.20 p.m.