

MACHAKOS COUNTY ASSEMBLY**OFFICIAL REPORT****Thursday, 30th April, 2015**

The House met at 2.38 p.m.

*[The Speaker (Mr. Mung'ata) in the Chair]***PRAYERS****Hon. Speaker:** Good afternoon hon members.**COMMUNICATION FROM THE CHAIR****Hon. Speaker:** Hon members, this is a communication from the chair, dated 30th of April 2015.**2015/2016 BUDGET ESTIMATES**

Hon. Members, pursuant to Section 130 of the Public Finance Management Act, the Office of the Clerk has received the 2015/2016 budget estimates from the County Executive Committee member for finance in respect of the budget for the next financial year. The same will subsequently be committed to all the sectoral committees for scrutiny.

MINORITY LEADERSHIP

Honourable members, on 14th April 2015 I did communicate to this House that I received a letter dated 9th April 2015 from Honourable Stephen Muthuka on the change of minority leadership. I did promise to look into the matter and thereafter communicate on the same.

On this pertinent matter I hereby state as follows: -

I will start by quoting the said letter *verbatim*. It states as follows: -

Re: Change of Minority Leadership

Pursuant to the standing orders, section 16 (5) as adopted by the County Assembly of Machakos on 9th July 2014 pursuant to the provisions of section 14 of the County Government Act (No. 17 of 2012).

Having being appointed as the minority whip following a decision taken by the minority coalition (Mwananchi Coalition) on 3rd April, 2015, I wish to communicate the dissolution of

the existing minority leadership and the successful election of the new minority leadership as per the attached minutes and annexed documents.

We are looking forward for cordial working relationship.

The letter is signed by Honourable Stephen Nzioki Muthuka as the 'Minority Whip Machakos County Assembly'. Annexed to that letter were minutes of a 'Joint meeting of the Mwananchi (MWACO) and the Jubilee Coalitions which are signed by Hon. Wavinya Ndeti 'Chairman MWACO Coalition. Also annexed is a copy of 'an sms send (sic) to all members of County Assembly of both Jubilee and Mwananchi Coalition, a list of attendance, a filled form for the formation of the Mwananchi Coalition, deposit of the coalition agreement with the Registrar of Political Parties and a letter from Honourable Matheka F. M. appointing Honourable Stephen Muthuka as the Minority Whip.

Let me pause here and say that it is possible by law to change party leadership in the House. The relevant law is to be found in the County Government Act and the Standing Orders. Section 10 (3) of the County Government Act (No. 17 of 2012) states that:-

'The Leader of the minority party shall be the person who is the leader of the second largest party or coalition of parties in the county assembly'.

To establish how 'the leader of the second largest party or coalition of parties in the county assembly' is determined, one has to refer to the Standing Orders of the County Assembly of Machakos.

Standing Order 16 states that: -

- (1) The minority party of coalition of the political parties in the Assembly shall elect a member of the Assembly belonging to the party or coalition of parties to be the Leader of the Minority Party.
- (2) In electing members under paragraph (1), the minority party or coalition of parties in the Assembly shall take into account any existing coalition agreement entered into pursuant to the Political Parties Act.
- (3) A member elected under paragraph (2) may be removed by majority votes of all members of the minority party or coalition of parties in the Assembly.
- (4) The removal of a member from office under paragraph (3) shall not take effect until a member is elected in the manner provided for under paragraph (1).
- (5) The whip of the minority party or coalition of parties in the Assembly shall forthwith, upon a decision being made under this Standing Order, communicate to the Speaker in

writing the decision together with the minutes of the meeting at which the decision was made.

Therefore, my deduction from the letter by Honourable Muthuka is that, he was communicating a decision made pursuant to this law. The implications of this would be that the new Leader of Minority party is Honourable Francis Matheka and the new Minority Whip is Honourable Stephen Muthuka. That, upon receipt of the letter I am to effect the changes in the Assembly forthwith.

Subsequent to receiving this letter I investigated the matter in which I made several discoveries.

The existing minority leadership in the House consists of the post-election Coalition between Jubilee and Chama Cha Uzalendo (CCU). However the letter by Honourable Muthuka informed the Speaker that there is a new coalition called the Mwananchi Coalition (MWACO) consisting of Party of Independent Candidates (PICK), Chama Cha Uzalendo (CCU) and New Democrats (ND).

On 9th April 2015 I received a letter from Honourable Alex Kamitu and I quote him *verbatim*: -

Re: Change of Minority Leadership

Reference is made to a communication made in the House on 8th April 2015 over the above subject.

I would wish to state that as the Minority Whip, am not aware of any such resolution and therefore request you to reject the said communication of a group purported to come from the minority party.

Again, on 17th April 2015 the Assembly received a letter from Honourable Magdalene Ndawa in which she stated: -

Re: Removal of the Minority Leader

The above matter refers.

Reference is made to a meeting held 3rd April 2015 to remove the Minority Leader. I wish to state that I was not present hence not part of the discussion of that meeting.

Further, I obtained a list of all the pre and post-election coalitions (a copy of which is available for scrutiny by members) from the Registrar of Political Parties. The Registrar did however state that there is an objection registered with her about the Mwananchi Coalition.

In the letter from the Registrar of Political Parties which was received in the Assembly on 27th April 2015, the Registrar of Political Parties refers the person raising the objection to the Mwananchi Coalition who is Honourable Thomas Kasoa to the Political Parties Dispute Tribunal.

Yesterday, 29th April 2015, the Assembly received copies of documents from the Political Parties Dispute Tribunal in case Number 9 of 2015 Thomas Mwanzia Mweu Kasoa & 3 Others versus Hon. Francis M. Matheka & 11 others. The main issue in contention is the formation of the Mwananchi Coalition and the minority leadership in this House.

Clearly, from the foregoing, the issue concerning the formation of the Mwananchi Coalition is still in dispute. In the Political Parties Dispute Tribunal case referred to above, the authenticity of the signatories to the coalition is brought to question. The validity of the officials of CCU is also a matter which has not been settled. It is not lost on me that the Assembly has received several letters from two different sets of officials of CCU each claiming to be the legitimate office bearers. Further, the letter from Honourable Ndawa in which she stated that she was not in the meeting of 3rd April 2015 brings into question the veracity of those minutes and whether indeed the meeting took place.

So, has the Minority leadership in this Assembly changed? My findings reveal that this question can only be answered in the negative. As things stand now the office of the Speaker cannot act on this matter until everything is cleared up by the Party, the Political Parties Dispute Tribunal and the Registrar of Political Parties.

In a nutshell, the current minority leadership in the County Assembly of Machakos which consists of Honourable Thomas Kasoa as the Minority Leader and Honourable Alex Kamitu as the Minority Whip shall remain.

(Applause)

Hon. Stephen Muthuka and Hon. Francis Matheka continue to be ordinary members of the minority coalition.

(Applause)

I urge them to continue playing an active role in this House as such. That is the ruling of the Chair. Thanks. Proceed, Clerk

(Applause)

STATEMENTS

Hon. Speaker: Hon Stephen Muthuka.

Hon. Stephen Muthuka: Thank you Mr. Speaker, Sir and the rest of the house. Mr. Speaker, I wish to seek the following statements:

1. The position of the construction of Mavoloni water project, which is in Ndalani ward at a cost of Kshs 2.7 million, since the contractor has abandoned the project for the last nine months. I wish to get the plan of action and the expected completion of these projects.
2. I wish to know why the Kisiiki market stalls has stalled for the last six months and I wish to get information on the total cost of the project and also the expected completion date.
3. I wish to get information on the Ndalani ward phase II road construction, since some part of the road-Kisiiki-Muuusini-Kiwanza-NYS road which had been awarded to a contractor by the name Micro Bite Systems Limited at a cost of Kshs. 2.6 million had been done partly byI wish to know when the roads will be done since we are two months to the closure of this financial year.
4. And lastly Mr. Speaker, I wish to know when the works for Kisiiki-.....Kivauki ring road, which had been awarded to a contractor by the name Multi-Smart Limited last year at a cost of Kshs. 2.5 million will start and the expected completion date. Thank you

Hon. Speaker: Thank you. The copies of the statement will be supplied to the Chair of Implementation to provide answers in the house.

MOTION

ADJOURNMENT OF ASSEMBLY SITTINGS

Hon. Wilson Kasimu: Thank you Mr. Speaker. I wish to move a motion on behalf of the Majority Leader who is not feeling well. Mr. Speaker, aware that this Hon. House approved the annual calendar, and further aware that the calendar was published in the media; aware that the recess was scheduled to commence on 15th May and end on 16th June 2015; aware that the Assembly is expected to receive the budget estimates from the Executive pursuant to the requirements of the Public Finance Act by latest 30th April of each calendar year; aware that several Bills were introduced into this Hon. House and committed to various sectoral committees for interrogation; aware that if this hon house proceeds on recess as scheduled, they affect the interrogation of the said budget, I beg to move the motion pursuant to Standing Order number 49(b), that this Hon. House adjourns its sittings from today 30th April 2015 and resumes on 16th June 2015.

In conclusion Mr. Speaker, Sir, I wish to state that this adjournment is very important for the operations of this Assembly; aware of the many activities which needs the full attention of the members such as departmental budget preparation and committal of the various Bills in the public not to mention but a few. Thank you Mr. Speaker, sir. I wish to call upon Hon. Magdalene Ndawa to come and second. Thank you, Mr. Speaker.

Hon. Magdalene Ndawa: Thank you Mr. Speaker. I wish to second this motion as laid by the Hon. Member for Matungulu East ward.

(Applause)

Hon. Speaker: Hon members, can I hear anybody in opposition to the---

Hon. Muthuka: Thank you Mr. Speaker, and the rest of the house. I stand here to object the motion laid by the Deputy Minority Leader on behalf of the Majority Leader. Mr. Speaker, I think this is a house of order and I am a member of the House Business Committee which one of the core activities in that committee is to prepare the calendar of this Hon. House.

Mr. Speaker, I think by the time we were preparing the calendar we were guided and we were aware of the guidelines of the Bills that have been mentioned in this particular house in the motion and we knew at that particular time we would have a recess of about four weeks, from 15th to about 14th of June.

Mr. Speaker, we have a lot of work, we have a lot of committees about 23 committees and as today there are some committees which have never presented anything in this house and if can quote some of them with your permission, we have the committee on Delegated Legislation, the committee of Justice and Legal Affairs, the committee of Implementation...

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

Hon. Kasimu: Mr. Speaker, sir, we are not discussing the operations of the committee, we are here asking for the adjournment of the house not the committees Mr. Speaker, sir.

Hon. Dominic Maitha: Mr. Speaker, I want to enquire from the member who has just sat down, does it mean Mr. Speaker, the hon member has requested permission from you and you never objected, does it mean we will never discuss anything out of the order paper with your permission because it is not serving the interest of others Mr. Speaker? I don't think that member is fair to the other members Mr. Speaker.

Hon. Speaker: I want to understand you, I don't really understand.

Hon. Maitha: What I am saying is this Mr. Speaker: the Hon. Member sought your permission, you never objected. Then the Hon member stands----

Hon. Speaker: Order Hon Dominic. I have not made a ruling on the matter.

Hon. Maitha: Thank you Mr. Speaker, I hope for a positive ruling.

Hon. Muthuka: Thank you Mr. Speaker, sir and I think most of the hon members are not attentive. I was just citing some of the committees that have never brought business in this house.

Hon. Speaker: Just proceed.

Hon. Muthuka: Mr. Speaker the reason why we go for recess, we have reasons to go for recess- to rest, not to create business for the house; that should be understood. So the reasons that have been given to go for an earlier recess are obsolete, because those are not the reasons for recess and again we took time to prepare the calendar. The reason now for asking for an earlier recess actually does not hold any water.

Mr. Speaker, we have a lot of business which is pending. By close of last year, we had a lot of motions that we passed in this house that we are waiting for implementation. We are having a very “active” committee of implementation. To date, three months since we came for this session, there are no reports which have been presented. Three weeks ago we had statements sought by Hon. Maitha from Muthwani; we are breaking for recess without answers to those statements.

Are we going round and round? Last year I sought some statements; by the time I came again I was informed that I should re-introduce them. For how long are we going to get the answers to our questions? Today here, I have sought some statements, does it mean after breaking, I will come again and re-introduce my statements?

I think we should be guided. We also have a report which was tabled in this house yesterday, a very serious report that we should have discussed last year at the same time. The report is one year late and that is a committee report which interrogates the Auditor General’s report -the report that we have never discussed in this house. Mr. Speaker, I think we should be guided and we should take our work seriously.

It is not just coming to earn and going home. At the end of the day, several questions will be raised on our credibility and integrity. We are not here just to make money, for those who are in those committees.

Mr. Speaker, we are talking about committees to come and generate the business of the house once we are back from the recess; at the same time, that issue of composition of committees is still in question. A month ago a report was tabled; you issued the introduction of that report in two weeks. Now it is a month ago. There are no signs, there is no goodwill, and yet we purport to be sailing in the same boat.

Mr. Speaker, we need some guidance and we also need to treat each other like brothers and sisters and this is for a short period of time; after five years, everybody will take his own

course - those who will be alive by that time. What I mean is that, we don't know what tomorrow holds and if you are in a position, don't take others for granted. Today you are in a position, tomorrow you are not in that position. You may press some of us for some time but not always. So Mr. Speaker as we discuss about going to recess, let us stick to our calendar so that we can be seen as a house of order. And we can now set precedence for other assemblies to come in future. Thank you Mr. Speaker I object that recess.

Hon. Speaker: Thank you. Let us hear Hon. Ndeto at the back.

Hon. Festus Ndeto: Thank you Mr. Speaker for this opportunity. The saying goes that 'democracy may not be justice,' because democracy always goes with numbers and the idea to go for recess by itself is not a bad idea because sometimes, people also need to rest. But you have just given a communication which is very important about the report that the office of the Clerk received from the Ministry of Finance.

For the last two years, I have seen this house pass the budget running without taking good time to scrutinize this very serious document. How I wish that now that we have received that document, instead of going for the recess for the two weeks, within those two weeks, how I wish this house can take ample time for that reason, go through that document carefully and every member be in a position to understand what is contained in that document. And I believe that can be of great importance not only to this House but also to the entire county. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Ndeto, when you look at the application of the motion that was read out here, it says, I think I am reading the fifth sentence, 'aware that several Bills were introduced in this house and committed to various sectoral committees for interrogation; and aware that if this Hon. House proceeds on recess as scheduled, they affect the interrogation of the said budget and Bills, I beg to move the motion pursuant to the Standing Orders to adjourn the house sittings, not the committee sittings. I don't know whether you capture that. So the committee, according to the mover, will still have an opportunity to interrogate the Bills and the budget.

Hon. Ndeto: I have captured that, but as much as I have captured, as you know those of us who are in opposition, quite a number of us have only two committees and having two committees, when we go for the recess, possibly we will come back maybe once per week then the next week once and because I will have no business within, I will move out do my businesses then I come back after the two weeks. But if I am within, due to the proceedings of the Assembly, I will also be able to get the proceedings of the other committees in which I have interests in, noting that a communication was done that it is only the members of a certain committee probably who can attend and who can be facilitated. Thank you.

Hon. Maitha: Mr. Speaker, it sounds as though a decision has already been arrived at. I am in total opposition of recess because Mr. Speaker, as Hon. Muthuka has stated---

Hon. Speaker: What decision sounds like it has been made? Are you actually in order?

Hon. Maitha: I might be out of order but I am convinced a decision is already made Mr. Speaker, and I have no regrets for that.

Hon. Speaker: Hon Dominic.

Hon. Maitha: And Mr. Speaker, I want to say this---

Hon. Speaker: Order, order Hon. Dominic. Who appears to have made the decision?

Hon. Maitha: Mr. Speaker, I am not talking from the blues. I know what I am talking about Mr. Speaker and I would wish you give me time to contribute because when I talk I don't talk from nowhere.

Hon. Speaker: Hon. Dominic, you are out of order.

Hon. Maitha: Thank you Mr. Speaker.

Hon. Ruth Ndumi: Thank you Mr. Speaker, sir. I want to support this matter in the house and Mr. Speaker, I want to say this, we the government side, have been working tirelessly and Mr. Speaker, Sir, and you know even the Bible ... protect Mr. Speaker.

Hon. Speaker: Let us take that point of order.

Hon. Maitha: Mr. Speaker, is the Hon. Member substantive enough to say that the 'government side', how many governments do we have in Machakos County? And Mr. Speaker, if we have two governments, then we can be told. My position to the situation of things does connote to be a non-governmental member. I am serving the same government, she is serving the same and we deserve an apology for that Mr. Speaker. My position does not connote that I am not working in the government. Thank you, Mr. Speaker.

Hon. Ndumi: Mr. Speaker, sir, I continue. Mr. Speaker, sir, you know the government side---

Hon. Speaker: Hon Ndumi, let us hear the point of order.

Majority Leader (Hon. Mwonga): Mr. Speaker, I didn't think I will be strong enough to contribute this evening, but Mr. Speaker, I want to inform the Hon Member for Muthwani who is a close friend Mr. Speaker, but who belongs to a different political persuasions that, in every parliament Mr. Speaker, there is the government side and the opposition side Mr. Speaker. I want to inform him that when Hon. Ruth Ndumi said 'the government side' Mr. Speaker, she is 100 per cent right. Thank you, Mr. Speaker.

Hon. Speaker: Order Hon members, allow Hon. Ndumi to proceed.

Hon. Ndumi: Thank you Mr. Speaker, Sir. As you know the Wiper party leads and it is the government side and Mr. Speaker, sir, you know even in the Bible, there is time for sleeping

and waking up. This is our time to go and rest Mr. Speaker, sir, and you know the opposition side when we are working they just walk out of the house and we continue and finish the session Mr. Speaker, Sir all the time. So Mr. Speaker, Sir---

(Loud consultations)

Hon. Speaker: Order, Hon Ndumi you are protected, proceed.

Hon. Ndumi: Thank you Mr. Speaker, sir, and you know the government side we are tired. Thank you for the decision. Mr. Speaker, Sir I want to support we go and rest and see our people. Thank you, Mr. Speaker.

Hon. Speaker: Let us take contributions, let us hear Hon. Matheka.

Hon Francis Matheka: thank you Mr. Speaker, Sir and the house at large. Mr. Speaker, Sir I totally agree with the Hon Member nominated by Wiper Hon. Ndumi, the government side is very tired, they need a rest, but I am wondering and I will never stop wondering, tired of doing what, doing a lot of nothing?

Hon. Member: Point of order

Hon Speaker: Point of order is refused. Proceed.

Hon. Matheka: Mr. Speaker, Sir, thank you for your protection. I will never stop wondering in this house until maybe after three years now. We might claim we are tired, yes we are. Even the opposition is tired. But we need to ask ourselves one simple question, what have we done for our people? How many Bills have we passed in this House? How many motions have we passed in this house? So as to need that rest that we say we require. Mr. Speaker, Sir, we can go home, it is not a big deal. We can rest, it is not a big deal, everybody needs that rest. But the big question is, what have we done? A lot of nothing, according to me. Thank you.

Hon. Speaker: Thank you. Yes let us hear Hon. Itumo.

Hon. Joseph Itumo: Thank you Mr. Speaker. Before I proceed Mr. Speaker, Sir, I want to put to the ears of Hon member for Ndalani that my committee is one of the most active committees Mr. Speaker, Sir.

(Applause)

Mr. Speaker, Sir, I stand here to support this motion that has been brought to the floor of this hon house that we go for recess for two weeks. Mr. Speaker, Sir, you realize that we are serving people on the ground and those people need our consultation, need everything from us and they would also want to interact with us at times Mr. Speaker.

Mr. Speaker, I do not see any wrong for us as Hon. Members to go and even lead as a good example. Mr. Speaker, it is a very bad show for a Hon. Member to be waking up every morning coming here every morning, and when you go to his farm, you find everything is in a mess Mr. Speaker. Mr. Speaker, we want to go and shine in each and every field Mr. Speaker. So I do stand here to support this motion and Mr. Speaker, if I was you, I would have put the question and I know this motion can pass immediately.

(Applause)

Hon. Speaker: Let us hear Hon. Mutuku

Hon. Michael Mutuku: Thank you Mr. Speaker, Sir. I stand here to support the motion due to the following reasons:

1. It is actually within our traditions and customs for the legislatures, both county and national, to go for recess after a session. I am not seeing a good reason why we should violate that tradition because as we speak right now, the national parliament and also the other counties are going for recess.
2. As you are aware, much of the business, we generate once we interact with electorates; that is where we generate the business, we hear their aspirations and wishes. Therefore Mr. Speaker, Sir it is high time the Hon. Members go for recess so that actually they can explain to their electorates the achievements they have achieved while in the Assembly and probably if there are failures.
3. Mr. Speaker, sir, the other reason why I am supporting the motion is that there is time for everything, there is time for recess and there is time for sessions. Mr. Speaker, Sir, we are not machines; we want to go and rest.
4. Mr. Speaker, Sir, the last which is not the least, as you are aware, often recess coincides when children are going back to school. It is also the high time for these hon members to return their daughters and sons back to school. As you are aware, there is no way we can be actively involved and the schools are being reopened; definitely we have to take our children back to school.

With those few point Mr. Speaker, Sir, I stand to support the motion for adjournment. Thank you.

Hon. Speaker: Let us hear the whip and then the Majority.

Hon. Timothy Kilonzo: Mr. Speaker, Sir, in support of the motion, I would like to say that we have passed a number of Bills not as they are saying we have not passed. Mr. Speaker, Sir, this county was county number one and now it is county number one Mr. Speaker, and suppose this house is doing nothing, the county could not have achieved the number one Mr. Speaker, sir.

Also Mr. Speaker, Sir, I can remember, I am among the members of committee of Selection, and we went to Mombasa to balance the committees Mr. Speaker, Sir. We balanced the committees and every member of this Assembly, should have three committees; only that the opposition have refused and have turned the committee suggestions down, so Mr. Speaker, Sir, if they will like to put their input in the committees that will sit, they can come to the committees, they can seek permission to appear in the committees so that they can contribute. But Mr. Speaker, Sir, I know we gave every Hon. Member at least three committees Mr. Speaker, Sir. Thank you. I sit down.

Hon. Speaker: Let us restrain ourselves I with the matter for adjournment.

Majority Leader (Hon. Mwonga): Thank you Mr. Speaker. I want first and foremost to start by thanking the Majority Whip for highlighting the issue of the composition of the committees Mr. Speaker and he has laid that matter because Hon member for Ndalani, that is my good friend Hon. Muthuka, raised the issue Mr. Speaker. I want to start by saying the same Hon. Member, Muthuka raised the issue of opposition and gave a warning to the members who are maybe in different positions Mr. Speaker.

But Mr. Speaker, I want to remind him that back in the year 1892 Mr. Speaker when Americans in that time and if my mind serves me well, the president of that country was Abraham Lincoln Mr. Speaker, the president who did away with slave trade Mr. Speaker, before he stopped slave trade, there were four years of civil war in America Mr. Speaker. And the few who had plantations or the rich were saying that the slave trade should continue, whereas the Lincoln's government was saying that we must stop slave trade. Mr. Speaker, the minority who have said they were the rich and owners of the farms the sugar plantations, one day one of them told Lincoln, "Mr. President you know something, you cannot make equal what God has not made equal".

Mr. Speaker, in this house, we are not equal; we must have leaders and those who are led, so when talking about position Mr. Speaker, that is null and void. You can never make equal what God has not made equal.

Mr. Speaker, I want to say the content of the motion is very clear and when we were balloting for this motion Mr. Speaker, it was also discussed in the House Business Committee Mr. Speaker and the hon. member, Muthuka was in that committee and he is one of those who proposed that we should proceed for an early recess Mr. Speaker. It is a wonder now he comes here and he is a member of the House Business Committee---

Hon. Speaker: Let us hear his point of order now that he is mentioned.

Hon. Muthuka: Thank you Mr. Speaker. I think this is not a drama class; we are restraining ourselves to an issue. This motion was not balloted in the House Business Committee, the chairman was guided by the Clerk, bring this motion under Standing Order 227, I cannot recall. And then informally, we decided that let it come because there was an issue of business in

the house because we have been going without business in the house. And the Majority Leader, who happened to chair the meeting, requested that let us bring this motion so that we can discuss the chairs who are sleeping in their jobs but you see, that is informally and now because you have brought informal things here, I must now put them clear because the reason why we are going for a recess is because we are going without business.

Now I have listened very carefully to the contribution of members. Some are saying we need to go and rest, we need to go and till our shambas, yet the motion is very clear that the committee sittings will continue so that by the time we are back we have enough business for this house.

Hon Speaker: Okay. Proceed Hon. Mwangi.

Hon Majority Leader: Thank you Mr. Speaker. I want to sum up by saying, let us proceed and start our recess today Mr. Speaker, so that we can give committees time to interrogate the budget and the Bills which were introduced here and also meet with the public on interrogating these Bills. Thank you, Mr. Speaker.

Hon. Nganga: Thank you Mr. Speaker and the house at large. Mr. Speaker, I rise to still support this motion and say that as our children resume back to school Mr. Speaker, there are a lot of activities we can be involved in. By going for recess, we will have the opportunity to distribute the bursaries to the children as they go back to school once the schools are opened Mr. Speaker.

We also have the exercise of drilling boreholes across the whole county that is happening. So I would want to say that members will have the opportunity to interact with the public and explain to them the big agenda of doing away with water problems in Machakos County as we supervise the implementation of drilling of boreholes within our ward Mr. Speaker.

We are also distributing the funds for the elderly, funds for women, and you can always have an opportunity to visit a few chamas for the *cucus* (grannies) back at home and women who are back at home and see how they are faring on Mr. Speaker. I think the role of an MCA is clearly defined in the Constitution-one of them is legislation, representation and oversight Mr. Speaker. We have had four months of legislation and oversight, Mr. Speaker; if we spent a month doing the role of representation, checking the views of our people, then I think it will serve in the best interests of our county Mr. Speaker.

Also before us, yesterday we committed at least four Bills that are very critical in structuring the government of the county and I believe members will have an opportunity to interrogate those Bills so that when we come back, we shall have a constructive debate during enactment of those Bills into law. So I think Mr. Speaker, by having a recess, we still will have focused more on the representative role and also the scrutiny of the business before the house. So I think it is a nice idea and I would want to request that now the mood of the house is that we go

for the same, Mr. Speaker, if the matter can be put to vote as my earlier colleague had put it, I am certain the house will make a decision. Thank you Mr. Speaker and I stand to support.

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

Hon. Joseph Muli: Thank you Mr. Speaker. I stand to support the motion and it is as if the immediate speaker who has talked has read my mind, but I would like to handle a situation that Mr. Speaker, most of the members here have passion for their electorates within our wards and we need to meet our electorates, we discuss some of the problems, deliberate, and also try to brief them on how the government is proceeding.

Mr. Speaker, I understand very well this county is number one and also we need to elaborate more to our electorates because they will be asking, meeting directly and talking directly, one to another. Therefore, Mr. Speaker because this is constitutional, I will support the recess. Thank you, Mr. Speaker.

Hon. Veronica Mbithe: Thank you Mr. Speaker, Sir, and the house at large. I am just getting mesmerized to hear a Hon. Member say that this house has not been doing anything, yet they have been in the house. Mr. Speaker, I am also wondering if they have been in the house and the house has been doing nothing, are they not a part of the house, yet an opportunity is open to all members to bring in business in the house.

Mr. Speaker, Sir, I believe this house has been working and even statements that have been sought in this house have been brought back to the house and it is a shock that if a member can stand and say this house has been doing nothing. Mr. Speaker, I feel that that member who has been saying that, maybe he has been earning money out of doing nothing. Mr. Speaker, it is a challenge I am giving to that member that next session he has to be active and bring business in the house.

I stand here to support the motion that we go on recess and meet electorates, for those who are have been elected. And also those who present party matters, that they may go back to their parties and sort out issues that are in their parties. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. Yes Hon. Alice

Hon. Alice Nzioka: Asante Sana Bw. Spika kwa kunipa hii nafasi. Nasimama kuunga mkono mswada kwamba twende likizo. Ni vizuri sana kwa kiongozi kama vile sisi ni viongozi, uongozi unaanza mahali ambapo umetoka. Kwa wakati ambao huwa tuko kwenye bunge, kuna mambo mengi ya kinyumbani kibinafsi, na jamii yote ambayo tunapasa kufanya na hata ukifanya kazi zaidi, akili hupungua. Tupate nafasi, twende tupumzike kidogo, tukutane na jamaa na marafiki na pia kuona mwelekeo ambao tutachukua kwa ajili ya Kaunti yetu.

Lakini Bw Spika, nina changamoto, kwamba unafikia wakati wa kuenda nyumbani kukutana na watu nyumbani; sisi kama viongozi kila wakati, wale ambao wametuchagua tukifika

manyumbani, wanaangalia wanaona kuwa viongozi wamefika na kila mtu huwa anaamini kwamba wakati ambapo anaona kiongozi, anaona vitu vyote vizuri. Ningekuomba uongee na karani wa bunge yetu Bw. Mbiuki, aangalie maslahi ya mifuko yetu tusiende nyumbani bila kwa ajili umefikia wakati wa kwenda nyumbani. Kwa hivyo Bw. Spika Tafadhali jali maslahi. Asante.

Hon. Speaker: That was mine, I will deal it.

Hon Kyalo Kyuli: Nashukuru Bw. Spika. Nimesimama niunge mkono mswada huu wa mapumziko hata kama kulikoni, lakini hata hivi sasa Bw. Spika kuna kalenda ambayo iliundwa na hata kama kulikoni, mimi nimeunga mkono watu waende mapumzikoni. Jambo la ajabu ni kwamba, ndio tutakuwa mapumzikoni, na waheshimiwa wanasema watakuwa nyumbani, ilhali kutakuwa na kamati ambazo zitakuwa zinaendelea kufanya kikao.

Kwa hivyo ni vikao vya kamati vitakuwa bado vinaendelea; hivyo ni kusema kwamba, isiwe watu wanaenda mapumzikoni; haitakuwa ni kwamba watu watakuwa wameenda mapumzikoni. Sasa ndio waheshimiwa wataingia kwenye kazi ngumu ya kukaa kwenye vikao vya kamati; wale wana shughuli za kamati zao, wakae, wale wana kamati mbili ukiitwa mara moja kwa wiki waje mara moja kwa wiki, wale wana kamati tatu, waitwe mara tatu kwa wiki ama waitwe mara moja, itakuwa ni sawa Bw Spika. Hivi ni kusema kwamba, Bw Spika, wengi wape, wachache wasikize.

Hon. Speaker: Hon members, I think, matters that are ordinarily deliberated in committees, all members are able to attend; I don't know why people are raising issues on that. There are chairs who can permit you to attend and contribute. Yes Hon. Kyuli.

Hon. Kyuli: Bw Spika, tulipewa habari ya kwamba ukiitwa kwa kamati, siku hiyo wewe utakuwa umekuja kwa kamati umesikiza mambo yalivyo halafu ile hafla nyingine hautashiriki. Kwa hivyo Bw. Spika, iwe kama utapitisha iwe ukiitwa ama ukikusudia kuingia kwa kamati ambayo una jambo ambalo unaona linakuhusu, ama unakusudia kuchangia jambo fulani, kama hiyo itarudishwa na utashiriki pale pengine, Bw Spika, hiyo itakuwa ni sawa. Lakini kama haushiriki, basi ukiingia utakuwa umepoteza wakati wako na nguvu zako na itakuwa ni bure. Kwa hivyo Bw. Spika, kama kuna kushiriki pale pengine ni sawa.

Hon. Speaker: Hon members we need to conclude this. Let us hear the chair, budget.

Hon. Isaac Muinde: Thank you Mr. Speaker. I stand to support that we go on recess. Mr. Speaker, it is clear that ahead of us is a lot of work to do; we now have the budget estimates for the year 2015/2016 and within the six weeks that we shall be on recess Mr. Speaker, all the select and sectoral committees will be expected to be very busy.

Mr. Speaker, yesterday we also had first reading for almost all the Bills; that is already work enough Mr. Speaker, and over and above that, most of us who also represent wards will also require time to be with our electorates Mr. Speaker, but as you can hear clearly, it is not that

members are entirely opposed to going for recess but there are other underlying issues for those that feel uncomfortable about the issue which are pecuniary in nature.

Mr. Speaker, perhaps in your own way, you may ensure that the sittings are maximized so that members can also feel that their time is not lost in terms of other pecuniary benefits Mr. Speaker. But the issue of non-members attending particular committees you know there is the issue of SRC Mr. Speaker, that you cannot sit in more than eight sittings in a week and the other issue Mr. Speaker, us being that in the past, non-members of particular committees storm into your committee and they start to dictate terms yet they are not bona-fide members; some even go into a shouting match Mr. Speaker, and that necessitated the need to have discipline in committees and ensure that only those who are members of a particular committee attend.

We had a case Mr. Speaker, and I can say it loudly, where we had to interrogate some CEC members and some of the CEC members had to shed tears because it turned to be a shouting match by some people or Hon members who are not members of a committee; that is why such a decision was taken but however Mr. Speaker, I know in your kindness, we can find a way where maximum sittings can be achieved without necessarily disrupting the order in the committee sittings. With those few remarks Mr. Speaker, I support that we go on recess.

Hon. Speaker: Now that you are the chair budget, and this is your matter, that we received on the budget, what is your position? I thought these Hon members contribute in all the committees that will be available for the budgetary process.

Hon. Muinde: Mr. Speaker, now that the budget estimates are here with us, before it can be committed to the committee on Budget, it is going first to the sectoral committees; we have sectoral committees that are corresponding with the departments, for example agriculture and cooperative development, so the particular committee will sit and interrogate their own sectoral budget. So it will depend on how they would want to make their own calendar.

So for six weeks, they are supposed to be busy interrogating, invite their own Chief Officer or Minister or both and finally they will have a sitting with the budget committee where the chair will present their own findings to the committee on budget. So Mr. Speaker, all the sectoral committees will be busy; over and above, there are the Bills that must also be interrogated. So I don't even know why members are afraid; still our in-tray is full. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. Finally we can hear Hon. Nzoka and Hon. Mary Ndinda at the back.

Hon. Nzoka Munywoki: Thank you Mr. Speaker, Sir. I do support this adjournment and I do request if it could have been three weeks, because we have a lot to do. It is rain time, we have to move to the farms to coordinate; it is now the time where you can take care of the crop. Otherwise when you miss when it is that stage, you miss the whole thing.

Hon. Speaker: Hon. Nzoka, you are asking for three weeks?

Hon. Nzoka: Extension. Not two weeks, three weeks.

Hon. Speaker: The request for adjournment is for a period of a month.

Hon. Nzoka: Even a month is okay. If we can make a month, I think my Majority Leader will go by that one.

Hon. Speaker: Is it a month or six weeks? Yes it is six weeks.

Hon. Nzoka: It is good. And as they have said, I don't want to keep on repeating that we are taking kids to school, it is opening time so when we heard that one, opening and taking care of the time of farming now, and again we need also to be interrogated by our electorates so we shall have some meetings then we are interrogated so that the electorate can know what we have done so far. So my view is we extend to the maximum you say, six weeks. Thank you.

Hon. Speaker: Hon. Mary Ndinda at the back.

Hon. Mary Ndinda: Asante Bw. Spika, nasimama kuunga huu mswada kusema ya kwamba, ningependa tuanzishe likizo mapema kwa maana kweli tumefanya kazi. Ya pili, kuna wale wametoka sehemu za mbali katika Machakos County ambao tangu tufungue bunge hatujawahi pata nafasi ya kuenda kule kwa maana ni mbali sana kwa hivyo jamii wanatutaka, wanataka kutuona, wazee, wake na watoto wako na wanataka kutuona na kwanza hii wiki ya mwisho ya mwezi huu wa tano ndio watoto wanafungua shule na tusipoenda mapema watafungua bila ya kuangaliwa wataendaje; kuna shughuli za kuwatayarisha ili warudi shuleni.

Ile ingine ningesema ni kwamba kuna kazi nyingi tumepewa ambazo zinahitaji mtu achukue muda kukaa chini kusoma, kutafakari, kufafanua na kuweza kuangalia ni wapi ataweza kusahihisha ili tukikutana tuweze kurudisha miswada yetu iweze kuwa sambamba.

Kwa hivyo ninaunga hili jambo tuende na ninasema ya kwamba, wiki sita hata ningesema ni ndogo lakini inafaa tukae hizo wiki sita zote, maana hata katika kamati tuko na kazi nyingi. Kwa hivyo ninaunga na Mungu abariki aliyeinua huu mswada. Asante Bw. Spika.

Hon. Speaker: I think Hon. Members I am persuaded that adequate contributions have been made over the motion and I proceed to put the question.

(Question put and agreed to)

ADJOURNMENT

Hon. Speaker: The House adjourns. Thank you.

The House rose at 3.42 p.m.