
MACHAKOS COUNTY ASSEMBLY**OFFICIAL REPORT****Thursday, 19th March, 2015**

The House met at 2:38 p.m.

*[The Speaker (Mr. Bernard Mung'ata in the Chair)]***PRAYERS****Hon. Speaker:** Good afternoon Hon. Members. Let us proceed.**PAPERS****NOMINATION TO COMMITTEES AND BALANCING OF MEMBERSHIP**

Majority Leader (Hon. Joshua Mwonga): Mr. Speaker, Sir, pursuant to Standing Order number 155(1), I wish to lay on the table of the House today, 19th March, 2015, the report of Committee on Selection on nomination of members to various committees and balancing of committee membership. Thank you Mr. Speaker, sir.

Hon. Speaker: Thank you. Paper laid. Proceed.**NOTICE OF MOTION****OVERCHARGED TRADERS PAYMENT FOR 2015/16**

Hon. Alex Kathinzi: Thank you Mr. Speaker. Regarding this particular motion Mr. Speaker, I would like to defer it until next week on Thursday to gather more material for the deliberation in this House.

NOMINATION TO COMMITTEES AND BALANCING OF MEMBERSHIP

Majority Leader (Hon. Mwonga): Mr. Speaker, sir, pursuant to Standing Order number 155(1), I wish to give notice of motion that this Hon. House discusses and approves the report of committee on selection on nomination of members to various committees and balancing of committee membership. Thank you Mr. Speaker, sir.

Hon. Speaker: Thank you. Proceed.**STATEMENTS****PURCHASE OF MOTOR CYCLES FOR WARD OFFICES**

Majority Leader (Hon. Mwonga): Mr. Speaker, I have a statement which I wish to issue and I beg the office of the Clerk to supply the statement to the members Mr. Speaker.

Hon. Speaker: Proceed.

Majority Leader (Hon. Mwonga): Thank you Mr. Speaker. On 12th February, 2015, Hon. Dominic Maitha, member for Muthwani Ward, sought a statement on the purchase of motor cycles for ward offices. Mr. Speaker, sir, the 2014/15 budget did not factor funds for the purchase of motorcycles and hence they could not be bought Mr. Speaker. Thank you, Mr. Speaker.

Hon. Speaker: Is Hon. Dominic Maitha in the House? (*Not present*). Then it will be taken that the answer is satisfactory but the chairman, Budget you will consider the implementation of that House resolution.

Hon. Isaac Muinde: Yes Mr. Speaker, we will do that in the next financial year.

Hon. Speaker: Statement time, we are expecting answers from the various chairs.

SCHOOL FEEDING PROGRAMME, BURSARIES AND ECD CLASSES REPORT 2013/14

Hon. Manyolo: Thank you Mr. Speaker, sir. On 12th February, 2015, Hon. Dominic Maitha sought three statements. The school feeding programme, bursaries and ECD classes report for 2013/14. Mr. Speaker, Sir, the committee on Education and Social Welfare was dealing with the statement as follows:-

On the school feeding programme and the bursary report 2013/2014 the Executive committee member was scheduled to address the issue to the committee on 26th February 2015 but requested for the meeting to be rescheduled to 19th March, 2015. Mr. Speaker, Sir, the CEC Finance and the chief officer, Education appeared before the committee this morning, the 19th March, 2015 and promised to give a detailed report on 24th March, 2015.

On the ECD classes, the committee was scheduled to complete visitation of the ECD classes being constructed on the 16th March, 2015, but due to the MCAs retreat to Mombasa on the 11th to 14th March, the exercise was put off until the 20th to 23rd March. The committee requests more time up to 9th April to complete the exercise and compile a report. Thank you Mr. Speaker, Sir.

Hon. Speaker: Thank you very much Hon. Manyolo. Any matter arising out of that and the request? Then the request sought by Hon. Manyolo is granted. Let us proceed to the next answer.

IMPLEMENTATION OF MSWEP 2013/14

Hon. Raphael Mutuku: Mr. Speaker, Sir, I am standing on a response to a statement which was sought on 12th February 2015, by Hon. Maitha on the implementation of MSWEP, 2013/14.

Mr. Speaker, Sir, I had promised to give a statement last week as I was promised by the Executive, but up to date I have not received any response and I have directed my clerk to make another reminder to that effect and I am doing a follow up so that by next week I give a statement on the same. Thank you Mr. Speaker, sir.

Hon. Speaker: Thank you. Yes Hon. Maitha, you are now in the House. A lot of your questions have been answered, and that is a request to have your answer deferred by one week. What is your response?

Hon. Maitha: Mr. Speaker, Sir, I want to appreciate the few statements that have been issued in my absence but somehow I tend to differ with the chairman regarding the issue of MSWEP because Mr. Speaker, yesterday papers were circulated to all elected Hon. Members regarding the same to go and verify the amounts of money that are supposed to be transferred through that scheme to the various beneficiaries. So when he says that he has no information about it, then that is totally contradictory; he seems not to understand what is happening in his committee.

On the department that he is representing, yesterday we got papers to go and verify the amounts of money that are supposed to be given and according to that paper, the amounts are differing. For example my ward, I had been allocated Kshs. 1 Million for the elderly; the paper that I got that I can produce in this House Mr. Speaker, is only reading Kshs 468, 000.

I also happen to have gone through some other papers of the same; some are reading about Kshs. 300,000, others are reading Kshs. 700,000. The amounts are varying, contradicting the amount of money that I was allocated and it is only given to the elderly. What about the youth, the women, the physically challenged, Mr. Speaker? These are moneys which were supposed to have been given by the end of financial year 2013/2014 which was by end of June last year. So I am not satisfied with his comment Mr. Speaker, Sir.

Hon. Raphael: Mr. Speaker, Sir, the statement which was sought by the member was on the implementation of MSWEP; the status report for 2013/2014. What is being implemented I am aware is for 2014/2015 and in the budget of 2014/2015; we allocated Kshs. 190 Million

whereby Kshs. 160 Million is supposed to go for the MSWEP and Kshs. 30 Million for administration. So the statement which was sought is for 2013/2014 not 2014/2015. Thank you, Mr. Speaker, sir.

Hon. Speaker: Thank you. And Hon. Maitha, in any event, we need discuss his request for adjournment. You appear to have answers to your own questions.

Hon. Maitha: Mr. Speaker, Sir, unless I have been sitting in a different House in this assembly, we have never and I don't think I am alone if everybody here is honest, we are discussing about MSWEP for 2013/2014. Actually we have not even been told we fill the beneficiaries for 2014/2015. The names that were supposed to benefit we provided for 2013/2014.

I think the chairman seems not to understand what I am asking about Mr. Speaker, sir. If it is a matter of deferral, if the case is so, well I will wait; we have been patient, Mr. Speaker. Thank you.

Hon. Speaker: So do we take it that you finally concede that you are willing to wait for one week, but before we do that let us hear the clarity. What was the question about so that we can get an answer we expect?

Hon. Raphael: Mr. Speaker, Sir. I am holding the paper from the Assembly which is containing all the statements which were sought by the Hon. Member for Muthwani, and it is clear: MSWEP status report for 2013/2014. What is being distributed is the amount of money that is in the budget for 2014/2015. So Mr. Speaker unless the member is misled, he should talk of 2014/2015.

Hon. Speaker: Thank you. The chairman budget is here; maybe he can offer some light.

Hon Isaac Muinde: Mr. Speaker, the matter that we are discussing is a serious matter because our electorates out there are waiting for us to disburse these funds. It is true that the House allocated money for the MSWEP in 2013/2014, amounting to Kshs. 160 million and another Kshs. 30 million for administrative purposes.

Mr. Speaker, this House knows that, that year we did not distribute the money simply because we were to have some regulations that we took a whole year to finalize and that is why the budget committee and by extension, this House, reallocated the money again in 2014/2015. So we do not expect anything in terms of monies for 2013/2014. By a way of supplementary, those monies were moved for other purposes, because as we closed the year, there was no pending money with the government.

And Mr. Speaker, based on that, the chairman of youth whose docket the MSWEP funds fall, should now be clear without being too technical on 2013/2014 and tell us about the status of these funds considering that we are in March and we were to issue Kshs. 160 Million for the four categories, that is the elderly, the women, the youth and the disabled.

Going by the rate at which his ministry is moving, looks like we may end this year without our people getting this money. So Mr. Speaker, let this House not be treated on issues of 2013/2014. 2014/2015, we need to know when we are taking money to our people and they are waiting, Mr. Speaker.

Hon Speaker: Hon. Chair you don't have any further opportunity on this matter. I think the point has been set straight; we want a report on MSWEP by Thursday. Let us proceed.

IMPLEMENTATION OF COUNTY DEVELOPMENT PROJECTS 2014/15

Hon. Alphonse Wambua: Statement sought by Hon. Dominic Maitha on implementation of county development projects, 2014/2015. Mr. Speaker, Sir, the Hon. Member for Muthwani ward sought a statement on implementation of 2014/2015 and Mr. Speaker, Sir, this statement will be delivered on 26th March, 2015. Thank you.

Hon. Speaker: I think that Chairman should come back to the floor. Hon Alphonse Wambua, you have just given this House direction of what you want to do, you have not told us what challenges you are facing.

Hon. Wambua: Thank you Mr. Speaker, Sir, I request this House that I deliver these statements next week on 26th because up to now my committee have done the best following this statements and the Executive Mr. Speaker, are trying not to give the right statements. So that is why I am seeking more time to get clarification of these statements, Mr. Speaker.

Hon. Speaker: Point of discontent?

Hon. Maitha: Mr. Speaker, thank you. I can see we have visitors. We have visitors up there and for the purpose of them understanding, Mr. Speaker, the chairman has just confirmed that the Executive does not want to give reports about the implementation status. Right now I understand, the chairman budget is almost about to present a supplementary budget Mr. Speaker, on the floor of this House. We have not implemented any single project Mr. Speaker, as per the budget of 2014/2015 financial year and here is a supplementary budget that is being brought to fund projects. Where and when were they initiated?

That is the statement I want to seek. We have less than three months Mr. Speaker, to the end of this financial year. Already now we have started the County Fiscal Strategy Paper which

gives us a guideline on how to start working on the next budget, yet we have implemented totally nothing in the 2014/2015 budget in terms of development apart from paying salaries, Mr. Speaker. I don't think the chairman who is representing the Executive is serious on that. I need a further clarification on that. Thank you Mr. Speaker, Sir.

Hon. Speaker: I don't know Hon. Maitha what you mean by the statement that implementation is totally nothing; looks like again you have a report.

Hon. Maitha: Mr. Speaker, I am saying it is totally nothing because I have seen nothing being implemented in my ward development-wise for the financial year 2014/2015.

Hon. Speaker: Ok.

Majority Leader (Hon. Mwonga): Mr. Speaker, I think the chair on implementation was clear and categorical Mr. Speaker. He has sought more time to come into this House and issue a statement on the same, Mr. Speaker.

Mr. Speaker, for an Hon. Member who represents a ward to say on this floor of the House that nothing has been done in his ward Mr. Speaker, I think that member must be sleeping on his job - the role of representation Mr. Speaker, because I have never heard any other member say that nothing has been done in his ward, Mr. Speaker. Thank you.

Hon. Speaker: Let us hear contributions on the matter for adjournment.

Hon. Matheka: Mr. Speaker, Sir, through the chair, I am just seeking a clarification from the chairman, implementation. He said that the Executive are giving the wrong information or the wrong report; why can't he bring the reports in the House and the House will decide whether the report is wrong or right Mr. Speaker, Sir?

Hon. Speaker: Thank you.

Hon. Peter Nzioki: Thank you Mr. Speaker. I happen to belong to the committee of implementation. Mr. Speaker, what the chairman said is that he hasn't gotten proper details of the answers, so Mr. Speaker he is seeking more time so that he may get the correct answers to give to the Members. Thank you, Mr. Speaker.

Hon. Speaker: Thank you.

Hon. Alex Kamitu: Thank you Mr. Speaker, Sir. Once again sir, I happen to be a member of the implementation committee and exactly what is happening is that what our chairman is implying is that there were some information that was brought in to the committee

and they were not satisfactory and it will be a very big mistake if we are going to bring some half cooked information.

We also wrote to the Executive and told them what is required by the implementation committee is not complete. So as our chairman has said, that is exactly the position. Immediately we get the details, we are going to bring in to the floor of the house. Thank you, Mr. Speaker.

Hon Alex Kathinzi: Thank you Mr. Speaker. I am a good friend to the chair, implementation and all the time he usually invites me to his committees Mr. Speaker, and we have been waiting for many statements, replies and reports. As I can remind this particular House, last week we had a contentious issue whereby we were forced to refer the report of finance to the committee.

Therefore I support the Chair that, let the House give him some time even if it means two weeks for him to get the correct report so that we cannot waste a lot of time debating on a certain report or statement and then at the end of the day we say it is an erroneous statement the way Majority leader said. I support that the Chair should be given sufficient time to provide this house with sufficient reports. Thank you.

Hon. Speaker: Let us hear Hon. Veronica.

Hon. Veronica Mbithe: Thank you Mr. Speaker and the House at large. I feel that, or rather my proposal is that we give the implementation chairman some time, because I am also a victim with our decentralized committee on seeking to get information from the Executive and the efforts becoming somehow futile. We are hoping Mr. Speaker, sir by the end of the time that the chairman has requested that we will have enough techniques to gather the information. Thank you Mr. Speaker, Sir.

Hon. Cornelius Kitheka: Thank you Mr. Speaker. Mr. Speaker, I feel perturbed by the kind of answers we are getting from the chairmen of some of the committees because Mr. Speaker, I happened to be an invited member last week in the implementation committee. What I saw from the minister or the CEC member who had been invited, it seems as if we are in another world simply because she came to the committee and she didn't have any single information to give the members. She gave a very lame excuse of telling us we give her time to go and source for the information.

Mr. Speaker, it is disheartening to learn that as we are here representing the people out there, we are being mocked by the kind of the work we are doing. We are not getting any information from the Executive wing. They are taking us for granted; nothing is happening and we are not getting any tangible information which can facilitate us to work with our electorates.

Mr. Speaker, it is my opinion that we just be very serious on what we are doing because these CEC members who are sitting in these offices are not doing anything; they are just doing politics and they are not giving us results. Mr. Speaker, I wish you... protect me...

Hon. Speaker: You are protected.

Hon Kitheka: Thank you Mr. Speaker, for your protection. So Mr. Speaker, I wish we can crack the whip on these members because majority of the reports which are coming to this House are not even half baked, they are eighth- baked. They are just being taken to the oven and there is nothing going on.

Mr. Speaker, I don't see why we should dwell on getting reports from the Executive while here in the Assembly we are not fast-tracking what we are requesting. Mr. Speaker, I can give you a very clear example: we passed in this House that we don't want portraits of the Governor on the projects which have been done by the County Government of Machakos because it is a political gimmick. Right now it has worsened because even the people who were doing water mapping are going marking every House with posters for campaign.

Mr. Speaker, we cannot condone such a situation because that is a political gimmick and it is not going to help us in any way. It is just discouraging the people and even a wastage of the public funds.

So, Mr. Speaker, we are rightly in this Hon. House, respected by the people of the county. We are now seeking information of the implementation of all the projects and if the projects have not been implemented, we be given mandate; these people to be prosecuted and taken to where they belong because others are free and they must be somewhere where they belong. Thank you, Mr. Speaker.

Hon. Speaker: Let us restrain ourselves to the matter at hand.

Hon. Timothy Kilonzo: Mr. Speaker, I agree with the other members that we should give this committee more time. Mr. Speaker, this committee is one of the very important committees that we have in this House and it should give a comprehensive report. We don't want the reports that we are getting here and I think there is a problem on the side of the Executive because we are getting almost every report has some errors and Mr. Speaker, I request that they give full and true reports that can reflect what is on the ground, Mr. Speaker. Thank you.

Hon. Speaker: Thank you. I think what we are hearing from Hon. Timothy should guide the day that we give this committee time but my view is that the projects are so many. I don't know...let us hear from the chair, how will you give these reports, is it a report project to project or the entire projects?

Hon. Wambua: Thank you Mr. Speaker, Sir. As the chairman of the implementation committee, I know the concerns of these members and this is why Mr. Speaker, I requested more time to go to the Executive and investigate the statements because the statements they are trying to give the committee are not comprehensive that I can bring them into this House. This morning my clerk wrote a letter to the Executive, telling them that the statements they are giving the committee are not substantiated. So that is why I am requesting for more time. Thank you, Mr. Speaker.

Hon. Speaker: Kindly give the House a promise that it is Thursday that a report will be done.

Hon. Wambua: Yes, next week on Thursday afternoon I will bring the statements. Thank you.

Hon. Speaker: Thank you. I think for that matter it is granted. Let us proceed with the next statement.

COUNTY VEHICLE REGISTRATION AND COUNTY EQUIPMENT STATUS REPORT

Hon. Peninah Kaluki: Thank you Mr. Speaker, Sir, and the entire house. A statement was sought by Hon. Dominic Maitha on county vehicle registration and county equipment status report. Mr. Speaker, Sir, on 12th February 2015, Hon. Maitha sought a statement on county vehicle registration status.

Mr. Speaker, Sir, several letters have been done to the CEC, department of transport, roads, public works and housing and up to date, there is no response received. So I seek leave of the house to present this statement when they are ready and I also concur with my fellow Hon. Members that it is high time we crack the whip on the CEC members who are derailing our duties as a committee. Thank you Mr. Speaker, Sir.

POINT OF INFORMATION

Hon. Muinde: Mr. Speaker, it looks like the chairs have relaxed. For how long will they come in to this House and lament that they are not getting the right support from the Executive? These committees have quasi judicial powers, they should compel the executive to appear and even give answers. Now all the chairs who have spoken ahead have all indicated that they need one more week. What mechanisms do they have to force the Executive to give answers if in the last one week or so they have not been able to successfully get the answers?

Mr. Speaker, I know it may not be easy but we have never heard any chair crying to the powers of this House to force or even cause the arrest of an executive member who has failed to respond either to summons or requests by this house. I fear at this rate Mr. Speaker, come Thursday next week, we will be treated to other requests for another week and on and on we continue to the end of the financial year.

Hon. Speaker: Thank you very much.

Hon. Maitha: Mr. Speaker, I tend to salute my able chair Hon. Muinde, but I also tend to differ sharply with the response that has been given by the Hon. Vice Chair for Transport committee where I sit as a member, and this is where we need to see seriousness in committees, Mr. Speaker.

We had the minister here a day before yesterday. I was in that committee and the minister said through the chief officer that we will get the report for the registration of the cars which are using private registration in a week's time. That is what I expected the Vice Chair to give. So that confirms that even, maybe all the other responses regarding statements we are getting are all false. She needs to apologize to this House; she has given the wrong information, Mr. Speaker.

Hon. Speaker: I think I am persuaded. Let us hear the Vice Chairperson.

Hon. Kaluki: Thank you Mr. Speaker, Sir, once again. I think I have stated that I have asked permission to present this statement when it is ready and I have not given the timeline, so within the week the report comes, then I will be ready to present it to this Hon. House Mr. Speaker, Sir. Thank you. I apologize.

Hon. Speaker: Thank you. I think the Hon. Vice Chair did not need to apologize because the initial answer is still consistent with the current answer. Yes, let us hear the chair.

Hon. Oliver Nzeki: Yes, in support of my vice chairperson Hon. Peninah, we were given one week to get the information about the registration. I don't see why our vice chairman should retreat. So we are going to get the report because I am a member of the transport committee next week I think and I trust that the minister for Transport will give us the report. Thank you Mr. Speaker, sir.

Hon. Speaker: Thank you. Yes Hon. Thomas.

Minority Leader (Hon. Thomas Kasoa): Thank you Mr. Speaker for giving me this opportunity. Mr. Speaker, let me say we are tired as members, because the chairmen are not giving us the right reports. Every time a member seeks a report, it is being deferred. Mr. Speaker, time has come; enough is enough, let this House exercise its powers.

Mr. Speaker, we have to send home some of the CEC members who are not giving us the right reports and soon I promise you we are going to bring a censure motion for the CEC members who are not giving us the right reports. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. Let us hear from the Majority leader. If you can, you can start by promising that you will deliver that warning signal that has been given.

Majority Leader (Hon. Joshua Mwonga): Mr. Speaker, I am not going to deliver that warning signal. Mr. Speaker, I seek the guidance of the chair whether it is proper for the chairs to say they discussed a statement in a committee stage, Mr. Speaker.

Mr. Speaker, I think that is not the procedure. Once a member seeks for a statement, it is the duty of the Office of the Clerk to liaise with that particular ministry then when the answer to the statement comes, it is not supposed to be discussed at the committee level but it is the duty of the chair to bring the statement on the floor of the House.

Mr. Speaker, I am the chair, Committee on Selection, and I have issued a statement here Mr. Speaker; it was not discussed at committee level. I want to concur with the Minority Leader Mr. Speaker that some chairs are sleeping on their job and this is the time they should wake up.

Mr. Speaker, I will not sit here and listen to members bashing the government which I represent here and I have chairs that represent me in various committees. If they are defeated by their duties, they better tell the members or I will lobby the members, to remove the chairpersons who are ineffective. We have very many members who can be chairpersons, Mr. Speaker. It is very wrong for a chair representing a committee which belongs to the side of the government and that chair cannot issue a statement which can be accepted by this House.

Mr. Speaker, I am not sending signal to the CECs and the COs, I am sending signals to the chairpersons of committees. Thank you.

POINT OF ORDER

Minority Leader (Hon. Kasoa): Mr. Speaker, we don't need the Majority Leader to send a signal; the signal is coming, and we don't need any intervention from him.

(Applause)

The signal is on the way, we cannot accuse the Hon. Chairpersons because it is a problem of the CEC members. Because they have been seeking statements from them and it is in futility. So the censure motion, Majority Leader, is on the way to send these people home.

(Applause)

POINT OF ORDER

Hon. Speaker: Thank you. Let us hear Hon. Muli.

Hon. Joseph Muli: Thank you Mr. Speaker. I would like to inform the Majority Leader that we are able chairmen. The committees have able chairmen, and the alarm or the signal he should be aware is already set up for the COs and the CECs who are not working because Mr. Speaker, having been chairmen, we are not chairmen to keep on requesting, pleading while there are people or officers who are in the offices who are not working. Even us we are now ready to crack the whip. Thank you.

Hon. Speaker: Thank you.

Hon. Sammy Nduva: Thank you Mr. Speaker. Mr. Speaker, I want to contribute and I would like the Majority Leader to understand that the business of this House is to discuss and deliberate all the matters that are a concern of the people of this county.

Mr. Speaker, if we sit here to blame each other, we will not be going anywhere. If the CECs and the Chief Officers are not giving the reports Hon Majority Leader, where do you expect the chairman to get the report?

What I would like to say Mr. Speaker is, as my colleague has said, let us get serious and make sure our work in this House is accomplished because, it is few months towards the end of this financial year. Mr. Speaker, I urge my fellow Hon. Members, let us crack the whip as the Minority Leader has said. Thank you.

Hon. Kyalo Kyuli: Thank you Mr. Speaker. I want to concur with the Hon. Majority Leader that if a chairman is holding a gun and he is supposed to shoot and that is what he has to shoot and he is not shooting, instead he is saying the antelope has jumped, who are we supposed to put the blame on?

Mr. Speaker, I want to support the Majority Leader and say, the chairpersons have the laws to use and get information from the CECs. Even if Mr. Speaker, he is to censure one of them or all of them Mr. Speaker, it is the mandate of the chairs where the statements are sought from. Therefore if the chairperson cannot extract information from a CEC, they have the law with them, Mr. Speaker.

I want to believe that is where the Majority Leader is coming from, and from that point of view, if the reports are not being brought, we have the chairpersons here. We are supposed also as members to grill the chairpersons or we force them to bring the reports; if they cannot bring the reports, they bring censure motions we deal with the CECs.

So where the Hon. Minority Leader is seated and from where I am seated as a member, it is all the same; either we censure them or we begin from the chairpersons. So I want to support the Majority Leader that the chairpersons must come with information and if they don't have the information, they bring censure motion. Mr. Speaker, thank you.

Hon. Speaker: Thank you.

Hon. Benedette Mueni: Mr. Speaker, Sir, I think the CECs are supposed to bring the reports to this Assembly before they are even asked by the chairmen because all the chairmen here, I think are able because they have been writing to those people and they refuse to bring and even they don't honor this house. Please, I think those people are supposed to go home. Thank you.

(Applause)

Hon. Edrick Ngunzi: Thank you Mr. Speaker, Sir. I want to believe today is a nice day and it is the birth of a new beginning, that the Majority Leader has indicated that the chairmen are not performing and now that the chairmen are not performing because the CECs members, the Chief Officers and the Executive have been giving us a hard time and he is now saying he is shooting us, now it is our turn. It is either we bring reports Mr. Majority Leader, they give us the reports we have always asked for, or you wait for whatever will happen.

(Applause)

Yes, I will not sit here to be shot. We have actually not been doing what we should have been doing because of the Majority Leader.

(Laughter)

Yes. Today is the beginning.

POINT OF ORDER

Majority Leader (Hon. Mwonga): Mr. Speaker, the chairman is agreeing with me that there are chairs; I did not say all the chairs Mr. Speaker, there are chairpersons who are not doing

their duty. Mr. Speaker, he is confirming by saying there are things we should have done but we don't do because of the Majority Leader.

Mr. Speaker I am not a CEC neither a CO. I want to remind him there are even COs who cannot pick my calls and Mr. Speaker, you know I cannot go on shooting. If they start the shooting, Mr. Speaker, I will know what to do. Thank you.

(Laughter)

Hon. Speaker: Yes, conclude your point.

Hon. Ngunzi: So I am saying finally Mr. Speaker that we will now do our duty as chairmen. Censure motions will be here in plenty. Let us not see anybody here protect another. What this House will come up with is what you will bite the bullet by your mouth. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Ngunzi, I don't know why you are threatening the Majority Leader. You should address the Chair.

Hon. Ngunzi: Mr. Speaker, we are threatened by the Majority Leader; he says he must show members to throw out the chairmen; he began by threatening the chairpersons. If I have to apologize, Mr. Speaker, the Majority Leader will have to do so first.

Hon. Speaker: Thank you, point taken.

POINT OF INFORMATION

Majority Leader (Hon. Mwonga): Mr. Speaker, I am not apologetic of what I said because we cannot sit here and have some chairpersons, I don't know why the Hon. Chairperson is thinking he is one of those chairpersons I am talking about, Mr. Speaker. I am not apologizing, Mr. Speaker; what I am trying to say is to urge the members of various committees, if you have an ineffective chairperson, they know what they should do with that chair. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. I think it is important the house to know that chairs sit in the committees in the position of a Speaker and that they have the powers of the High Court. We cannot understand a situation where you tell us that a CEC member is not attending. If a notice is disobeyed, then that person can be prosecuted even in a criminal process and my office is willing to assist a lot in that. But let us hear more.

Hon. Michael Mutuku: Thank you, Mr. Speaker, Sir, and the house at large. Mr. Speaker, Sir, I need to say I am also supposed to give a report on a statement which was sought by Hon. Maitha in line with decentralized units and I would like to say, the office of the Clerk wrote to the ministry concerned or the department concerned---

Hon. Speaker: Let me understand, are you contributing to the matter at hand or you are giving your response?

Hon. Mutuku: I wanted to give my response.

Hon Speaker: Then you are out of order in the mean time. Please be seated. Let us hear Hon. Timothy.

Hon Timothy Kilonzo: Thank you Mr. Speaker. Mr. Speaker, I wonder, our chairmen are able and they have gone to look for the information several times and I want to warn them, we have the National government in the National Assembly, chairmen of various committees eating the chicken. Mr. Speaker, these chairmen should make efforts to get the reports, otherwise Mr. Speaker, we shall suspect them of eating the chicken.

(Laughter and applause)

Hon. Speaker: Alright. I am struggling to understand what you mean by eating the chicken maybe for the sake of our audience.

Hon. Kilonzo: Mr. Speaker it is just a baptismal name given to bribers or being bribed.

Hon. Geoffrey Munyao: Thank you Mr. Speaker, Sir. I think this is a good day for this Hon. House for the good debate we are going through. Mr. Speaker, I think I am one of the Hon. Members who have very much been frustrated by the Executive. Mr. Speaker, the department of decentralized units has to censure the CO as soon as yesterday. We are very much frustrated by that CO. Every now and then, I am calling the CO..... Mr. Speaker, protect me.

Hon Speaker: You are protected.

Hon Munyao: Mr. Speaker I tried to call the CO under Decentralized units; I have even gone there several times, seeking statements which have been sought in this House and Mr. Speaker all are in vain.

POINT OF INFORMATION

Hon. Gideon Kavuu: Mr. Speaker, I am surprised because there is the chairman of Decentralized Units here, and that member is talking as if he is the chairman. I want to know---

(Loud consultations)

Hon Speaker: Order Hon. Members

Hon. Kavuu: Mr. Speaker, there is one of us who said that our chairmen have no powers or they are not doing their work. It seems that the chairman of that vice chairman is not able, if he is not able i request now to give that vice chairman the mandate to be questioning the things pertaining Decentralized Units. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. I think Hon. Kavuu is properly wondering. You ought to have told us whether you were acting as the chair at the time and the chair was away.

Hon. Munyao: Thank you Mr. Speaker. Our chairman mind you has been away for this exercise of the PIC and PAC so I have been representing him as his Deputy to do the necessary duties.

Hon Speaker: Thank you. Proceed.

Hon Munyao: So Mr. Speaker, on this matter, the Decentralized Units which you know very well does a lot in the government has frustrated the committee and Mr. Speaker because we were trying to see if the CECs can change, I think the Majority Leader has given us a good guideline on how we are going to go about it.

Majority Leader (Hon. Mwonga): Mr. Speaker, I want to make some clarifications. When I said the chairmen should take charge of their committees, Mr. Speaker, I did not say this is the time for them to know that they should be bringing censure motions. You don't need to wait to be bitten so that you can bite, Mr. Speaker. I think my point was very clear and that is why I said I have no apologies to make. I said the chairs should be in charge of their committees Mr. Speaker.

This morning, some chairpersons were in my office and they didn't know that they were to issue statements today. It is after I asked them, Mr. Speaker, that they started running up and down going to the Clerks and asking whether there are statements, Mr. Speaker.

Mr. Speaker if we were holding this session in camera and I would wish we do so, so that I can say many things about these chairpersons and some members of these committees. Mr. Speaker, I would beg and propose if I am going to get a seconder, I propose we hold this

session, Mr. Speaker, so that we can know what is happening with the chairpersons and the CECs and the COs. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. There is a request that we convert into camera, but the Speaker refuses. Let us proceed. Let us hear Hon. Ndolo at the back.

Hon Philip Ndolo: Thank you Mr. Speaker. These statements were requested long time ago and they really hurt us especially elected members; they have very vital information that we should get them. Mr. Speaker, I would also like to support the Majority Leader. When a chairman stands here and says that the COs are not working, he should present a document supporting the issue.

Last week, finance chairman was having vital documents supporting his request from the COs offices, so Mr. Speaker, when you say that you have been talking to COs, can you show us a document that you requested for that report and it is not answered. Thank you, Mr. Speaker.

Hon Speaker: Thank you. I think at that point we can hear what that Hon. Member is saying and that is also the position I was to take. That if a chairman is not ready with a report, he should stand before the House and begin by saying ‘I received this question on this date, I requested for this statement this date and this other date’ and table those other documents before us, then at that time we will be able to interrogate why he never used his other powers of compelling this particular CEC member, then thereafter we can discuss the other options, and that is what I will urge the chairs to do. In the mean time we can hear the report by Hon. Mutuku. Let us see whether it is ready also.

STATEMENT ON COUNTY INSPECTORATE OPERATIONS REPORT

Hon. Mutuku: Thank you Mr. Speaker and the entire House. Mr. Speaker, Sir, a statement was sought by Hon. Maitha in line with the county inspectorate operations report. Mr. Speaker, I would like to say a request was made through the Office of the Clerk and we have been awaiting a response from the CO concerned.

Mr. Speaker, I would like to say it is true the committees have powers, but we have been issuing summons or requests in futility, and as a chair of that committee, I would like you to advice this Hon. House on the other means of compelling. If it is like sending theprotect me, Mr. Speaker.

Hon Speaker: Order Hon. Members. Allow the chairman to proceed.

Hon. Mutuku: There is a difference of saying we have powers but we cannot enforce them; there is a challenge of enforcing them because the only way we can say is to tell the Clerk to write a letter to the CEC, who may even decide not to reply the letter because I think we have

not even received a reply from the CO of the decentralized units. Now two to three weeks are actually over since we wrote a letter to him.

Personally as a chair, I have tried to call him for a follow up but I have not received a reply on the same. With those few remarks, I would like Mr. Speaker to be given more time so that we can continue waiting for the report. Thank you.

Hon. Nzoka Munywoki: Thank you Mr. Speaker, Sir. In fact we are now convinced that there is a problem between the CECs and the chairmen. What I do request is, these chairmen and vice chairs should be taken to an induction course to know the system of approaching the issues when they are at a corner.

Can they bring what they have then we tame the CECs in the House. Let the chairmen bring the documents as it has been said, his correspondence with that office and then he says from there, 'I request the House to take over.' Then we censure these people, we will just call them here and do it within two days we shall have cleared those offices and we have people for the Machakos county people. Thank you.

Hon. Speaker: Let me hear somebody who has not spoken today.

POINT OF INFORMATION

Hon. Veronica Mbithe: Thank you Mr. Speaker, Sir. This is a point of information to the chairman, decentralized units. I think the chairman did not consult with the Vice Chairman because as a member of that committee, I have information that a letter from the CEC was already written, urging the committee to hold on until they receive full details from the Ministry of Devolution that was handed over all the things that we needed to get. So the letter is there; there is communication. Thank you Mr. Speaker, Sir.

Hon. Speaker: Let us hear the Chair. I think that is a very worrying situation, Mr. Chairman.

Hon. Mutuku: Thank you Mr. Speaker. I would like to say, the issue the Hon. Member is trying to clarify is different with what Hon. Maitha requested. Hon. Maitha requested the issue of County Inspectorate Operations Report; she is talking about the report concerning the assets and liabilities of the Machakos county. Those are two different things. Thank you so much.

Hon Speaker: Thank you. Well I think that is okay. We only have an extra five minutes to wrap up.

Hon Kathinzi: Thank you Mr. Speaker for that chance to contribute towards this

particular issue. Mr. Speaker, once upon a time I was a chairperson of the Health Committee.

(Laughter)

And I can confirm to this House that there is a matter that came before that committee and we wrote three requests to the CEC health sector, but there was no response at all, none. In fact the last one, she wrote a letter saying that she had gone to Aga Khan; I came to your office, you called her and she said she is Nairobi Hospital.

So these two contradicting statements show that there is a big gap between the operations which our chairs are passing through and the CEC and also to remind the Majority Leader that it is his duty to make sure that the operations under the hands of the chairs is as comfortable the same way he is fighting for the government on the other side.

(Applause)

You are handling two kids, one side the Assembly and the other side you have the CECs. So when you are saying you are going to act on the misappropriation of offices by the chairs, then that means you are leaning on one side. Then you need to be apologetic to these chairs, they have been supporting you even when things are not working.

So Mr. Speaker, I suggest what *msheshimiwa* Nzoka has said, let this Assembly take two weeks to take these chairs and vice chairs for induction training for better operations of this particular house. We don't want shaming reports in this House, Mr. Speaker. Thank you.

Hon Speaker: Thank you very much. We can hear Kamitu then we close with the Majority Leader. I think the statement hour is concluded.

Hon Alex Kamitu: Thank you Mr. Speaker, Sir. I want to drive a point in regard to what our Majority Leader has said. He is the Majority Leader who is also supposed to give advice, to give information from this House to the Executive, and the implication is, the way our Majority Leader has said is like the Executive are not aware of the correspondence, or things that are being discussed in this House.

I am saying this on the strength of what our Minority Leader has said and I am wondering, members are talking as if they are not members of various committees and the problem we are getting from all those various committees is that there is no communication. Things are discussed in this House and there is no communication from the Executive. So what are we saying? We are going to sharpen our swords, we are not going to wait any longer now because things have got to move and things have got to be implemented by the Executive.

So Mr. Speaker, the indication, on a very frank note, the indication is that we are making a lot of correspondence from this Hon. House to the Executive and they are not doing anything. So what are we supposed to do, it is only now to sharpen our swords because the war-cry has sounded. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. Let us hear Hon. Matheka and now you can conclude.

Hon. Matheka: Thank you Mr. Speaker, Sir, and the House at large. Mr. Speaker, Sir, a lot has been said in this House and today I will not wonder. Today Mr. Speaker, Sir I will take a rare direction; the Majority Leader is very right and for the first time, I tell him he is very right and to follow that route.

Mr. Speaker, Sir, I see failure in two leaders, the Minority Leader has been sleeping on his job; he is the one who is supposed to push the government but he is working under the Majority Leader helping the Majority Leader to do his job.

POINT OF ORDER

Minority Leader (Hon. Kasoa): Mr. Speaker, the member should not discuss about somebody in a motion. Can he go direct to what he is saying?

Hon Speaker: Thank you. The point of order is upheld unless you are addressing a matter different than the conduct of the Leader of Minority.

Hon Matheka: I am not discussing any person but I am talking of an office.

Hon Speaker: You are out of order. Let us proceed.

Majority Leader (Hon. Mwonga): Mr. Speaker, as I wind up I want to start by thanking the Hon. Member for Kivaa, Alex Kathinzi. Mr. Speaker, I am very much happy that he is referring to me as the Leader of Majority and it is only two weeks ago when he was referring to me as the MCA, Masinga Central, Mr. Speaker.

I think now he has seen the light at the end of the tunnel. Mr. Speaker, I also want to advice him, my position of chairman, let him not use my position on the chairs as a campaigning tool in the future, Mr. Speaker. Mr. Speaker, he is a friend and a neighbor. Mr. Speaker, I want to thank all the members who have contributed and they have categorically supported my position that we should have chairpersons who are in charge of their committees.

Mr. Speaker, any member or chair of a committee to come before this House and just say

I made just a communication and there are no supporting documents as Hon. Member for Mitaboni said, Mr. Speaker, that is null and void. So Mr. Speaker, let us forget about the past and let us have chairs doing their work in the right way. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. Hon Members we conclude the statement hour by saying that next week I direct that the Chair of Chairs delivers a report on the progress of all the chairs to the House for debate. That will be communicated to him; it is expected that that report be presented to the House on Thursday next week. Let us proceed, Clerk.

MOTION

NOMINATION TO COMMITTEES AND BALANCING OF MEMBERSHIP

Majority Leader (Hon. Mwonga): Mr. Speaker, Sir, aware that the committee on Selection is mandated to nominate members to serve in committees pursuant to Standing Order Number 152 (2); further aware that this committee retreated to Mombasa on 26th February to 1st March 2015 and again on 11th to 14th March, 2015 this year to fulfill this mandate; aware that committees enable the Assembly to operate more effectively on issues such as interrogating matters that fall within specific mandates as specified in the Standing Orders, noting that on 11th February 2015, this Hon. House approved amended Standing Orders to establish a new committee on Devolution And Intergovernmental Relations, considering that the committees form the engine for generation of Assembly business, I wish to move the motion that this Hon. House discusses and approves the report on nomination of members to various committees and balancing of membership and I call upon the vice chair of the Committee on Selection, Hon. Leader of Minority to second my motion, Mr. Speaker.

Minority Leader (Hon. Kasoa): Thank you Mr. Speaker. I stand to second this report. Mr. Speaker, it is true that this committee a week ago went to Mombasa to align and balance members to various committees of this Assembly. Mr. Speaker, you are aware we had members with more committees than others and we felt it better as the Selection committee to have equal membership so that all members can benefit from the eight sittings in a week. So Mr. Speaker, I stand here to second this report. Thank you very much.

Majority Leader (Hon. Mwonga): Mr. Speaker, I beg to walk through the report with the house with your permission.

Hon. Speaker: Perhaps before you walk through the report, I don't know what the Minority Leader said in support of the matter. I don't know, you said that the distribution is being done for members to benefit or members to participate in committees?

Minority Leader (Hon. Kasoa): I confirm Mr. Speaker, to participate in various committees of the House.

Hon. Speaker: Let us proceed.

Majority Leader (Hon. Mwonga): Thank you Mr. Speaker. On the cover page, we have the task of this committee: nomination of members to various committees and balancing on committee membership.

Introduction

1.1 Preface

Mr. Speaker Sir, the Committee on Selection retreated to Mombasa on 26th February to 1st March 2015 and 11th to 14th March to nominate members to the Assembly Broadcasting and Library Committee and Devolution and Intergovernmental Relations committee pursuant to Standing Order 222 and amendment to the Assembly Standing Orders which the House approved on February 11th, 2015.

Mr. Speaker Sir, during the retreat the committee also considered balancing membership in committees so as to have members in at least three committees which meet frequently.

1.2 Mandate Of The Committee

Mr. Speaker Sir, the Committee on Selection is established pursuant to the Standing Order 152 (1) and its mandate spelt out in Standing Order 152 (2) “The Committee on Selection shall nominate members to serve in Committees, save for the membership of the House Business Committee and Committee on Appointments”.

2.0 Committee Composition

Mr. Speaker Sir, the committee has thirteen (13) Honorable members as listed:-

- | | |
|----------------------------|----------------------------------|
| 1. Hon. Joshua K. Mwonga | - Majority Leader/Chairman |
| 2. Hon. Thomas M Kasoa | - Minority Leader/V. Chairperson |
| 3. Hon. Renson N Muthiani | - Member |
| 4. Hon. Timothy Kilonzo | ” |
| 5. Hon. Brigid Kitili | ” |
| 6. Hon. Christine Mwendu | ” |
| 7. Hon. Rachael Nduku | ” |
| 8. Hon. Charles Mutisya | ” |
| 9. Hon. Veronica Mbithe | ” |
| 10. Hon. Alphonse Wambua | ” |
| 11. Hon. Benson Kasyoka | ” |
| 12. Hon. Ruth Ndumi | ” |
| 13. Hon. Catherine Nguluku | ” |

3.0 Committee Retreat

Mr. Speaker, Sir, the committee guided by Standing Order 154 (1); “ In nominating Members to serve on a select committee, the Selection Committee shall ensure that the membership of each committee reflects the relative majorities of the seats held by each of the Assembly parties in the Assembly” nominated and balanced membership in committees.

Mr. Speaker Sir, the committee also made the following guidelines to assist in the balancing the membership:-

- That each Honorable member to have at least three committees.
- That the committee on Appointment and Committee on Selection shall not be considered in getting the total number of committees a member has since they do not meet often.
- Those committees which a member holds by virtue of his position such as Liaison (Chairpersons), Procedure and Rules (Chairperson of Committees) and House Business (Leaders of Majority and Minority, Whips and Chairperson of committees) shall not be considered in getting total number of committees a member holds.
- That some members would be moved from one committee to another during the balancing process.

3.1 Nomination of Members to New Committees

Mr. Speaker Sir, the following members were nominated to serve in the Assembly Broadcasting and Library Committee pursuant to Standing order 222(3);

Assembly Broadcasting and Library Committee

1. Hon. Bernard Mung'ata - Chairperson
2. Hon. Joshua Mwonga
3. Hon. Nathaniel Nganga
4. Hon. Penina Kaluki
5. Hon. Mary Ndinda

Mr. Speaker Sir, the following members were nominated to serve in the Devolution and Intergovernmental Relations Committee as per the report presented by the committee on Procedure and Rules on amendments of the standing orders;

Devolution and Intergovernmental Relations Committee

1. Hon. Charles Mutisya
2. Hon. Brigid Kitili
3. Hon. Thomas Kasoa
4. Hon. Timothy Kilonzo
5. Hon. Wilson Kasimu
6. Hon. Rachael Nduku
7. Hon. Renson Muthiani

3.2. Reduction of Number of Committees

Mr. Speaker Sir, so as to ensure that each member had at least three committees, some hon. members had to relinquish committees as follows:-

S.N	MEMBER	COMMITTEE
1.	Hon. Cecilia Sereka	Delegated County Legislation
2.	Hon. David Manyolo	Committee on Appointment
3.	Hon. John Sila	Environment, Land, Energy and Natural Resources
4.	Hon. Joseph Itumo	Culture and Tourism
5.	Hon. Joseph Muli	Decentralized Units and Urban Areas
6.	Hon. Joseph Kalunde	Delegated County Legislation
7.	Hon. Margaret Ndalana	Youth, Sports and Women
8.	Hon. Peter Nzioki	Culture and Tourism
9.	Hon. Rachael Nduku	Labour, Public Service and ICT
10.	Hon. Timothy Kilonzo	Delegated County Legislation
11.	Hon. Wilson Kasimu	Environment, Land, Energy and Natural Resources
12.	Hon. Nathanael Nganga	Culture and Tourism
13.	Hon. Charles Mutisya	Agriculture and Cooperative Development

Mr. Speaker, there is a member who is disturbing me. They are conversing in high tones, Mr. Speaker.

Hon. Speaker: Proceed, I am on the lookout.

3.2. Increase in Number of Committees

Majority Leader (Hon. Mwonga): Mr. Speaker Sir, hon. members with few committees were added committees as follows:-

S.N	MEMBER	COMMITTEE
1.	Hon. Peter Nzoka	Delegated County Legislation

2.	Hon. Alice Nzioka	Decentralized Units and Urban Areas
3.	Hon. Amina Mutio	Environment, Land, Energy and Natural Resources
4.	Hon. Benedette Mueni	Education and Social Welfare
5.	Hon. Benson Kasyoka	Delegated County Legislation
6.	Hon. Brigid Kitili	Environment, Land, Energy and Natural Resources
7.	Hon. Cornelius Kitheka	Environment, Land, Energy and Natural Resources
8.	Hon. Festus Ndeto	Culture and Tourism
9.	Hon. Francis Matheka	Culture and Tourism
10.	Hon. Jacinta Luka	Youth, Women and Sports
11.	Hon. Justus Katumo	Decentralized Units and Urban Areas
12.	Hon. Benson Kasyoka	Trade, Planning and Industrialization
13.	Hon. Mary Ndinda	Finance and Revenue Collection
14.	Hon. Veronica Mbithe	Agriculture and Cooperative Development

Mr. Speaker, Sir, as a result of the nomination and balancing in the above committees, some members were moved to other committees as tabulated below: -

S.N	MEMBER	FROM	TO
1.	Hon. Magdalene Ndawa	Implementation	Culture and Tourism
2.	Hon. Dominic Maitha	Environment, Land, Energy and Natural Resources	Implementation
3.	Hon. Collins Mbithi	Education and Social Welfare	Delegated County Legislation
4.	Hon. Phoebe Koki	Trade, Planning and Industrialization	Youth, Women and Sports
5.	Hon. Gideon Kavuu	Justice and Legal Affairs	Labour, Public Service and ICT
6.	Hon. Leonard Katela	Youth, Women and Sports	Committee on Appointment
7.	Hon. Joshua Mwonga	Decentralized Units and Urban	Assembly Broadcasting and Library

		Areas	
8.	Hon. Collins Mbithi	Trade, Planning and Industrialization	Culture and Tourism
9.	Hon. Benedette Mueni	Finance and Revenue Collection	Youth, Women and Sports
10.	Hon. Alice Nzioka	Finance and Revenue Collection	Justice and Legal Affairs
11.	Hon. Jacqueline Nziva	Implementation	Finance and Revenue Collection
12.	Hon. Rachael Nduku	Culture and Tourism	Trade, Planning and Industrialization
13.	Hon. Ruth Ndumi	Agriculture and Cooperative Development	Environment, Land, Energy and Natural Resources
14.	Hon. Peter Nzoka	Environment, Land, Energy and Natural Resources	Agriculture and Cooperative Development

4.0 Recommendations

Mr. Speaker Sir, the committee urges the House to approve the nomination of members to the various committees and balancing of membership as outlined above. Mr. Speaker, sir, this report was approved by the committee members as shown below, save for Hon. Ruth Ndumi who is out of the country, Mr. Speaker and was when we were compiling this report, Mr. Speaker. Thank you Mr. Speaker, Sir,

Mr. Speaker, I seek your permission to go through the composition of these committees, Mr. Speaker.

Hon. Speaker: Maybe you can take a moment for your glass of water.

Majority Leader (Hon. Mwonga): Thank you..... Mr. Speaker, I want to go through all committees of this Hon. House, Mr. Speaker. We have select committees, Mr. Speaker.

House Business Committee

1. Hon. Bernard Mung'ata - Speaker
2. Hon. Joshua K Mwonga - Majority Leader
3. Hon. Thomas Mweu - Minority leader
4. Hon. Nathaniel Nganga - Chairperson of Committees
5. Hon. Timothy Kilonzo - Majority Whip
6. Hon. Alex Kamitu - Minority Whip
7. Hon. Gideon Soul Kavuu - Member

- | | | |
|--------------------------|---|---|
| 8. Hon. Philip Ndolo | - | “ |
| 9. Hon. Dominic Maitha | - | “ |
| 10. Hon. Joseph Kilonzo | - | “ |
| 11. Hon. Stephen Muthuka | - | “ |
| 12. Hon. Joseph Muli | - | “ |
| 13. Hon. Wilson Kasimu | - | “ |
| 14. Hon. Mary Ndinda | - | “ |
| 15. Hon. Anne W. Musyoki | - | “ |
| 16. Hon. Nina Mbithe | - | “ |
| 17. Hon. John Sila | - | “ |

Budget and Appropriation Committee Members

- | | |
|--------------------------------|------------------|
| 1. Hon. Isaac M Muinde | - Chairman |
| 2. Hon. Rachael Nduku Ndambuki | - V/ Chairperson |
| 3. Hon. Charles Mutisya | |
| 4. Hon. Wilson Mutiso | |
| 5. Hon. John M Sila | |
| 6. Hon. Renson Muthiani | |
| 7. Hon. Sammy Nduva | |
| 8. Hon. Christine Mutune | |
| 9. Hon. Ruth Ndumi | |

County Assembly Procedure and Rules Committee

- | | |
|--------------------------|---------------|
| 1. Hon. Speaker | - Chairman |
| 2. Hon. Nathaniel Nganga | - V/ Chairman |
| 3. Hon. Felix Ngui | |
| 4. Hon. Cecelia M Sereka | |
| 5. Hon. Joseph M. Muli | |

Committee on Selection

Mr. Speaker, I had gone through the membership of that committee so I will go straight to the liaison committee and Mr. Speaker, the liaison committee members are members of that committee by virtue of being chairs, Mr. Speaker and they are known to these Members Mr. Speaker, so let us skip that one and I go straight to County Public Investments and Accounts Committee.

County Public Investment and Accounts Committee

- | | |
|--------------------------|---------------|
| 1. Hon. Joseph Kalunde | - Chairman |
| 2. Hon. Margaret Ndalana | - V/ Chairman |

3. Hon. Michael M Mutuku
4. Hon. Winston Kanui
5. Hon. Anne Musyoki

Mr. Speaker, I don't know whether the Speaker's panel is a committee Anyway it is in our report and I will read it.

Speaker's Panel

1. Hon. Cecilia Sereka
2. Hon. Jacqueline Munyao
3. Hon. Bibiana Nduku
4. Hon. Raphael Mutuku

Committee on Appointment

- | | | |
|--------------------------|---|-----------------|
| 1. Hon. Bernard Mung'ata | - | Speaker |
| 2. Hon. Joshua K Mwonga | - | Majority Leader |
| 3. Hon. Thomas Mweu | - | Minority leader |
| 4. Hon. Timothy Kilonzo | - | Majority Whip |
| 5. Hon Alex Kamitu | - | Minority Whip |
| 6. Hon. Leonard Katela | - | “ |

Implementation Committee

- | | | |
|---------------------------|---|----------------|
| 1. Hon. Alphonse Wambua | - | Chairman |
| 2. Hon. Catherine Nguluku | - | V/ Chairperson |
| 3. Hon. Collins Mbithi | | |
| 4. Hon. Edrick M Ngunzi | | |
| 5. Hon. Alex Kamitu | | |
| 6. Hon. Dominic Maitha | | |
| 7. Hon. Peter Nzioki | | |
| 8. Hon. Nathanael Nganga | | |
| 9. Hon. Winston M Kanui | | |
| 10. Hon. Penina Kaluki | | |
| 11. Hon. Margaret Ndalana | | |
| 12. Hon. Benedette Mueni | | |
| 13. Hon. Raphael Mutuku | | |

Committee on Delegated County Legislation

- | | | |
|------------------------|---|----------|
| 1. Hon. Peter Nzioki | - | Chairman |
| 2. Hon. Benson Kasyoka | | |

3. Hon. Collins Mbithi
4. Hon. Cornelius Kitheka
5. Hon. Alex Kathinzi
6. Hon. David Manyolo
7. Hon. Joseph Kilonzo
8. Hon. Peter Nzoka
9. Hon. Leonard Katela
10. Hon. Geoffrey M Munyao
11. Hon. Justus K Kimata
12. Hon. Kyalo Kyuli
13. Hon. Bibiana Nduku

Sectoral Committees

Agriculture and Cooperative Development

1. Hon. Joseph Muli Musyoka - Chairman
2. Hon. Phillip Ndolo - Vice Chairperson
3. Hon. Isaac Muinde
4. Hon. Gideon Kavuu
5. Hon. Kyalo Kyuli
6. Hon. Veronica Mbithe
7. Hon. Wilson Mutiso Kasimu
8. Hon. Geoffrey Munyao
9. Hon. Joshua Mwonga
10. Hon. Nina Mbithe Mutiso
11. Hon. Peter Nzoka
12. Hon. Catherine Nguluku
13. Hon. Festus Ndeto

Health and Emergency Services

1. Hon. Cecilia Sereka - Chairman
2. Hon. Mary Ndinda - V/ Chairperson
3. Hon. Winston Kanui
4. Hon. Kyalo Kyuli
5. Hon. David Kiviu Manyolo
6. Hon. Magdalene Ndawa
7. Hon. Edrick Mutua Ngunzi
8. Hon. Thomas Mweu Kasoa
9. Hon. Stephen Muthuka
10. Hon. Sammy Nduva

11. Hon. Joseph Kalunde
12. Hon. Amina Mutio
13. Hon. Peninah Kaluki

Culture and Tourism

1. Hon. Winston Kanui - Chairman
2. Hon. Bendette Mueni - Vice Chairperson
3. Hon. John Sila
4. Hon. Magdalene Ndawa
5. Hon. Collins Mbithi
6. Hon. Timothy Kilonzo
7. Hon. Justus Kyalo Kimata
8. Hon. Leonard Wambua Katela
9. Hon. Alphonse Wambua
10. Hon. Festus Ndeto
11. Hon. Francis Matheka
12. Hon. Alex Kathinzi
13. Hon. Veronica Mbithe

Transport and Public Works

1. Hon. Felix Ngui - Chairman
2. Hon. Penina Kaluki - Vice Chairperson
3. Hon. Timothy Kilonzo
4. Hon. Rachael Nduku
5. Hon. Michael Mutua Mutuku
6. Hon. Isaac Muinde
7. Hon. Dominic Maitha
8. Hon. Nathanael Nganga
9. Hon. Joseph Kalunde
10. Hon. Oliver N. Munyaka
11. Hon. Thomas Mweu Kasoa
12. Hon. Christine Mwendu Mutune
13. Hon. Jacqueline Nziva

Trade, Planning and Industrialization

1. Hon. Sammy Nduva - Chairman
2. Hon. Ruth Ndumi - V/ Chairperson
3. Hon. Gideon Kavuu
4. Hon. Joshua Mwonga
5. Hon. Philip Ndolo
6. Hon. Cecilia Sereka

7. Hon. Rachael Nduku
8. Hon. Cornelius Musyoka Kitheka
9. Hon. Francis Matheka
10. Hon. Alex Kamitu
11. Hon. Stephen Muthuka
12. Hon. Nina Mbithe
13. Hon. Benson Kasyoka

Education and Social Welfare

1. Hon. David Manyolo -Chairman
2. Hon. Christine Mwendu -V/ Chairperson
3. Hon. Peter Nzioki
4. Hon. Charles Mutisya
5. Hon. Justus Kimata
6. Hon. Benson Kasyoka
7. Hon. Oliver Nzeki
8. Hon. Renson Muthiani
9. Hon. Joseph Kalunde
10. Hon. Alice Mukonyo Nzioka
11. Hon. Phoebe Koki
12. Hon. Benedette Mueni
13. Hon. Nzoka P. Munywoki

Labour, Public Service and ICT

1. Hon. Leonard Katela - Chairman
2. Hon. Renson Muthiani - V/ Chairperson
3. Hon. Alex Kathinzi
4. Hon. Alex Kamitu
5. Hon. Felix Ngui
6. Hon. Gideon Kavuu
7. Hon. Francis Matheka
8. Hon. Sammy Nduva
9. Hon. Justus Katumo
10. Hon. Catherine Mbithe Nguluku
11. Hon. Bibiana Nduku
12. Hon. Phoebe Koki Malwa
13. Hon. Anne Wairimu Musyoki

Justice and Legal Affairs

1. Hon. Joseph Itumo - Chairman

2. Hon. Justus Kyalo Kimata - V/ Chairperson
3. Hon. Alphonse Wambua
4. Hon. Alice Nzioka
5. Hon. Alex Kamitu
6. Hon. Joseph Muli
7. Hon. Benson Kasyoka
8. Hon. Festus Ndeto
9. Hon. Jacinta Luka
10. Hon. Brigid Kitili
11. Hon. Raphael Mutuku
12. Hon. Justus Katumo
13. Hon. Veronica Mbithe

Environment, Land, Energy and Natural Resources

1. Hon. Edrick Mutua Ngunzi - Chairman
2. Hon. Jacqueline Nziva - V/ Chairperson
3. Hon. Ruth Ndumi
4. Hon. Amina Mutio
5. Hon. Charles Mutisya
6. Hon. Brigid Kitili
7. Hon. Isaac M. Muinde
8. Hon. Magdalene Ndawa
9. Hon. Thomas M. Kasoa
10. Hon. Margaret Ndalana
11. Hon. Cecilia Sereka
12. Hon. Cornelius Kitheka
13. Hon. Jacinta Luka

Decentralized Units and Urban Areas

1. Hon. Mutuku Mutua - Chairman
2. Hon. Geoffrey Munyao - V/ Chairman
3. Hon. Timothy Kilonzo
4. Hon. Joseph Itumo
5. Hon. Veronica Mbithe
6. Hon. Alice Nzioka
7. Hon. Alphonse Wambua
8. Hon. Justus Katumo
9. Hon. Ruth Ndumi
10. Hon. Wilson M. Kasimu
11. Hon. Bibiana Nduku
12. Hon. Amina Mutio

13. Hon. Brigid Kitili

Finance and Revenue Collection

1. Hon. Oliver Nzeki - Chairman
2. Hon. Bibiana Nduku - V/ Chairperson
3. Hon. Peter Nzioki
4. Hon. Raphael Mutuku
5. Hon. Mutuku Mutua
6. Hon. Edrick Ngunzi
7. Hon. Nathanael Nganga
8. Hon. Felix Ngui
9. Hon. David K. Manyolo
10. Hon. Margaret Ndalana
11. Hon. Phillip Ndolo
12. Hon. Mary Ndinda
13. Hon. Jacqueline Nziva

Youth, Women and Sports

1. Hon. Raphael Mutuku - Chairman
2. Hon. Nina Mbithe - V/ Chairperson
3. Hon. Rachael Nduku
4. Hon. Penina Kaluki
5. Hon. Catherine M. Nguluku
6. Hon. Benedette Mueni
7. Hon. Christine M. Mutune
8. Hon. Geoffrey Munyao
9. Hon. Renson Muthiani
10. Hon. John Sila
11. Hon. Jacinta Luka
12. Hon. Mary Ndinda
13. Hon. Phoebe Koki

Devolution and Intergovernmental Relations

Mr. Speaker, I think I had gone through the membership of these two committees. Before I resume my seat, the members will realize that I and my committee did our best to have harmony in the Assembly, Mr. Speaker. Mr. Speaker, I would like to quote a wise saying which says, to be rich is not what you have in your bank account but what you have in your heart, Mr. Speaker.

Mr. Speaker, considering what this committee has done, I want to say members of this committee are rich in their hearts, Mr. Speaker.

Mr. Speaker, when we were adjourning the Assembly for the Christmas recess, I made a passionate and reconciliation speech in this Hon. House and the committee put this into consideration and that is why we had some members in one committee, others in two committees and now those members who have lesser committees are in three committees.

Mr. Speaker, as I seat I would urge these Hon. Members to approve the committees as they are, Mr. Speaker. Thank you.

Hon. Speaker: Thank you very much. Let us take contributions now.

Hon. Alex Kathinzi: Thank you Mr. Speaker. I would like to congratulate the Majority Leader for a good report but I don't want to speak much about this report because it is the responsibility of that particular committee to give us and accept the report as it is. But Mr. Speaker, I would like to go to the speaker's panel membership that is page two.

Also go to the circular from Sarah Serem because we are here as members and in regard to this particular committee composition, with me I have a copy which we were given from the office of Sarah Serem in terms of the responsibility allowances for the members. You find that, all these members of that particular committee (Speaker's panel), are all chairs and vice chairpersons of various committees and they have allowances, Mr. Speaker.

On the same note, if I go to number five on the leadership levels, members of the speaker's panel have a monthly allowance of Kshs 20,000. Bearing in mind there is no member who can be given two allowances in the same period, I humbly request that particular committee led by our Majority Leader to kindly try to revisit that position of these members and allocate other members who do not have allowances in this particular house, Mr. Speaker.

So that is my personal plea and if it is possible, they do the necessary adjustments because we are here as members and at least everybody to handle a certain docket and in this particular one I do not want to be put in that particular position, but I am saying as a matter of composition of these members, *Mheshimiwa* Sereka is a Chairperson, Health, Jacqueline Nziva is a vice, Bibiana is a vice, Raphael Mutuku is a chair of a certain committee, so I wonder whether during the payments of this particular house, whether they also get allowances from the Speakers' panel. So this is my concern Mr. Speaker. Thank you very much.

Hon Speaker: Hon members, while there, I want us to take the proper route. I am looking at Standing Order number 155 (2) , "*whenever a motion for approval of a list under paragraph one is moved in the house, no objection against the proposed membership of a member in a select committee shall be permitted and objections, if any, shall be formulated against the proposed membership as a whole.*"

So now you can guide us, are you objecting to the report? Because you realize that the Standing Orders are coached in a manner that debate on such a report is minimal.

Hon. Kathinzi: Thank you Mr. Speaker for your guideline. As you listened to me very carefully, it was my private personal plea to reconsider that because these are allowances which are planned for and Mr. Speaker, putting a point of information that we budgeted for these allowances when we came into this particular House: salaries and allowances for members. Kindly why we can't we have this particular committee revisit the same? So in totality I say I support but on the side I say they can reconsider these positions Mr. Speaker.

Hon. Speaker: Thank you. I think the point is made.

Hon. Philip Ndolo: Thank you Mr. Speaker for giving me this opportunity. I stand to support the work that was done by the Selection Committee with a few amendments. Mr. Speaker, Sir, on the committee of Devolution, 99 per cent of the members are the members of selection committee, so I just wonder, did they just consider themselves for this newly formed committee? Thank you.

Hon. Speaker: I don't know whether you heard the provision that I read. Let us guide ourselves properly.

Hon. Kitheka: Thank you Mr. Speaker. According to the standing orders of which you have vividly read to this house 155 (2), I think a member should not stand on defense, but should stand and give a very clear report that I don't support this document because of this and that, and that is my position.

Hon Speaker: Yes. Thank you.

Hon. Kitheka: So Mr. Speaker, I wish to stand on such a position and say that I don't support the report because of the ambiguities which have been seen in the Speakers' panel and in that committee which has been said by that member. So my request is that the committee, I have seen, has given something which we can debate on and which is good but we have rejected it on those grounds; let them be given some time to go and correct that and we proceed on.

Mr. Speaker, I hope you will guide the members to reduce their weight; the seats are wearing in a very fast state. *(laughing)* So, Mr. Speaker, that is my take. Thank you.

Hon. Speaker: Thank you. That is the proper position to take; if you are objecting the report, then state your grounds and say you object and say you object to the report as a whole.

Hon. Matheka: Thank you Mr. Speaker, Sir, and the House at large. Mr. Speaker, I am in total disagreement with the report because of some few issues Mr. Speaker, Sir. One there is no social order in this report. Mr. Speaker, Sir, as you look at the speaker's panel, we have been here for two years; it is only one member in the speaker's panel who has been in your seat, where are the others. Is it that they cannot be in your seat or what is the order?

Mr. Speaker, I object on the point of the social order; I want to refer you to a famous movie in South Africa: one actor by the name Mary Masombuka said she was so oppressed by the white regime and she had to speak her mind and she said "one day, all this will come to an end".

Mr. Speaker, I say, one person cannot have five committees plus a responsibility allowance and another, three committees minus a responsibility allowance and we say it is in order; it is not in order. Socially Mr. Speaker, Sir, it is wrong, morally it is wrong and I am saying like Mary Masombuka, one day all this will come to an end.

Mr. Speaker, Sir, speaking from another point of view, it was very simple for the selection committee in Mombasa; same forest, different something; same something, different forest. Mr. Speaker, this report needs to be revisited and we be morally and socially upright and we be fair to one another. We are all human beings and we need the money.

Mr. Speaker, Sir, here it is not a matter of committees; I say it and I have said it again here, it is money. If somebody does not have responsibility allowance, they should be given at least four committees to attend. You cannot attend eight committees in a week unless you have four committees and four plenary.

Mr. Speaker, Sir, the committee on Selection need to go back, revisit the issue and give the members who have three committees at least four committees to attain eight sittings per week. Thank you Mr. Speaker, Sir.

Hon. Speaker: Thank you. Let us hear Hon. Dominic but let us restrain on debate.

Hon. Maitha: Mr. Speaker, I will request with your permission you allow members to express their opinions because this will help them in one way or the other relieve the pain or happiness that they have. I stand to oppose the report Mr. Speaker, and I would wish to say this, and this is my personal opinion, if it was not in the provision of the Standing Orders Mr. Speaker, as a person I would today have withdrawn in totality to participate in any committee; in totality.

I enjoy the salary that I have been given by Sarah Serem other than to sit down, watch things go haywire without anything. Nothing has been done to this report; the Hon. Majority

leader, who is the chairman of that selection committee, has said they balanced members who had at least two committees to have at least three committees.

As per me, there is nothing that has been done and even to make matters worse, I have been moved from the committee of Environment and Land which I really enjoy a lot Mr. Speaker, to the committee of Implementation where I don't want to go through the strain of following Chief Officers who don't want to perform.

Mr. Speaker, in the last two years I have changed more than ten committees. The Standing Orders are clear; once every committee is constituted they should last for three years. I see bias in this and I want to read the report by the Majority Leader. He is saying this in page 2: *“those committees in which a member holds by virtue of his position such as liaison, chairpersons procedure and Rules, Chairperson of committees and house business, leaders of majority and minority, whips and chairpersons of committees shall not be considered in getting total number of committees a member holds,”* yet he has confessed that at least every member should have three committees.

I am only in the committee of Implementation, after having been moved from the committee of agriculture and committee of transport. Is that fair? I have gone through this paper; the Majority leader himself, by virtue of the position he is holding, is having more than six committees. Not only him; others have got more than six to seven committees Mr. Speaker, as per this report. Is that fairness?

If it was not as per the provision of the Standing Orders, I would wish today, I would have withdrawn my support and participation in the committees in totality, Mr. Speaker. It is a report that needs to be rejected.

Hon. Speaker: Thank you. Hon. Chair, Budget.

Hon. Isaac Muinde: Mr. Speaker, I am not supporting this report particularly on the issue of creating the committee on Devolution and Intergovernmental Relations. Mr. Speaker, I wonder what the role of that committee will be, when we consider that there is a committee of Decentralized Units.

Hon. Speaker: Hon. Chairperson, you are out of order. That is a matter that was debated and passed in this House. Proceed on the next point.

Hon. Muinde: Yes Mr. Speaker, but this House make laws and repeal the laws because this is a House of order.

Hon. Speaker: Correct. The procedure is available in the Standing Orders; if you want that debate revisited, then the procedure is available.

Hon. Muinde: Thank you Mr. Speaker. I think I will follow what you have just said and make myself heard there.

Hon. Speaker: I take it that you had nothing more.

Hon. Muinde: Sure, my concern was that there is no order in creating two committees doing the same work.

Hon. Speaker: Okay.

Hon. Nzoka Munywoki: Thank you Mr. Speaker, Sir. I am not supporting this document on condition that we were expecting not to be moved from here to here. After you stay somewhere in a committee, you establish yourself. You know from there you shall be moving like this and you start studying on that committee, then when you are moved from here and there and this has been happening for long , we cannot concentrate and I don't want to sit in a committee just to be a statue.

Again you can see the Majority Leader here said, 'we have balanced and it is three each.' Is he correct? Is he here to cheat this House? Why don't you be straight? How can someone have more than five and then you tell us to say yes to the document? This is ambiguous. Thank you.

Hon. Speaker: Let us hear hon Anne at the back and then the mover of the motion.

Hon Anne Wairimu: Thank you Mr. Speaker, Sir. As the Standing Order says, it has to take three years for you to be moved from one committee to another. Mr. Speaker, by being removed from one committee to another, it does not make sense. You go to that committee, you don't understand what goes on; you have to do some orientation for you to fit in. For how long will this thing go on? Then you find you cannot participate, you cannot debate because you don't understand what is going on. Mr. Speaker, Sir, bring an end to this. Thank you, Sir.

Hon. Speaker: Let us hear the mover of the motion.

Majority Leader (Hon. Mwonga): Mr. Speaker, I think I was very clear when I said that this committee sat and the first thing which was in their mind was to increase membership of where members seat because there are some members, and I wonder why they are not appreciating Mr. Speaker, because there some members who were in one committee, others were

in two committees Mr. Speaker, and I have said, unless there is a mistake somewhere, no member is in less than three committees.

That is what I have said Mr. Speaker, and I have taken members through the membership of this committees. Mr. Speaker, I have heard Hon. Dominic Maitha say that I am in six committees. Mr. Speaker, I am in some of these committees by virtue of my position as the Leader of Majority. Tomorrow if he becomes the Leader of Majority, he will be automatically in those committees, so he cannot equate himself with me Mr. Speaker.

Mr. Speaker, the only committees I am in not by virtue of being the Leader of Majority are the committee of Agriculture; I relinquished my position in the committee of decentralized units for the interest of the members who were in one or two committees. The other committee I am in is the Committee of Planning and Agriculture. Mr. Speaker, these other committees he is talking of it is the House business committee, Appointment committee and Selection committee, Mr. Speaker.

Mr. Speaker, I have heard Hon. Wairimu say once members are in a committee, they should stay in that committee for three years. Mr. Speaker, that is not cast on stone. We have Standing Order number 156 (2) on discharge of a member from a committee which gives this committee room to have members moved from certain committees to other committees.

Supposing these members approve the list and the composition of these committees as they are today and tomorrow you get a communication from a whip of a certain party, what will happen? Will you say that we wait for three years? No. The Standing Orders are very clear. Automatically that member becomes a non member of that committee and that will occasion the Selection committee to sit and come up with another list of maybe two to three committees.

Mr. Speaker, on the issue of the Speaker's panel, I want to say it is an oversight; it should not be in this report. Mr. Speaker, that one should not be here because it is not a committee. Even when I was going through, when I saw it in the report, I had to stop going through the report Mr. Speaker. Mr. Speaker, I urge the members to approve these committees as they are and if they don't, the consequences are there.

This report will have to come here again after six months and some will continue being in one committee Mr. Speaker which is against my wish, Mr. Speaker.

Hon. Speaker: Order, Hon. Nzoka.

Majority Leader (Hon. Mwonga): My humble request is that the members approve the committees composition as they are and if Mr. Speaker these members have their leaders in this house Mr. Speaker, they can as well after this, consult with their leaders then they will know

what to do because Standing Order 156 gives room for the arrangement of these committees in the event that there is communication. Thank you, Mr. Speaker.

Hon. Speaker: I wanted first to hear from Hon. Anne; she said that members can only stay in a committee for three years. Guide us which Standing Order is that.

Hon. Wairimu: Mr. Speaker I don't have the Standing Order with me, but I will do that on Tuesday.

Hon. Speaker: If you don't have, kindly withdraw because I am not seeing that lot.

Hon. Wairimu: I withdraw it Mr. Speaker, Sir.

Hon Kitheka: Mr. Speaker, as per Standing Order 156, I don't know whether the Majority whips communicated for the removal or the reshuffling of the members to the Office of the Speaker.

Secondly Mr. Speaker, 157 stipulates clearly that a Select committee should have nine to thirteen members and thereof. We can see the Devolution and Intergovernmental committee has got seven, so at the end of the day, by virtue of this document, by our Standing Orders, there is an error in it.

Notwithstanding all that, we cannot now accommodate the document with an error. I have pointed an error, unless now we are blind and we are being told you can see now there is an error which is appearing. The committee Devolution and intergovernmental relations has got seven members; the Standing Orders stipulate clearly and I can read: *'subject to any written law, these Standing Orders or a resolution of the house, a select committee shall consist of an odd number of members being not less than nine and not more than 13.'*

So Mr. Speaker, not to waste a lot of time with a document which has got some ambiguity, we can now shelf this document and give the Select committee chairman some time to go and come with very clean details of the report. There is no problem with that and we are going to accommodate you Mr. Chairman. There is no defense in this.

Hon. Speaker: Back to the chairman, let us hear the chairman.

Majority Leader (Hon. Mwonga): Mr. Speaker, the committee was guided by what was passed in this Hon, House, that is about the devolution and intergovernmental relations and as you have ruled earlier when the matter was raised by Hon. Chair Budget, Isaac Muinde, our hands were tied. If the Standing Orders say the composition of this committee should be seven, we had no business to have nine or 13 members in that committee.

Mr. Speaker, we still have committees which have five members, others with seven and others nine. So Mr. Speaker, the issue which is being raised by the Hon. Member for Machakos Central, where this Hon. Assembly sits, is null and void. Thank you, Mr. Speaker.

Hon Speaker: Thank you, I uphold the objection. Hon. Kitheka, let us go together to Standing Order 157. It reads, *'subject to any written law, these Standing Orders or a resolution of the House a select committee shall consist of an odd number of members being not less than nine and not more than 13.*

So the provision here is subject to any written law, these Standing Orders or a resolution of the House. We are still on course so let us proceed. I have ruled on that matter.

Hon. Matheka: Thank you Mr. Speaker, Sir, and the House at large. Mr. Speaker, Sir I heard the Majority Leader say that he relinquished a post in the decentralized units committee, but he just jumped from there and went to be nominated as a member in the committee of Broadcasting and Library and that is what happened to all the members in those two new committees. So nothing happened; he just remained in the same number of committees as he was before; it is jumping from here to there, which is an ambiguity to the report in itself. Mr. Speaker, Sir, you need to check on this. Thank you.

Hon. Speaker: Hon. Chairperson, what is your difficulty in re-looking at the report.

Majority Leader (Hon Mwonga): Sorry Mr. Speaker?

Hon Speaker: Do you have any difficulties in re-looking your report?

Majority Leader (Hon. Mwonga): Mr. Speaker, I have no difficulties and I wonder whether these members wanted me to be in two committees. There is no member in this house who is in two committees Mr. Speaker. I relinquished Decentralized and Urban committee and looked for another committee where I can fit.

Mr. Speaker the committee on Broadcasting is not a committee to play around with, why, because that committee will be giving the information of this Hon. House and the county at large so it needed somebody who can also keep secrets Mr. Speaker. That is why I opted to leave the Decentralized committee and go to that other committee, Mr. Speaker and in a nutshell, I am only in three committees; the others, I am in those committees by virtue of being the Leader of Majority. Thank you.

Hon. Speaker: Hon Members we may not have much on this; it is a matter that debate is

ordinarily restricted by the law. I may have to proceed and put the question that those in support of the report on Selection committee in oneness say ‘ayes’

(The Question put and the House divided)

Hon. Speaker: We declare a division. Kindly members have a sit. May the division bell be rung?

(Division bell rung for 10 minutes)

Hon. Speaker: Order Hon. Members. As the bell is being rung, I want to take you through Standing Order number 69 that provides the procedure for roll call voting but before I take you through that procedure, I want to refresh your memories and I will allow the mover of the motion perhaps to make a statement; he appears to be changing heart.

Majority Leader (Hon. Mwonga): Mr. Speaker, when I was tabling this report of the Selection committee, I reminded the Hon. Members of what I said before we adjourned for the Christmas recess and I said ‘to be rich doesn't mean the amount of money you have in your bank account, Mr. Speaker, but what you have in your heart.’

With this saying, so that the members can have a room of benefiting from sitting in this committees and do their duties effectively, I have done a lot of soul searching, Mr. Speaker, and I have thought it wise to just withdraw the report if the members are going to accept that and have the report back in the house in the next two weeks, Mr. Speaker. Thank you.

(Applause)

Hon. Speaker: Hon. Members, the report is marked as withdrawn.

ADJOURNMENT

Hon. Speaker: The House adjourns

The House rose at 4:49 p.m.