

MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Wednesday, 9th July, 2014

The House met at 3.43 p.m.

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

PRAYERS

Majority Leader (Hon. Mwonga): Mr. Speaker, Sir, I want to draw attention to the Chair that we have a member in this House who is not properly dressed. That is Hon. Cornelius Kitheka, member for Machakos Central ward.

Hon. Speaker: I can't find him. Proceed.

NOTICE OF MOTION

IMPEACHMENT OF THE DEPUTY GOVERNOR

Hon. Kalunde: Thank you, Mr. Speaker, Sir. That pursuant to Sanding Orders 61 and 60, County Government Act section 33 and the Constitution of Kenya Article 181, I wish to give notice of motion of impeachment of the Deputy Governor. Thank you, Mr. Speaker.

Hon. Speaker: Proceed.

Hon. Kyuli: Thank you, Mr. Speaker. I had given notice of a motion, today in the morning, invoking Standing Order 228---

Hon. Speaker: I have it on the list, don't worry.

Hon. Kyuli: I am in the list?

Hon. Speaker: Yes.

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Hon. Kyuli: Thank you, Mr. Speaker.

BILL

First Reading

MACHAKOS COUNTY AGRICULTURAL DEVELOPMENT FUND BILL 2014

Hon. Muli: Thank you, Mr. Speaker, Sir. I wish to introduce the Machakos County Agricultural development fund Bill 2014 to be read for the first reading today, 9th July 2014. Thank you Mr. Speaker, Sir.

Hon. Speaker: Clerk, proceed and read the Bill.

(Order for First Reading read - Read the First Time and ordered to be referred to the Agriculture and cooperatives Committee)

Thank you. The Bill is hereby read for the first time and consequently stands committed.

MOTION

DIFFERENCES IN COUNTY LEADERSHIP

Hon. Speaker: We are sorry because of the Order Paper there was some lapse on power. That is why there is a mix-up in the Order Paper. Proceed.

Hon. Kyuli: Thank you, Mr. Speaker. Mr. Speaker, I beg to move a motion in accordance to Standing Order 228; aware that there have been problems existing between His Excellency the Governor of Machakos and his deputy and that aware that the Governor is not working well with his deputy, I wish to move a motion to adjourn the normal business of the House to discuss the issue of leadership of the county which is of great importance. Mr. Speaker, thank you.

Hon. Speaker: Proceed. Let us hear the member seconding your motion.

Hon. Maitha: Thank you, Mr. Speaker, Sir, and the House at large. I do stand here to support the motion that this House adjourns all the business of the House and we discuss of the same because it is of major importance. Thank you, Mr. Speaker.

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Hon. Speaker: Let us hear arguments in support of that motion of adjournment. Yes.

Hon. Kitheka: Thank you, Mr. Speaker and the House at large. Mr. Speaker, Sir, knowing that Machakos County government needs prudent and good leadership which addresses the plight of the people of Machakos, it is the same view that this motion comes in handy and at the right time when we are calling upon the leaders of Machakos to style up. Mr. Speaker, we have had problems with the Governor and the deputy governor in terms of leadership.

Mr. Speaker, I bring to your attention that the two were voted in on a single ticket which culminated to one vote and translating in both of them getting into office. Mr. Speaker, knowing that to leave in impunity will lead to a lot of problems in this county government of Machakos. Many a time, we have come to this House to address issues which touch on the integrity of some of the leaders of the people running the county government of Machakos.

Mr. Speaker, this is not an isolated case. We are talking of the kind of impunity which we have witnessed in the County government of Machakos in terms of procurement, leadership and presentation. Mr. Speaker, knowing that it was just the other day when the security detail of the deputy governor was withdrawn and just recently when his vehicles, communication was withdrawn and the issues of office.

We are here to put to this House the realization that we are working under a constitution which protects each and every Dick in every corner---

Hon. Speaker: Hon. Member, are you able to substantiate those withdrawals before the House?

Hon. Kitheka: Yes, Sir.

Hon. Speaker: How? You need to substantiate that.

Hon. Kitheka: Which details in particular?

Hon. Speaker: The withdrawal of security, you are saying, against the deputy governor.

Hon. Kitheka: Yes, that was throughout the media and even himself, he confirmed to us and right now he has security which is----

Hon. Speaker: Proceed to the next point.

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Hon. Kitheka: Okay. Mr. Speaker, we are trying to bring order and sanity in the county government of Machakos by bringing the leaders together and bringing the leaders to a point where every leader should be accountable of all that happens within the ward. We are not putting an isolated case where we are putting an adjournment to discuss the issue of leadership in Machakos. We know very well that the leadership of Machakos has to address the issue of Chapter Six of the constitution which is a must and not a privilege to any leaders who comes in in Machakos.

Mr. Speaker, we know very well there are a lot of problems within the county government of Machakos and citing a few, there are simple problems that the deputy governor has complained about. He has complained about the issue of the tendering process, labour issues, and engagement of people in employment where people are just employed without being given the vital documents which will entail them to have good employment.

Mr. Speaker, it will be very harsh for somebody to work in the county government of Machakos without the necessary documents because I brought to this House a complaint about the labour issue which was adopted in the labour committee. Mr. Speaker, can I tell you up to this minute, that same problem is the same problem that the deputy governor has been complaining about.

So Mr. Speaker, it is of my opinion that we address the issue of leadership in Machakos with an open heart, with a lot of sobriety so that, at least, at the end of the day, we can be talking about a progressive leadership in Machakos instead of the issue of tyranny of numbers and who knows who in which docket. So Mr. Speaker, I kindly wish to tell you that we are in support of the discussion and we are calling upon all the members who are in this House, all the members who have been elected on a ticket and knowing that they complied with Chapter Six to make sure that they defend their integrity to the better end of the leadership. So Mr. Speaker, I say thanks and thanks very much. Thank you.

Hon. Kitheka: Thank you very much.

Hon. Maitha: Thank you, Mr. Speaker. As Hon. Kitheka has just said, Mr. Speaker, I am not worried or surprised to find an issue that is touching on the matter we are discussing. I knew it was coming. I want to state this without fear of intimidation that the acts and transactions that we are going to undertake in this assembly shall give a picture of what kind of a House we have.

Mr. Speaker, Sir, it is an issue that either side of the divide of the assembly can wither rejoice or feel it is not the right way. I want to say this; you may not know what is going to happen tomorrow. The issue of the Deputy Governor and the Governor is an issue that is directly

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touching the lives of millions of Machakos County. In as much as we want to satisfy the needs and aspirations of a few people, Mr. Speaker, we have to understand the deputy governor was elected in conjunction with the Governor by the people of Machakos County.

The moment we are leaving this people to continue to transact the business of Machakos county government in manner that brings suspicion, witch-hunt and tends to scuttle the operations and the movements of the activities of this county, we might stand here and say we are not leaders that are supposed to be counted as leaders. Mr. Speaker, Sir, we very well know the issue of the deputy governor and the Governor is an engineered project and it tends to undermine the constitution under the Chapter on expression and entitlement to information.

This House is meant to legislate and oversight. If Hon. Members will do oversight and stick to the stands to be sidelined, if the Hon. Deputy Governor tends to raise issues, either the Governor or he deputy governor raises issues of concern and then it results to intimidation or victimization, Mr. Speaker, the county government of Machakos is heading nowhere. I would like to say, Mr. Speaker; if we are going to allow this to continue, Mr. Speaker, it is going to happen to each one of us who is her. It is going to be counted as the county which sponsors such kind of transactions which are not really good to the people of Machakos County.

Hon. Kiala was elected by the people of Masinga and they knew he was to come and deliver for the whole of Machakos count. By doing this, we are disappointing the pole of Masinga and Machakos County. I would like to say this; Mr. Speaker, if we allow this to continue, we shall be held directly accountable for the transactions that are resulting to the mayhem that we have here in Machakos County.

So, I am support of the discussion. I would like to say that, may we approve this issue in a sober manner, may we sit as an assembly and make the right decision that are going to affect out people positively but not negatively. It does not matter which quarters one comes from as far as that person expresses issues of concern that are touching the lives and the wellbeing of the people of Machakos county.

I would like to finalize and say this; whatever is happening now, Mr. Speaker, is going to scuttle the operations of this county. We might rejoice, we have passed the motion or made a decision but the people who voted for us have got the final say regarding the kind of decision that we are going to make here. They will judge us by our action and they have got the best judgement because we are the ones we have been serving them for the last one and a half years.

So Mr. Speaker, it is a motion of concern and I want say that if any of the members in this assembly or any of the staff who are working within Machakos county government will be victimized because of airing their sentiments regarding irregularities, we will be contravening the constitution and I am very sure, to the greater extent, it will not be accepted in any quarters of this country. Thank you, Mr. Speaker.

Hon. Speaker: We have heard those in support. Those in opposition? Yes.

Hon. Matheka: Thank you Mr. Speaker, Sir, and the House at large. I stand here to support the motion that we adjourn the business of the House to discuss the leadership of Machakos County. Mr. Speaker, Sir, as you know and as I know, leaders depend on information and the information you get on the ground depends on the output of what you do. There is a computer term that says ‘once you get garbage in, you will get garbage out. That is exactly what is happening in our county.

Mr. Speaker, Sir, what is happening in the leadership of Machakos County is just mere propaganda and mere propaganda is not for serious thinkers but for cowards who can buy anything in the market. Mr. Speaker, Sir, if we allow our county to go under because of mere propaganda, we will be nothing but mere cowards. Mr. Speaker, Sir, I urge this Hon. House we become serious thinkers and we discuss the leadership of Machakos county and think together and move ahead.

If we go on as we go on divided and the leadership of the county goes on as it is divided, we will live to regret as elected members. We don’t have to behave as if we come from the moon or from heaven. We are all elected and we know the pinch of asking for votes and that is how the leadership went right from the senator, the governor and the deputy and the MCAs around. We know the pinch of asking for votes.

Hon. Members, I am asking you to set our differences aside and we discuss Machakos as our Machakos. We should not live as if we are living in another planet. We are Kenyans, Machakos people and we represent our people and it is only this House which can bring consensus to Machakos. Thank you, Mr. Speaker, Sir, and with that I support we adjourn to discuss the leadership of Machakos county. Thank you Mr. Speaker, Sir.

Hon. Speaker: Thank you.

Majority Leader (Hon. Mwonga): Thank you Mr. Speaker. I want to start by saying that I am opposing the adjournment of business of this House in order to discuss the motion before this House. Mr. Speaker, the reason is that I am the Leader of Majority and I am not aware of any differences between the Deputy Governor and the Governor of Machakos County, Mr. Speaker.

Mr. Speaker, the issues that have been raised by the members who have spoken before me are irrelevant. One, they are raising the issue of the Deputy Governor’s security. It is only that they are not aware that there is a government circular that outlines how many security

personnel the DG must have. It is only one bodyguard. M. Speaker, on the issue of the official car, Mr. Speaker, I wonder why these members are raising this issue.

They are aware that being the Leader of Majority, I have an official car and, Mr. Speaker, I had to surrender that official car for almost 10 days for the change of number plates. Mr. Speaker, let us not politicize the issue of official car assigned to the Deputy Governor. Mr. Speaker, the Deputy Governor himself has been on record saying that he has not problem and he has not differences with the Governor of Machakos, County Mr. Speaker.

If there are any differences we should be discussing are differences of this Hon. Members. Mr. Speaker, I want to remind the Chair of what happened three weeks ago in this Hon. House. These are the differences we should be discussing. I totally oppose the adjournment of business of this House to discuss a motion that will not see the light of the day. Thank you, Mr. Speaker.

Hon. Speaker: Yes, proceed.

Hon. Muli: Thank you M. Speaker. First and foremost, being a Hon. Member, I wondered about that motion that was presented by Hon. Kyalo Kyuli. I thought the motion was about discussing the previous differences that were in this House. I wondered about it being said that the Governor and the Deputy Governor and the issues of the two, when we attend their meetings, they always talk about that they don't have any differences.

It means there is an engineering factor, a catalyst in this House whereby there are Hon. Members trying to create these disturbances. We need to be quoted and it needs to be quoted whereby one day the Deputy Governor said he has a problem or the Governor said he has a problem with the other.

Mr. Speaker, Sir, the members who have talked here before me, they have talked about integrity, procurement issues, security issues and us as the oversight body, we are the ones who are supposed to talk more and not the Deputy Governor having to talk to the electorate or the press. We are the greatest oversight body where we have to check about those issues, surely, Mr. Speaker, Mr. Speaker, Sir,---

Hon. Speaker: Let him finish.

Hon. Muli: Protect me. I also, from my understanding, the deputy governor is in the department of labour. He is the one in charge of labour issues and he is complaining about them employment in Machakos county. It means he is now defeated by his docket because he is the

one who is supposed to introduce us and tell us the activities which are going on in his department. Therefore, Mr. Speaker, Sir, I can hear the members saying tortoise or *nguus*.

Mr. Speaker, Sir, it is my humble request to these Hon. Members that before we go outside to clean other people's homes, why can't we first sit down and agree on ourselves because all these things have been started from where? I will give evidence. When the issue of withdrawal of vehicles for new number plates which was mentioned here. When the vehicles were withdrawn, I wondered how it came to connect to the Hon. Members that and just go to the roads to demonstrate about the issue. It means there must be a connection that is in this House and it must put in check. Mr. Speaker, Sir, thank you.

Hon. Speaker: Let us hear Hon. Muthuka. Order!

Hon. Muthuka: Thank you Mr. Speaker, Sir and the members at large. I am perplexed by the hypocrisy in this House where even the Majority Leader to stand up and lie to the whole House that he has no issues or he doesn't know whether there is friction between our Governor and our deputy governor. At the same time, we know, and it has been said aloud to the public and everywhere that he is one of the people who are engineering those differences. Mr. Speaker, Sir, I also wonder---

Hon. Speaker: Let me here you what you are saying.

Hon. Muthuka: The member was on the floor. He comes from Masinga because all these things with the deputy governor are coming from Masinga. The withdrawal of the security is all over and everybody knows that his security was withdrawn. At the same time also, Mr. Speaker, we need guidance. There is that circular that some members are purporting that they have. Let us have the circular.

Secondly, we heard the statement from the Governor too that there was circular and all the aides to the deputy governors were withdrawn because of the Mpeketoni attacks. I think we are lost.....(*inaudible*). I brought that issue before the Clerk, it went to your office---

Hon. Speaker: I am finding it a very serious allegation.

Hon. Muthuka: Yes, because even today I was in the office of the Clerk, I presented the same notice of my motion, then where did this one come from. I even presented the signed the signed---

Hon. Speaker: I will urge you after this, you go and read Standing Order 60 that has a special procedure for the removal of the Governor and Standing Order 61 also, and if we are brought any motion to impeach a minister, it has never reached my desk.

Hon. Muthuka: Thank you, Mr. Speaker. It is good you have clarified. That is why I am saying I am reading some malice in this House, because, before we even went for our break, the motion was already in the Clerk's office. So if it has never reached your desk now that is where the malice is coming from, because I am not the one who should bring it to you. There are those procedures and channels that the motion should---

Hon. Speaker: I will deal with that. Go to the next point.

Hon. Muthuka: Lastly, I am saying that, members, we know we have differences in Machakos right from this House. We may pretend that we have powers, we may misuse our offices, we may misuse our numbers, but by the end of the day, it will not even go for five years. I want to be quoted that, by the end of the third year, our verdict will be out. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. Let us hear those who have not spoken.

Hon. Maitha: Mr. Speaker, I would like to get some clarification. The majority leader has just stood up and said---

Majority Leader (Hon. Mwonga): Mr. Speaker, I think it is against the Standing Orders that a member contributes on one motion more than once, Mr. Speaker and it is very clear in the Standing Orders, Mr. Speaker.

Hon. Speaker: You can only talk through the Chair. Let me hear your point.

Majority Leader (Hon. Mwonga): I wanted to know, whether it is in order for a member to contribute more than once on one agenda, Mr. Speaker.

Hon. Speaker: I agree you cannot but I had given him permission.

Hon. Maitha: Thank you, Mr. Speaker for seeing my hand again. I wanted to get further, some point of information. The Hon. Majority Leader has stated here that he is entitled to official transport. We need a circular for the same. In regard to the issue of the deputy governor, Mr. Speaker, I want to say this; we might, try to pretend as much as we can pretend here, knowing

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that the differences in Machakos county are known best to us. I understand every member here knows and Mr. Speaker, I don't want us to try and cover ourselves because some of these Hon. Members who are purporting to oppose this motion, when we meet outside the corridors of this assembly, you hear them say that we know Machakos is doing bad.

Mr. Speaker, we don't just have to pass laws in this assembly for the sake of pleasing one another. If we confess from outside that we know we are doing badly, then why can't we put that into practice. The Hon. Muthuka has just said, it will not take long. We can try to cover ourselves as much as we can, if the assembly is not able to be speak with one voice, let nature take its course. We cannot force members to agree. After all we were elected on different areas and it is not a must that these members have to agree.

So if nature can take its course, the better, but the issues dealing with the top leadership of this county, we must address them in a very sober way. In as much as some people might think others have vested with interests or any engineering whatsoever, Mr. Speaker, time shall speak for itself.

So we are saying, the motion must be discussed and members have to know that at the end of the day, the failure and the success of Machakos County shall be counted by all the members who are in this assembly. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. Let us hear Minority Leader.

Minority Leader (Hon. Kasoa): Thank you Mr. Speaker. I stand here to oppose in totality the adjournment of the business of this House. I have listened very carefully the member for county assembly for Muthwani talking about the security of the deputy governor. Mr. Speaker, I am putting into attention that the issue of national security belongs to the Ministry of internal security and if the deputy governor has problems with his security, he should consult the Inspector General of Police, This is the high time the deputy governor should go the minister of internal security if at all it has been withdrawn.

Secondly, I oppose categorically because if you see today's agenda, there is a motion coming before the House to discuss about the impeachment of the deputy governor, so I am asking the Hon. Members to just to wait so that we can discuss it when it comes over. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. We have not heard Hon. Kalunde.

Hon. Kalunde: Mr. Speaker, I oppose the motion. I am surprised that most of the members who have spoken say that they know the problems of Machakos County and they know the origin of those problems. The other day there was throwing of bottles here. So the people who were throwing those bottles are still sitting here and they are saying they know the problems of Machakos County. Why did they bring a motion to discuss their conduct including the other

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members so that before we can touch on the governor and his deputy, we are clean and clear to our positions? Mr. Speaker, I oppose the motion.

Hon. Speaker: Thank you. Any other member? Let us hear Hon. Nzoka

Hon. Nzoka: I support the adjournment of the House to discuss the---

Hon. Speaker: Hon. Katela you will quickly be out of order.

Hon. Nzoka: So as to discuss the issues of the county as we have said. We are saying---

Hon. Speaker: Hon. Kitheka, kindly consult in low tones but don't attract the attention of the House.

Hon. Nzoka: I am saying so because we can pretend but we cannot hide from the truth.

Hon. Speaker: That is what Hon. Kalunde is saying, there is a need to discuss his motion.

Hon. Nzoka: I am saying we postpone the business so as to discuss the---

Hon. Speaker: Order!

Hon. Nzoka: There is nobody who does not know there are differences between the Governor and his deputy and it is our duty---

Hon. Speaker: I think you have made your point.

Hon. Nzoka: I am not through.

Hon. Speaker: Okay. Summarize.

Hon. Nzoka: What I am saying is that, when we try to say this is not this way and this is not this way, you know we have a problem also in the national government. You are aware there was this *Saba Saba*. It cropped from there and where we are heading is not good. So it our duty to see how we can organize our Machakos county not to be in problems like what is happening in the national government, because you cannot hide that. In the national government there is a problem and it was brought by a situation when we are saying this, you try to silence.

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Hon. Speaker: Let us hear the point of order.

Hon. Nzoka: Just be that way and you will face it. Thank you.

(Laughter)

Hon. Speaker: There is a point of order here. Order! Order, Hon. Members.

Hon. Muli: I want to inform Hon. Nzoka that the motion was not the problem of Machakos County, but the issue of adjournment and also it was not for the national government but for the county government. You were out of order, my friend.

Hon. Speaker: You will be out of order. You cannot answer without permission. Yes.

Hon. Muinde: Mr. Speaker, there is a Latin saying when translated to English ‘you cannot give what you don’t have.’ I wonder the intention of the motion and what we stand to achieve if we discuss. Are we trying to force a closer relationship between two officers and first before we can preach peace, are we at peace ourselves? Those for that motion, the wounds have not yet healed. We had a scuffle here and some of the members bringing this motion, Mr. Speaker, I wish they would have first brought a motion that we discuss our own conduct amongst ourselves. If you have to give out peace, I believe we should have peace ourselves. I believe we are not on the right track and I oppose the adjournment.

Hon. Speaker: Let us hear those who have not contributed.

Hon. Kasimu: I oppose that we adjourn the business of this House. A lot has been said about the issue between the Governor and his deputy. The two gentlemen met and agreed to work together few years ago, they have not told us that they are not going to work together and another thing, Mr. Speaker, we are not aware that there is a problem between the Governor and the deputy. The deputy was in Ndalani few weeks ago and he said it categorically before the people of Ndalani that he has no problem with the Governor. He has a problem with two tortoises that are in the waters of Machakos County.

I think they should be coming here to ask us how to remove the two tortoises from the waters of Machakos County but not to discuss the relationship between the Governor and his deputy.

Mr. Speaker, Sir, we have realized that our biggest problem is the leadership of the 40 wards and the 19 nominated members. We have a problem because we were here and discussed

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and there was stone-throwing, egg throwing and the members are still in this House. They are not asking us to discuss what happened that day and the conduct of this assembly. They want to tell us to discuss things outside this Assembly, while the assembly is burning and they are going out to say the fire is outside. I want to make it clear to them that the fire is in the assembly not outside. Thank you Mr. Speaker, Sir.

Hon. Speaker: Let us hear the mover of the motion. I think it is clear that the House is divided on this question.

Hon. Kyuli: Thank you, Mr. Speaker. The intention is clear. You have heard Hon. Members speak for themselves. You have heard members talking about this assembly, speaking about how fire is in this assembly, speaking about information from other quarters, Mr. Speaker. My intention was that as an assembly and with the powers conferred to us by the constitution, we can bring our county to very smooth running. But the look of things in this House, looks like there is fire, people are thinking about correcting what they have here yet nobody has brought any substantive motion for us to discuss the same.

I came to your office, Mr. Speaker, I sat here, you asked me to speak about what we talked and you gave members time to respond to what I said, and Mr. Speaker, my view was to try to bring this gap that you can see and I am sure you can see the gap. My view is to bring that gap a little bit closer for us to work in harmony, Mr. Speaker.

When I am talking about the leadership of the county, one member talked about tortoise, and he asked if we are coming to talk about tortoises, that is part parcel of leadership in this county, Mr. Speaker, and that is exactly my point. This is where I am coming from. We cannot have the Governor and his deputy ejecting the other from the cabinet. That was my point, that we as members of this assembly try and bring that gap down so that we can work in harmony.

However, Mr. Speaker, I am a happy man. I have heard members speak out there hearts. I never knew that in this House there are members who know the truth but they hide the truth from themselves. I understand now that every member knows the truth but they hide the truth from themselves.

Lastly, pride comes before a fall. I will quote a Bible verse, Mr. Speaker, if you allow. 1 Chronicles 26:16. This is a dangerous event and, Mr. Speaker, with all due diligence and I hope members you have heard me. Let us come together, discuss things that are burning out there, we are Machakos, the place to be, County No. 1, yet if we go out there we will find other counties laughing at us. Mr. Speaker, I beg that we adjourn and we discuss those issues if it is possible.

Hon. Speaker: Finally, then we put the matter to rest.

Majority Leader (Hon. Mwonga): Mr. Speaker, I am wondering about the degree of hypocrisy in this House if members will stand here and start quoting verses from the Holy Bible and yet last week they were throwing rotten eggs to the Speaker of this Hon. House. Mr. Speaker, the members who are supporting this motion, the first thing they should do is to be remorseful and apologize for what they did about two weeks ago. I have heard one member ask, if anything happened a week ago, where is the motion to discuss those members? Mr. Speaker, the motion is on the pipeline, it is on the way. Let them be ready for it.

Mr. Speaker, the other issue I want to raise is..... I am a thirst man as I stand here and it all emanated from that day when mineral water became a weapon in this House and you made a ruling that the mineral water was being used as a lethal weapon. Can you rescind that decision and we have Hon. Members enjoying the services of mineral water. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Kitheka you are out of order. While you were away, we ruled that water should not be served in the chamber and that ruling has not been overturned and that still remains the position because we fear water may become lethal. Be brief because I want to conclude this.

Hon. Muthuka: Thank you, Mr. Speaker. I wonder what we are discussing because the issue is to adjourn and then discuss the leadership of the county. Two weeks ago, bottles were used as weapons, chairs were also used as weapons and if we do not discuss all those issues inside and outside the House, still, I think the mace will also be a weapon. Mr. Speaker, I also wanted---

Hon. Speaker: You are now out of order. That concludes the discussion on the motion for adjournment and I shall proceed to put the question.

(Question put and negatived)

(Several members stood in their places)

Do I understand why members are standing? Clerk, then proceed with the division. Members, you will not dictate the way to do the division. The Division Bell will be rung for five minutes as the procedure mandates as we take the division.

Hon. Speaker: Those in support for the motion of adjournment stand up and the Clerk can take the count.

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(Clerk takes physical count)

It is only the clerk who can count, not the Deputy Majority Leader. Thank you, you can be seated.

(Members take their seats)

Those in the opposition on the motion for adjournment may rise up. Hon. Katela, you will be out of order. Thank you, you may be seated.

(Members take their seats)

DIVISION

(Question put and the House divided)

(Question negatived by 30 votes to 11)

Hon. Speaker: Therefore the motion fails. Any other business? Hon. Members on the matter of the motion for impeachment of the deputy governor that was presented today by Hon. Joseph Kalunde, as required under Standing Order 60 and 61, a notice has been issued for seven days and in accordance to Standing Order 61, (1) and (3), I hereby direct that a committee of eleven be formed by the majority and minority whips within the next seven days and appropriate notices be forwarded to the Deputy Governor who will be at liberty to defend himself on the allegations that will be spelt. This House will have adequate opportunity to debate the motion once it is ready within the period given by our Standing Orders.

ADJOURNMENT

Hon. Speaker: Thank you very much and have a good afternoon.

The House rose at 4.48 p.m.