

MACHAKOS COUNTY ASSEMBLY**OFFICIAL REPORT****Wednesday, 8th April, 2015**

The House met at 2.43 p.m.

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

Hon. Speaker: Good afternoon Hon. Members. Maybe before we go to the motion, there is a message that was assigned to the Majority leader who was not in the house

MESSAGE**OKOA KENYA FORUM**

Majority Leader (Hon. Mwonga): Thank you Mr. Speaker, and I apologize for coming late Mr. Speaker, I had gone to answer a natural call. I have a communication from the National committee of experts Okoa Kenya Movement which is addressed to the Hon. Leader of Majority County Assembly of Machakos. Mr. Speaker, let me not go through the letter but just go to the main content Mr. Speaker.

Okoa Kenya wishes to inform that all members of county assemblies have been invited to the consultative forum scheduled for 9th April that is tomorrow at the Bomas of Kenya starting at 8:00 a.m. to launch the constitutional amendment bill and open a platform for discussion of the proposed constitutional amendment. Kindly inform all your members of this function and extend to them our invitation to attend the forum on the mentioned day. We would like to address ourselves to the major questions and problems concerning Kenya in these areas and discuss the extent to which the proposed amendments will effectively give the necessary constitutional framework to address them.

Mr. Speaker, the letter is inviting all the county assemblies, the 47 of them to a forum which will be at the Bomas of Kenya that is tomorrow. I will seek your indulgence and permission that the members withdraw from the precincts of the assembly tomorrow with your permission and attend this important function. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. Let us proceed.

CENSURE MS. ROSEMARY MULEE, SECRETARY TO MACHAKOS CPSB

Hon. Sammy Nduva: Thank you Mr. Speaker, Sir. Mr. Speaker, Sir, I want to read the motion to the Hon. house that the house should discuss and censure the secretary to the County Public Service Board one Rosemary Mulee for abuse of office.

Mr. Speaker, Sir, I attended a meeting that was held that was held in 9th January, 2015 which was held at the youth centre by the department of Labour and ICT whereby all members of county service public board attended for briefing on casual audit where member of the county service public board- the commissioners exchanged words which point the secretary of the County Service Public Board.

Mr. Speaker, this is where I grew interest to dig more to ascertain what has been happening in the crucial board for this county government of Machakos. Mr. Speaker, Sir, the secretary of county public service board has abused office on the following rounds:-

1. She has contrary to the procedures and without involving the other board members made appointments, promotions and employments.
2. To date she has issue 170 letters of appointments, solely without consent of the other commissioners, she has been issuing promotions serving staffs, for example Mr. Speaker, IF YOU allow me, I will read names of among the staff who have gone through one direction to get promotions and salaries contrary to the laws that any appointment or promotion should be discussed by the whole board and determination of the same be made. Mr. Speaker,
 - a) Ms. Dinah Mwikali promoted from administration officer job group J to assistant Director human resource manager job group P.
 - b) Mr. Speaker, Dr Kyambi Joseph, a director of curative and rehabilitation services job group R, this position was advertised but she solely promoted the said person to the said position.
 - c) Mr. Speaker, drivers attached to county public service board; alone she has promoted them from job group H to job group J.
 - d) Including them Ms. Catherine Mukonyo a holder of ECD certificate to deputy human resource manager with full pay without considering her educational qualifications.
 - e) Mr. Speaker, Benson Sila Mulee to secretary Mavoko fire department with a basic salary of 50,000 and the said person had a qualification of D in KCSE examination. A salary Mr. Speaker, which is not even earned by the engineers serving for this county.
 - f) She went ahead and promoted Mary Muthoni Mulee, who has no qualifications, from position of a driver to Human resource officer, without following the right procedures.
 - g) Mr. Speaker, the county public service board has given promotions to four administration officers and four HR managers' officers with full pay in the department of water without knowledge of the full board.

Mr. Speaker, looking at the fuel chart that I am going to give a copy of it, the highlighted area is the vehicle the secretary is using. Mr. Speaker, looking at that fuel chart that shows how her car fuelled and definitely you will be convinced that something fishy was happening, because during the highlighted time the consumption of fuel went from 80,000 to 140,000. The highlighted areas Mr. Speaker that shows that a vehicle cannot draw Kshs 10,000 cash of fuel today and tomorrow it fuels Kshs 5,000, tomorrow but one, it fuels Kshs 3,000 Mr. Speaker.

Mr. Speaker, the secretary has also given letters of employment to ghost workers who are in our payroll and not working for this county Mr. Speaker. Examples are:

- Kwame Nkrumah payroll serial number 204, who is a student at Kenyatta University.
- Charles Mwangi Kagwanja, employment serial number 85, whom we have evidence and where he is working in Nairobi.
- Stephen Kimani payroll number 80, a driver who used to work with this county government but he left, he is working somewhere in Nairobi Mr. Speaker, and we followed it up with him and he acknowledged he is being paid by the government of Machakos.
- Together, Mr. Speaker, the secretary employed 18 tractor drivers who are in the payroll and they don't work for this county of Machakos. Mr. Speaker, the members of this Hon. House can testify as far as the issue of trucks and drivers are concerned because they know who are working in their areas. Mr. Speaker and many others.

Mr. Speaker, the secretary has terminated over 40 employees whom alone she appointed and given letters and later terminated them with phone calls. Mr. Speaker, to date we have knowledge that these members have gone to court to sue this county government of Machakos and Mr. Speaker, these are some of the letters of employment and these one under the highlighted area shows the name of one Kwame Nkrumah who is a student at K.U. and Mr. Speaker, I have another big evidence that shows the payroll and those people who are working in Machakos but are not delivering services to our county.

Mr. Speaker, chapter six of the constitution of this Hon. land 2010, Article 73(c) states clearly that honestly in the execution of public duties article 75(2)-*a person who contravenes clauses one or article 76, 77 and 78(2) shall be subject to applicable disciplinary procedure for the relevant offence and then in accordance with the disciplinary referred in paragraph a, b dismissed or otherwise removed from office.*

Mr. Speaker, Sir, collectively the mentioned acts by the secretary constitutes breach of service regulation for which severe disciplinary action should be recommended against the secretary.

Mr. Speaker, I request the Hon. House to recommend a censure of one Rosemary Mulee that she should step aside to pave way for investigation. Mr. Speaker, the huge wage bill which

has hindered development implementation in Machakos County is a result of an individual and employees employed by our government but working for other counties or other masters Mr. Speaker.

Mr. Speaker, I want to quote chapter six 73,2 (b) that states, objectivity and impartiality in decision making and in ensuring that decisions are not influenced by nepotism, favoritism , other improper motives or corrupt practices.

c) Selfless service –based solely on the public interest demonstrated by

- i. honesty in the execution of public duties and
- ii. The declaration of any personal interest that may conflict with the public duties.

d) Accountability to the public for decision and actions

e) Discipline and commitment in service to the people Mr. Speaker.

Finally Mr. Speaker, I want to urge this Hon house to discuss and recommend once again, one Mulee to step aside and Mr. Speaker, you guide and for a committee to go round in this county government of Machakos in the mentioned departments and ascertain the truth about these allegations.

Mr. Speaker, finally, Machakos county government to survive one Rosemary Mulee must go. Thank you, Mr. Speaker.

(Applause)

Hon. Speaker: The motion is ready on the floor so it has long been seconded, so let me hear debate. Let me hear, Hon. Itumo is burning.

Hon. Joseph Itumo: Thank you Mr. Speaker, and I appeal before I continue I beg for your protection in advance Mr. Speaker. Mr. Speaker, allow me to continue contributing towards this censure motion towards one Rosemary Mulee, who happens to come from my ward Mr. Speaker. Mr. Speaker, I do not concur with this particular motion in the sense that Mr. Speaker...

Hon. Speaker: Order, order, order, order Hon. Members.

Hon. Itumo: in the sense that these county service public board, is not consisting of one particular person, it is a service board that consists of many members. And she does not work by herself alone. This is a member who is working with others, whose names do not appear anywhere Mr. Speaker. Mr. Speaker, I term this one as a witch-hunt to a particular member of this particular board Mr. Speaker. Mr. Speaker, you cannot go and do all this corruption alone.....protect me Mr. Speaker.

Hon. Speaker: Order hon. members. The speaker would love to hear the whole of Hon. Itumo.

Hon. Itumo: That is it. Mr. Speaker, this particular member I do not agree on what has been tabled on this house. Mr. Speaker, this is a member who is working with other members, whose names are not in the floor of this house Mr. Speaker. Mr. Speaker, Mr. Speaker...

POINT OF ORDER

Hon. Speaker: Order Hon members, Hon. Itumo, when you say you don't agree with what has been said, have you already verified or you are just saying now?

Hon. Itumo: I have done feasibility study on this and I am going

(Loud consultations)

Hon. Speaker: Order Hon. Members.

POINT OF ORDER

Hon. Itumo: Mr. Speaker, I know the house is burning

Hon. Speaker: Okay, let me take a point of order.

Hon. Isaac Muinde: Mr. Speaker is it fair for the Hon. member to mislead this house. The fact that the officer mentioned comes from his ward should not be reason enough to quash a report of the house. Mr. Speaker, in the past, members of either the national assembly or the cabinet or senior staff whenever they are caught pants down, they retreat to their communities and tell their communities that "*serikali inawaonea*," if you allow me to quote that Swahili phrase.

But Mr. Speaker, this is a case of corruption; this is a case of an officer not taking her duties with diligence. Mr. Speaker, the mover of the motion

Hon. Speaker: Order Hon. Itumo, kindly resume your seat.

Hon. Muinde: Mr. Speaker, the Hon from Kithimani has clearly mentioned that this officer has done this against the wishes of other commissioners and individually he did mention in secrecy, alone she has issued appointment letters, alone she has terminated the contracts through a phone call. We cannot hold other commissioners liable for an act committed by an individual.

(Applause)

If there is evidence against other commissioners that can also come as a substantive motion to this house but the motion before us is about one Rosemary Mulee, who has actually misused her office. Thank you, Mr. Speaker.

Hon. Speaker: Let us hear the mover.

Hon. Edrick Ngunzi: Mr. Speaker, I said yesterday this is a weighty matter that concerns this county and the way I looked around yesterday and could not see the other carrier of the dossier Mr. Speaker, members were confused. The issue that is being advocated by Hon. Itumo, Mr. Speaker, I want to give this copy to you a disciplinary letter that was given to the one Rosemary Mulee written by other commissioners because of this un-procedural deeds so that Mr. Speaker, this house can stand guided when we are talking of one Rosemary Mulee. And if any member feels there is other person who should be questioned, then he can also bring the motion against that person. Thank you, Mr. Speaker.

Hon. Speaker: Thank you.

Hon. Cecilia Sereka: Thank you Mr. Speaker, Sir and the house at large. I stand here to support the motion brought by Hon. from Kithimani.

Mr. Speaker, Sir, I am so surprised to hear one member complaining that somebody comes from his ward when the member knows very well how we are trying to fight corruption in Machakos county. Mr. Speaker, Sir, I think it is not good for us to support impunity. Maybe somebody comes from my ward and he is misbehaving. *Nafikiri Mr. Speaker, kila mtu abebe msalaba wake.*

Hon. Speaker: You are out of order hon member.

Hon. Sereka: Sorry Mr. Speaker, it was a quote Mr. Speaker.

(Laughter)

Hon. Sereka: Mr. Speaker, that word could not come in other words, better than Kiswahili.

Hon. Speaker: Alright.

Hon. Sereka: Sorry Mr. Speaker.

Hon. Speaker: I am persuaded.

Hon. Sereka: So Mr. Speaker, I think it could be even wise for hon Itumo to get out of this chamber so that we can discuss Rosemary Mulee.

(Applause)

Mr. Speaker, I think the Hon. Member has an interest and it could not be good for us to talk about Mulee too much when the member is in the chamber. Thank you, Mr. Speaker.

(Applause)

Hon. Speaker: Maybe before we hear Hon. Dominic, the issue that has been raised by Cecilia is that perhaps hon Itumo has an interest on the matter in the house, but Hon Itumo, began by disclosing his interest so he is properly in the house so proceed.

Hon. Dominic Maitha: thank you Mr. Speaker, Sir and Hon. members, I wish to really applaud the Hon. member for Kithimani, Hon Nduva, chairman planning ,He seems to be planning his things well, we need to applaud him for that Mr. Speaker, Sir.

(Applause)

It is not always that we always have to repute or disregard information that is tangible, that is fair and straight forward. And for this Mr. Speaker, I need to say this, in support of this motion for sanity to resume in the County Public Service Board of Machakos County, Mulee must go.

Mr. Speaker, article 65 of the county government act Mr. Speaker, is clearly stipulating the work of the county public service board. The mess today that we have in Machakos county ,the ballooning wage bill Mr. Speaker today in Machakos County government is as a result of employment without following due procedures of law.

Mr. Speaker, the county government act as well as the constitution stipulates clearly how a county officer should behave.

With information that the Hon member has mention it amounts to nepotism to employ your kin and promote them without following the due process of law Mr. Speaker. It beats no logic why we should even discuss for more than 20 minutes without sanctioning this named person and subject her to investigations. She should be taken to EACC for further investigations Mr. Speaker. And I am very much informed I am sure that the Hon member does not even have enough information of other employments which have been duplicated

I have had a lot of consultations with other commissioners Mr. Speaker, and they would be happy that this member would have gone as early as last year Mr. Speaker. They have already been fed up with her behavior, she is solely making decisions without consulting the other commissioners and that undermines their positions Mr. Speaker. And that is why I am saying, for sanity to be in Machakos county public service board, Mulee must go Mr. Speaker.

Why am I saying this Mr. Speaker? If our money can be used to pay strangers in Nairobi, while Hon members up to date have not received their salaries Mr. Speaker, then we are talking and dealing with the wrong person Mr. Speaker.

There are so many people in Machakos county who have not received their salaries, who are remitting their services dedicatedly and they are physically there at their place of work and then somebody somewhere Mr. Speaker, is being paid money that he or she has not worked for under the full knowledge of an officer in the county government of Machakos County Mr. Speaker. Mulee must go Mr. Speaker.

And in this I want to say this Mr. Speaker that now confirms the reason as to why a notice was issued to all staff in Machakos County that they should not register for the process of biometric registration of staff because maybe somebody somewhere Mr. Speaker, was trying to hide this kind of information Mr. Speaker. We have employees who have been employed for more than two years Mr. Speaker; those employees have lost their jobs Mr. Speaker, through the same secretary, their dues have not been paid and yet people who were employed the other day Mr. Speaker, under the cohesion of the secretary have been given letters of appointment Mr. Speaker.

I have a good case of example, in my ward Mr. Speaker, a staff was employed for cleaning services and this one should not be taken in quotes, she comes from Katangi for example and she was employed as a cleaner in my ward under Joska region and immediately the following day she got the letter she was transferred back to Katangi. When I followed to inquire about, I was told letters are being issued by the county public service board secretary. This person does not come from my ward, she only stayed there for less than a week and was given a letter and transferred Mr. Speaker.

My own staff, from the same region, were sacked through a phone call, through the same secretary Mr. Speaker. Then what are we talking about, we have enough evidence for Mulee to leave, create room for further investigation and if the letters that have been brought before this house Mr. Speaker, are prove that she has been paying people irregularly- she should be charged before the court of law and she should carry responsibility Mr. Speaker.

All I want to say is this, she has contravened chapter six of the constitution in totality about her integrity, it is in total question, she has contravened chapter five of the county government act and it is the high time that this hon House as soon as it is practicable Mr. Speaker, dismisses her, censures her and be responsible and bear the responsibility of the ills that she has committed. The wage bill in Machakos has ballooned because of such kind of malpractices Mr. Speaker. If we continue like this in the next one year Mr. Speaker, our county is going to be indebted heavily. She must carry responsibility. Mulee must go. Thank you Mr. Speaker, Sir.

Hon. Speaker: Thank you. Let us hear the majority leader, the position of the government on this matter.

(Laughter)

Majority Leader (Hon. Mwonga): Mr. Speaker, I didn't want to comment on this matter, I was not prepared, I just wanted to listen to the members first but Mr. Speaker, I have been caught pants down. Mr. Speaker, the evidence which has been tabled here it is damning and it is enough.

(Applause)

I want to say the mover of this motion talked about promotions which were irregular, salaries which are irregular, and Mr. Speaker, you know when there are irregular salaries whereby you are not paid according to your qualifications, in that organizations, automatically there will be a professional burnout. Where by some employees will not give their maximum service and to do away with this professional burnout I think Mulee must go.

(Applause)

To reduce the ballooning wage bill, Mulee must go. To bring sanity, so that sanity can prevail in the human resource sector Mulee must go. I think you have heard my position that is not the government position; it is the position of the MCA Masinga central ward. Thank you.

Hon. Speaker: Yes, Hon. Members, may I hear anybody in opposition to the motion? Yes, Hon. Mueni.

Hon. Benedetta Mueni: Thank you Mr. Speaker sir. Mine is to support the motion that Mulee must go and even now she should be in the Police Station writing a statement because these are the people who are putting our county into shame. You are a lawyer, she must be in police. Thank you.

Hon. Speaker: Let me hear Hon. Munyaka then after that we go to Ngunzi. Have a seat Hon. Nzoka.

Hon. Oliver Nzeki: Thank you Mr. Speaker, Sir. I just wanted to commend the mover of the motion and add some documents which are vital to this House. If you happen to go to the County Public Service Board compound, you will find KBX 810T; that is the vehicle given to Rosemary Mulee. You will not find the green numbers but you will find the numbers are wrapped with a yellow and white stuff to make it that the vehicle is private. You check behind you will find it is yellow, you check in front you will find it is white; it is not green as it is supposed to be. So Mr. Speaker, that is a matter concerning Chapter 6 on integrity.

With me I have two appointment letters; these are for a lady and a boy. They were employed and sacked with immediate effect; they were just called through the phone and told to go home. I have their appointment letters; I can give them for evidence, Mr. Speaker, sir. Again we have Emergency Medical Technicians who were employed. You find most of them have now

been promoted, confirmed and after confirmation, the confirmation letter was withdrawn because it was so sensitive that other commissioners knew that she was doing the work alone.

So Mr. Speaker, Sir, I also want to inform you that there are so many park attendants around; these are vehicle attendants who charge, revenue collectors. One day I moved around and I found two ladies; I asked them, “how much are you collecting per day?” both of them told me most times they collect Kshs. 1,000, another one told me she collects Kshs. 1,300 and I imagined, the lady is paid Kshs. 30,000, she is collecting Kshs. 1,300 and other times Kshs. 1,000, how much are we getting as the government? Those two ladies were employed by one Rosemary.

So Mr. Speaker, Sir, I just echo the sentiments of Hon. Maitha that for sanity in this county, Mulee must go. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Members, I can see the mood of the house. Maybe we can hear Ngunzi. We still have an opportunity to interrogate this matter further because this particular officer has a right to be heard, so let us be brief. Proceed, Ngunzi.

Hon. Edrick Ngunzi: Thank you Mr. Speaker. The mood of the house as you are saying is that one Rosemary Mulee must go and we are saying that Rosemary, individually, has violated and grossly done so, Article 232 of the Constitution of Kenya that deals with the public service and outlined in the Chapter on public service, that is 232, one thing in the Article is that we should have high, high, high standard of professional ethics. Those have been violated and in f of the same, we are talking of transparency and provision of timely and accurate information by the same officer who is the CEO of the state organ. So, because the mood is that she should go, we should terminate and in oneness agree that Rosemary has grossly violated the Constitution of this country and she must go. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. Unless a Member must be heard, unless it’s something completely different, I think the House is in unison. Unless there is something you feel is new or you are opposing the motion, something new?

(Loud Consultations)

Hon. Speaker: Ok, one minute each. One minute Hon. DS.

Hon. Nganga: Thank you Mr. Speaker. On the matter before the house, I stand to further support the mover of the motion and the motion that the CEO to the County Public Service Board should be censured. Mr. Speaker, a censure motion achieves the expression of displeasure by a legislature over the conduct of an officer in any Executive arm of governance.

Mr. Speaker, this house by passing this motion will express its dissatisfaction with the manner in which the officer has performed his duty and it will lead now to the officer being

compelled to pave way for investigation, then I would want also on the same note, as the member had requested Mr. Speaker, that with your ruling, we can have an ad-hoc committee that will investigate the matters that have been leveled against the officer, chaired by the member that has brought the motion before the House and in consultation with the leaders of the House so that we can have a report over the issue brought here so that the final position of the House can be expressed, Mr. Speaker.

The censure motion actually, most of the times, basically offers the expression of displeasure for the members to be well informed about what we will achieve because if they would think that by passing the motion, tomorrow they would not want to find her in office, this motion will only be able to achieve her stepping aside and then the committee moving with speed to investigate her conduct, Mr. Speaker.

So I would want to request that because the mood of the House is in support of the motion that the Member that has brought the motion, assisted by other members, at least five members of high integrity, Mr. Speaker, to be able to convene a committee that would be able to deal with this matter once and for all, Mr. Speaker. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. Let us only hear Hon. Nzoka who is in opposition to the motion.

Hon. Nzoka Munywoki: Thank you Mr. Speaker, sir. What I want to say is this, we have been complaining of a ballooning wage bill for long. This should not be narrowed to one person. Investigations should be extended. This is touching all these commissioners and to have Machakos County reduce this, these commissioners must go.

Hon. Speaker: There is a point of order. Point of order.

Hon. Nduva: Mr. Speaker, I stand on a point of order. Unless Hon. Nzoka was not in this House, I've added a letter that was written to one Rosemary Mulee by other commissioners complaining and warning her on exercising the duties of the commission alone. So I want to correct Mr. Nzoka that it is not all the members of the Board because the members of the Board are also dissatisfied with the way she is doing the work that they are supposed to do. Thank you Mr. Speaker.

Hon. Speaker: Hon. Memers, the point of order is sustained, so Hon. Nzoka to that point you are out of order. Have a seat. Let's hear, one minute each, we can hear Kalunde, Ndawa, Kyalo and Kamitu.

Hon. Joseph Kalunde: Mr. Speaker, sir, much has been spoken by all the members of this house. For sure, it is a pity that Machakos County has got so many ghost workers in a very short time and this is just because of the said Rosemary Mulee. So I stand to congratulate the

mover of this motion because he had done a lot of research to the point that there is no chance which can make us retain madam Mulee. So, Mr. Speaker, Mulee must go. Thank you.

Hon. Speaker: Okay, one minute Hon. Ndawa.

Hon. Magdalene Ndawa: Mr. Speaker, let me start by saying that I am very happy with the decision taken by this House. I weep for the liberty of this county when I see this afternoon all these Hon. Members have successfully experienced the experiment has been into this county government, impunity, and the people of Machakos have been battled for promises of office, Mr. Speaker. It is clear the mood of this house that members are aware of what is going on in the County Public Service Board and Rosemary Mulee should go home; it is not stepping aside, and I am very happy, I'm never as happy as when I am pregnant. I literally would have 10 babies as long as this house is going to work this way. I'm very happy today and I congratulate the members who have always supported the government for the first time, you have seen something new. Thank you so much, Mr. Speaker.

Laughter

Hon. Speaker: Did I understand Hon. Ndawa?

Laughter

Hon. Speaker: You promise the house 10 babies?

Hon. Ndawa: Yes, Mr. Speaker. As long as this is how they are going to handle the matters in the County Government, 10 babies before we leave.

Hon. Speaker: Alright, Hon. Kyalo Kyuli.

Hon. Kyalo Kyuli: Thank you, God help you, Hon. Member. Mr. Speaker, I want to support this and I also had some few documents that I wanted to lay before you Mr. Speaker, but one of the documents I have just forgotten that has listed those cleaners from Mwala sub-county that were 43 workers, Mr. Speaker. These people have letters of appointment from the Service Board and she single-handedly has been calling them on phone that they must come with Form Four certificates and this is a list of workers that are being laid off by one person, Mr. Speaker. Therefore, thank you Hon. Katela for that and as we speak, they were supposed to go to the sub-county administrator today in the morning and they were told to return their letters. Fortunately or unfortunately, they refused to go with the letters.

Mr. Speaker, there is another letter that I want to lay before you that is written by the Chairman, Public Service Board on the 16th May 2014 which is touching on the accountants they were supposed to employ. They approved employment of 37 accountants and she employed 38, including one Kioko Geoffrey Mulwa. Again, the Board approved 15 persons to be employed as internal auditors and Mr. Speaker, she employed 17. Again, Mr. Speaker, they approved

employment of 50 dog handlers and again, she employed 54. That is something that the Board itself is complaining about. These are letters, Mr. Speaker, written to her by 1. The County Public Service Board Chairman, 2. The County Secretary, Machakos County Government, showing or reporting the same, the way things were handled.

Mr. Speaker, again there is an issue that came out of sub-county administrators that she employed one Elizabeth Kasungwa Muange, who initially was appointed as a Deputy sub-county administrator for Kangundo and was appointed as a sub-county administrator, Mwala. Mr. Speaker, this is a letter that the other board members are complaining about, therefore Mr. Speaker, I support this motion that the said person should go. Thank you Mr. Speaker.

Hon. Speaker: Thank you. I think Hon. Members for fairness let's hear the mover of the motion. Members who have not contributed will have that opportunity that I am sure will come. Hon. Nduva.

Hon. Nduva: Mr. Speaker, I want to take this opportunity to thank the entire house because yesterday it was drama because songs of chicken and whatever were being sung here but Mr. Speaker, the details of the motion that I was to bring to the attention of the House have been heard. Mr. Speaker, I believe strongly that our county government is straining in terms of development implementation and this matter has been pushed to the corner because of the huge wage bill. Mr. Speaker I'm confident that what I have laid here and what the members have is not all what is happening in this county government of Machakos.

Mr. Speaker, this House business is to check the Executive. It is its mandate to set the way forward for the electorate who elected us. So Mr. Speaker, I believe strongly that much needs to be done and that is why I request through your chair so that fairness can be done; so that this matter is not for myself alone. Mr. Speaker, direct an ad-hoc committee whereby we will get more than what we have while making decisions on the way forward, and Mr. Speaker, for things to run smoothly and for this house to be assured of what they are doing, Mr. Speaker I beg you and this Hon. House that one Rosemary Mulee should step aside and pave way for investigations. Thank you, Mr. Speaker.

Hon. Speaker: While there Hon. Nduva, does your motion state 'step aside?' I've not seen that word in your outlay of the motion.

Hon. Nduva: Mr. Speaker, the last paragraph, the last statement whereby I have said, 'Finally, for Machakos County Government to survive, one Rosemary Mulee must go.' So Mr. Speaker, when I say 'should step aside,' I think I'm being too fair and lenient but my recommendation to this motion is that she must go. Thank you, Mr. Speaker.

Hon. Speaker: I don't know whether you understood my question. At this point, this is a censure motion; Rosemary Mulee has a right to be heard by a committee as you propose, but

then I am saying, your motion as it is doesn't request for stepping aside. In the meantime as investigations continue, what was in your mind? Let me get indulged by the Majority Leader.

Majority Leader (Hon. Mwonga): Mr. Speaker, when the mover presented this motion, it is the duty of this house to either approve the motion the way it is or they amend it. I think many members who contributed, including myself, if my mind serves me well, we proposed to have an ad-hoc committee to investigate or to give her a chance to be heard. What does that tell us Mr. Speaker? The ad-hoc committee is going to investigate her and bring back a report to this House. That means when she will be investigated by this committee or she will be given time to be heard by this committee, she should first step aside and if the ad-hoc committee recommends that she should go home and this Hon. House approves that or recommends otherwise, we will cross the bridge when we get there. Thank you, Mr. Speaker.

Hon. Speaker: Yes, D.S.

Hon. Nganga: Mr. Speaker, I think the matter in question is the wording of the motion so that it can achieve the desired intention and on behalf of my Hon. friend from Kithimani member band, Mr. Speaker I want to propose that the motion be amended to include that the secretary steps aside pending investigations by the ad-hoc committee that will be formed by this house and then I invite him to second my proposed amendment, if you allow Mr. Speaker. Thank you.

Hon. Speaker: I do. Let me hear you.

Hon. Nduva: Mr. Speaker, I thank my fellow Hon. Member for Ikombe and my neighbor. Mr. Speaker, the band is no longer there, it is Hon. Member. Mr. Speaker, I have said because of fairness and I know it is the duty of this Hon. House to decided when a motion is presented in the same, we are all human beings and to handle this matter on fairness, I believe I should second what Hon. Member for Ikombe and our Deputy Speaker has said, that Mr. Speaker, let one Rosemary Mulee step aside to pave way for investigations.

Hon. Speaker: Hon. Members, I think we are there. The motion is accordingly amended and then I proceed to put the question that those in support of the motion that Rose Mulee steps aside and allows this House to discuss her conduct, in oneness say 'ayes.'

(Question put and agreed to)

The directions are that there be a nine member *ad hoc* committee that will be formed in consultation with the Leader for Majority and the Leader for Minority, of course taking into account the mover of the motion. Thank you, let us proceed.

Sorry Hon. Members, there is a message that was to be delivered by the Majority Leader, maybe now he can give us a second message; that is on the meeting.

Majority Leader (Hon. Mwonga): Mr. Speaker, I'm getting a communication through an SMS that the Okoa Kenya forum which was to be held tomorrow has been postponed until 23rd and 24th of this month so Mr. Speaker, I want to retract my request that these Members be given time to go to Nairobi tomorrow. So Mr. Speaker, I think we can have business tomorrow. Thank you.

Hon. Speaker: Thank you. Let us proceed.

Hon. Muinde: Mr. Speaker, yesterday, Tuesday 8th, we laid the County Budget Review paper and a notice of motion to have the report discussed and you did direct that this report be discussed today in the afternoon but Mr. Speaker, on behalf of the budget committee, I beg for more time so that we may be able to complete exhaustively interrogation of the County Budget Review Outlook paper 2013/2014 and Mr. Speaker, I beg to be able to table the report on Tuesday afternoon next week.

Hon. Speaker: Granted.

Hon. Muinde: Thank you, Mr. Speaker.

Hon. Speaker: Maybe we can hear Hon. Kalunde, chairman PAC, there was a report that was on schedule today.

Hon. Kalunde: Mr. Speaker, Sir, aware that I had said that perhaps we would table the report of PAC today, it wasn't fully complete and I was thinking that I am going to seek for leave tomorrow so that I can table the same on Wednesday next week. It is a voluminous document which has not been photocopied for members to get copies.

Hon. Speaker: Thank you. It is only that we did not see that item on the order paper today and a mention of it was necessary.

ADJOURNMENT

Hon. Speaker: Hon. Members, I am told that there is no other business so we will reconvene again tomorrow now that Okoa Kenya is not meeting. Thank you and have a good afternoon.

The House rose at 3.48 p.m.