

**MACHAKOS COUNTY ASSEMBLY****OFFICIAL REPORT****Thursday 12<sup>th</sup> May, 2016**

The House met at 2.32 p.m.

*[The Speaker (Mr. Mung'ata) in the Chair]***PRAYERS****PAPER LAID****COMMITTEES PROGRESS REPORTS FOR JULY 2015 TO DECEMBER 2015****Hon. Speaker:** Yes, Hon. Nathaniel Nganga.

**Hon. Nganga:** Mr. Speaker, Sir, I beg to lay the following paper on the table of the House today Thursday, 12th May, 2016; the report of the Liaison Committee on Committees progress reports for the period starting on July, 2015 and ending on December, 2015.

*(Hon. Nathaniel Nganga laid the paper on the Table)***Hon. Speaker:** Thank you. Paper laid. Proceed.**NOTICE OF MOTION****COMMITTEES PROGRESS REPORTS FOR JULY 2015 TO DECEMBER 2015**

**Hon. Nganga:** Mr. Speaker, Sir, I beg to give notice of the following motion;  
THAT this House discusses and approves the report of the Liaison Committee on Committees progress reports for the period starting on July, 2015 and ending on December, 2015.

**Hon. Speaker:** Thank you. Notice issued. Proceed.**STATEMENTS****IMPLEMENTATION OF WATER ACT 2014****Hon. Kathinzi:** I would like to seek the following statements;

I would like to know that aware that we passed the water act in the year 2014, that warranted Machakos County to utilize all the water resources therein, this act mandated the CEC water and irrigation to approve water boards to oversee its implementation. It is a wonder that, residents of Masinga who are adjacent to Masinga-Kitui water pipeline pay their water bills to Kitui Water services and stagnation Company. Money that should have been paid to Machakos County and raise the revenue target given that last year the County did not meet its revenue collection target.

Kitui County receives over about Ksh. 10 million of water base paid by residents of Kivaa Ward and some of the parts of Masinga Central Ward. Mr. Speaker, I would like to know why the CEC has not implemented this act for the benefit of the residents of Masinga and County as a whole.

#### ASSAULT OF A JUNIOR STAFF

Secondly, I would like to seek a statement as to why an officer in the office of the Governor, one Mr. Lazarus Kivuva assaulted a junior officer last week is contrary to the leadership and integrity code of conduct by both the state and public officers. Mr. Speaker, I would like to know why this happened and the measures undertaken to correct this act of lawlessness.

#### APPOINTMENT OF NEW CHIEF OFFICERS

Thirdly, I would like to seek a statement because this Assembly is aware that some of the Chief Officers who have been appointed, almost a week ago, whereby we have some new Chief Officers, some of who have been moved from the Sub-county Administration and these officers include one Eng. Muthama Mutisya, Jackson Muthini, Robert Maitha, Lazarus Kivuva, Nicholas Makau, Dr. Maxwell Lodenyo, Eng. Nicholas Mungai, Mr. David Mutia and Damaris Mativo.

Mr. Speaker, these officers, their names have never been brought to the Assembly for approval but the Governor created more Chief Officers aware that this procedure has to come to the floor of the House which did not come. I would like to know why this has happened yet it is contrary with the provisions of the County Government Act section 45 (1) (b) which provides for the appointment of County Chief Officers with the approval of the County Assembly. Thank you, Mr. Speaker.

**Hon. Speaker:** Thank you. On the matter of statement, statement number one is committed to the Committee in Environment, Lands, Energy and Natural Resources. On the issue number two and three, they are both referred to the Committee on Labour, Public Service and ICT, that answers should be found in this Assembly within the next fourteen days and the Clerk is reminded to raise the matter in the order. Proceed.

#### BUSINESS FOR 17<sup>TH</sup> TO 19<sup>TH</sup> MAY, 2016

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**Hon. Nganga:** Mr. Speaker, Sir, I stand under Standing Order 41 (2) (a) where during where during the statement hour a Member of the House Business Committee designated by the Committee for that purpose shall every Thursday or on the last sitting day for not more than 10 minutes present and lay on the table a statement informing the House of the business coming before the House in the following week. Mr. Speaker, Sir, the House Business Committee met today Thursday 12th May, 2016, and balloted business for the next week as follows;

1. Tuesday afternoon, 17th May, 2016 - We will have the report of *Ad Hoc* Committee on the conduct of the County Public Service Board Secretary.
2. Wednesday morning, 18th May, 2016 - We will have the report on budget and appropriation Committee on the report of the Controller of Budget on the implementation of 2014/2015 budget, and the education and Education and Social Welfare Committee on ECDE classes.
3. Wednesday afternoon, 18th May, 2016 - We will have the report of Labour, Public Service and ICT Committee on the petition by Inspectorate and then we will also have the report on Finance and Revenue Collection Committee on benchmarking tour to Kilifi County.
4. Thursday afternoon, 19th May, 2016 - We will have the report of the Committee of Agriculture and Co-operatives on establishment of milk chillers. Thank you, Mr. Speaker, Sir.

**Hon. Speaker:** Thank you. Let us proceed, clerk.

## MOTIONS

### COMMITTEES PROGRESS REPORTS FOR JULY 2015 TO DECEMBER 2015

**Hon. Nganga:** Mr. Speaker, Sir, aware

THAT among other roles, the Liaison Committee is assigned to guide and co-ordinate the operations, policies and mandates of all committees and ensuring that committees submit reports as required by the Standing Order No. 191 (2) (a) and (d).

THAT the Liaison Committee is mandated to ensuring that select and sectoral their half yearly progress reports as required by the Standing Order 180 (1).

THAT the Liaison Committee received and discussed progress reports of select and on 5th May, 2016.

THAT pursuant to Standing Order No. 180 (2), the Liaison Committee compiled progress reports of the select and Sectoral committees for the period starting July, 2015 and ending December, 2015.

Mr. Speaker, Sir, I beg to move a motion that this Honorable House discusses and approves the report of Liaison Committee on the Committees progress reports for the period starting on

July, 2015 and ending on December, 2015. Thank you, Mr. Speaker, Sir and I call upon Hon. Leonard Katela to second the motion.

**Hon. Katela:** I support the motion so that, Mr. Speaker, as you are aware, last time when we gave our committee reports, at least most Chairpersons and their committees pulled up their socks and this time around, there is a report I saw and it is like they have tried to work and I support this motion so that each and every committee can tell the House what they have done for our people since the start of this session. So, Mr. Speaker, Sir, I support it fully.

**Hon. Speaker:** Thank you. The matter is properly laid. Proceed.

**Hon. Nganga:** Mr. Speaker, the Liaison Committee is established under standing Order 191 (1) ‘there shall be a select Committee to be known as the Liaison Committee which shall consist of the Chairperson of Committees as the Chairperson and the Chairpersons of all Committees of the Assembly.’

Mr. Speaker, Sir, pursuant to Standing Order 180 (1) ‘unless a more regular interval is prescribed under any written law or these Standing Orders, each select Committee shall submit half yearly progress reports to the Liaison Committee.’

Mr. Speaker, Sir, the Liaison Committee received and discussed the Committee progress reports from July to December, 2015 on 5<sup>th</sup> May, 2016. The Committee hereby submits a compiled report of the same.

### ***Mandate of the Liaison Committee***

Mr. Speaker, Sir, pursuant to Standing Order No. 191 (2) the Liaison Committee is mandated to:-

- i. Guide and co-ordinate the operations, policies and mandates of all Committees.
- ii. Deliberate on and apportion annual operating budget among the Committees.
- iii. Consider programmes of all Committees, including their need to travel and sit away from the precincts of Assembly.
- iv. Ensure that Committees submit reports as required by these Standing Orders
- v. Determine, whenever necessary, the Committee or Committees to deliberate on any matter.
- vi. Give such advice relating to the work and mandate of select Committees as it may consider necessary.

### ***Committee Membership***

1. Hon. Nathaniel Nganga - Chairperson
2. Hon. Sammy Nduva - Member
3. Hon. Joseph Muli “

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4. Hon. Alphonse Wambua “
5. Hon. Joseph Itumo “
6. Hon. David Manyolo “
7. Hon. Peter Nzioki “
8. Hon. Winston Kanui “
9. Hon. Leonard Katela “
10. Hon. Joseph Kalunde “
11. Hon. (Ms.) Cecilia Sereka “
12. Hon. Joshua Mwonga “
13. Hon. Felix Ngui “
14. Hon. Jacqueline Nziva “
15. Hon. Michael Mutuku “
16. Hon. Oliver Nzeki “
17. Hon. Edrick Ngunzi “
18. Hon. (Ms.) Magdalene Ndawa “

## **SECTORAL COMMITTEES**

### **HEALTH AND EMERGENCY SERVICES COMMITTEE**

#### ***Committee Business***

Mr. Speaker, Sir, during the period the Committee held 15 meetings.

#### ***Reports Tabled***

Mr. Speaker, Sir, during the period in consideration the committee discussed and tabled a report on the HIV/ AIDS Management bill.

#### ***Workshops/Benchmarking***

Mr. Speaker, Sir, the committee held a consultative forum with the Department of Health and Services on the Health regulations.

### **YOUTH, WOMEN AND SPORTS COMMITTEE**

#### ***Meetings***

Mr. Speaker, Sir, during the period the Committee held twenty two (22) meetings.

#### ***Field Visits/Foreign Travels***

Mr. Speaker, Sir, the Committee attended EALASCA games trials at the Kenyatta Stadium from 28<sup>th</sup> to 31<sup>st</sup> October, 2015. The event provided a good platform for the Committee

to legislate on the ways of empowering the Machakos County Government staff participating in such games.

Mr. Speaker, Sir, a delegation comprising of the 6 Committee Members and one officer attended a Women Leadership Development workshop in Pretoria, South Africa from 5<sup>th</sup> to 12<sup>th</sup> October, 2015. The report on the trip will be tabled in the house the soonest for adoption.

### ***Reports Tabled***

Mr. Speaker, Sir, during that period in consideration the committee tabled one report on the KICOSCA games.

## **FINANCE AND REVENUE COLLECTION COMMITTEE**

### ***Committee Business***

Mr. Speaker, Sir, during the period the Committee held thirty one (31) sittings.

### ***Site Visits/ Workshops/ Retreats/Benchmarking***

Mr. Speaker, Sir, over the period the committee had two (2) retreats; one at 67 Airport Hotel on 23<sup>rd</sup> to 27<sup>th</sup> September, 2015 to discuss and compile report on Finance Bill 2015 and the other at Sai Rock Hotel in Mombasa on 12<sup>th</sup> to 15<sup>th</sup> November, 2015 to discuss Machakos County Revenue Administration Bill, 2015. The Committee also had one benchmarking trip to Kilifi County on 25<sup>th</sup> to 26<sup>th</sup> November, 2015.

### ***Reports***

Mr. Speaker, Sir, the committee tabled five reports over the period under review as listed below:-

- a. Report on Single Business Permits tabled on 8<sup>th</sup> July, 2015.
- b. Report on Revenue Automation tabled on 4<sup>th</sup> August, 2015 but was referred back for the committee to undertake intensive research including benchmarking.
- c. Report on Income and Expenditure 2013/2014 financial year re-introduced in the House on 22<sup>nd</sup> September, 2015.
- d. Report on Machakos County Finance Bill, 2015 tabled on 28<sup>th</sup> September, 2015.
- e. Report on Machakos County Administration Bill, 2015 tabled on 24<sup>th</sup> November, 2015.

## **EDUCATION AND SOCIAL WELFARE COMMITTEE**

### ***Committee Meetings***

Mr. Speaker, Sir, during the period the committee held (17) seventeen meetings.

### ***Reports***

The committee tabled a report on the petition by Machakos County Youth polytechnic instructors.

***Benchmarking***

The committee benchmarked with Kisumu County on the ECD classes and ECD trainers on 19<sup>th</sup> November, 2015.

**AGRICULTURE AND COOPERATIVE DEVELOPMENT*****Meetings***

Mr. Speaker, Sir, during the period under review, the committee held 14 meetings.

***Trainings***

Mr. Speaker, Sir, during the period the committee has been in a position to attend the following workshops:

- The committee attended a workshops organized by the Kenya Organization of Environmental Education at Fahari Hotel to review the Machakos County agriculture development fund Act.
- The committee also attended a round-table meeting organized by the Machakos County Poultry Stakeholders Association at Lau Hotel.
- The committee also retreated to Mombasa to interrogate the Machakos County Co-operative societies Bill, 2015.

***Reports***

Mr. Speaker, Sir, during the period the committee tabled one report for the Machakos County Co-operatives Societies Bill, 2015.

**LABOUR, PUBLIC SERVICE AND ICT COMMITTEE*****Meetings***

Mr. Speaker, Sir, during the period the committee held (17) seventeen meetings

***Reports Tabled***

Mr. Speaker, Sir, during the period in consideration the committee tabled the CCTV installation and integration report for the Financial Year 2014/2015. The committee, through a member, moved and the House passed a motion that an impartial audit agency be contracted to audit all the Machakos County Government employees.

**TRANSPORT, ROADS, PUBLIC WORKS AND HOUSING COMMITTEE*****Committee Sitings***

Mr. Speaker, over this period the committee held a total of 15 sittings to deliberate various matters under its mandate.

***Reports***

Mr. Speaker, in the month of September, and November, 2015, the committee was able to table two reports to the Assembly that is the report on Designated Parking Places Bill, 2015 and

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Omnibus Parking Places Bill, 2015. In the month of November, 2015 the committee Invited Chief Officer Public Works, Ms. Sarah Mwikali to shed light on status report in Public Works Department.

### ***Retreats/Benchmark***

Mr. Speaker, this committee retreated at Naivasha in the month of October to compile report on Omnibus Bill, 2015. In the month of September, 2015, the committee benchmarked with Mombasa County Assembly.

## **ENVIRONMENT, LANDS, ENERGY AND NATURAL SERVICES**

### ***Committee Sitings/Field Activities***

Mr. Speaker, over this period the committee held 12 sittings to deliberate various matters under its mandate. Mr. Speaker, during this period the committee was able to;

1. Interrogate the residents of Kitangani Market in Masinga Central Ward on land conflicts within the market.
2. Interrogated Chief Officer, Lands on land matters in government lands in Katani and Mlolongo areas.

### ***Reports***

Mr. Speaker, in the month of October and November, 2015, the Committee was able to table two (2) reports to the Assembly that is:-

- I. The state of pollution in river Athi and Komo areas.
- II. The E- Waste Bill, 2015

## **TOURISM AND CULTURE COMMITTEE**

### ***Meetings***

Mr. Speaker, Sir, during the period the committee held fourteen (14) meetings.

### ***Field Visits/Training***

Mr. Speaker, Sir, the committee visited the following places;

1. Went to Eldoret to oversee the KICOSCA games.
2. Benchmarked with Mombasa County Assembly.

### ***Reports Tabled***

Mr. Speaker, Sir, during the period in consideration, the committee tabled the following report.

- Public petition by Machakos Mau Mau war veterans.

## **JUSTICE AND LEGAL AFFAIRS COMMITTEE**

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***Meetings/Field Visits***

Mr. Speaker, Sir, during the period the committee held fourteen (14) meetings.

Mr. Speaker Sir, the committee visited the following places;

- Benchmarking in Mombasa County.
- Visit to Mavoko sub-county industries and quarries.

***Training***

Mr. Speaker, Sir, the committee was trained on its mandate in Mombasa in the month of October, 2015.

**PLANNING, TRADE AND INDUSTRIALIZATION COMMITTEE*****Committee Meetings***

Mr. Speaker, Sir, during the period the Committee held nineteen (19) sittings. The committee was informed of invitation to Dubai and resolved to visit the country for benchmarking. The committee shelved idea of foreign trip to concentrate on Annual Development Plan which was urgent.

***Site Visits/ Workshops/ Retreats***

Mr. Speaker, Sir, over the period the committee had one retreat at Sai Rock Hotel in Mombasa on 19<sup>th</sup> to 22<sup>nd</sup> November, 2015 to discuss Annual Development Plan 2016/2017. The Committee had one site visit to Kitangani Market to hear petitioners on land demarcation on 1<sup>st</sup> – 3<sup>rd</sup> October, 2015.

***Reports***

Mr. Speaker, Sir, the committee tabled three reports over the period under review as listed below:-

- Report on Benchmarking Tour to Hong Kong Republic tabled on 2<sup>nd</sup> September, 2015.
- Report on Progress on the Ward Development Fund tabled on 3<sup>rd</sup> September, 2015.
- Report on Ward Development Fund (Amendment) Act, 2015 tabled on 7<sup>th</sup> October, 2015.

**DECENTRALIZED UNITS COMMITTEE*****Committee Meetings/Activities***

Mr. Speaker, Sir, during the period the Committee held 9 meetings and out these, five meetings were adjourned due to lack of quorum. The committee went for benchmarking with their counterparts in Mombasa for fact finding mission.

***Reports Tabled***

Mr. Speaker, Sir, during the period under review, the committee tabled one report for the Machakos County Administration Structures Bill, 2015 on the floor of the house.

**SELECT COMMITTEES****BUDGET AND APPROPRIATION COMMITTEE***Committee Business*

Mr. Speaker, Sir, the committee has held 12 sittings.

*Foreign Trips*

Mr. Speaker, Sir, a delegation comprising of the 6 Committee Members and one clerk assistant visited the Republic of Tanzania to attend the benchmarking conference on effective county budgeting and financial management which was held from 22<sup>nd</sup> to 28<sup>th</sup> November, 2015 in Arusha, Tanzania. The report on the trip will be tabled in the house the soonest for adoption.

**POWERS AND PRIVILEGES COMMITTEE***Meetings*

Mr. Speaker, Sir, during the period under review the committee managed to hold three sittings.

*Reports*

Mr. Speaker, in December last year before the House adjourned for long recess, the committee tabled one report on Commitment to Leadership and Integrity code.

*Workshops*

Mr. Speaker, in November 2015 the committee on Powers and Privileges together with Procedure and Rules held a joint workshop at 67 Airport View Hotel from where they were guided on issues regarding the Leadership and Integrity code.

**WARD DEVELOPMENT FUND COMMITTEE***Committee Sittings*

Mr. Speaker, Sir, during the period the Committee held 10 sittings.

*Training/Workshops*

Mr. Speaker, Sir, over the period the committee had one training at Sai Rock Hotel in Mombasa on 5<sup>th</sup> to 8<sup>th</sup> November, 2015 on the operationalization of the Ward Fund. The Committee also had a workshop together with all other Honorable members at 67 Hotel on 8<sup>th</sup> and 9<sup>th</sup> December, 2015 on the way forward on Ward Development Fund.

**RULES AND PROCEDURE COMMITTEE***Sittings*

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Mr. Speaker, over this period, the committee managed to hold only four sittings.

### ***Reports***

This committee, Mr. Speaker, in July, last year, the committee presented a report on amendments to Standing Orders that saw establishment of Ward Development Fund and Powers and Privileges committees. This report was discussed and approved in the Assembly.

### ***Workshop/Benchmark***

Mr. Speaker, in November 2015 this committee together with the committee on Powers and Privileges held a joint workshop at 67 Airport View Hotel from where they were guided on issues regarding the Leadership and Integrity code. Mr. Speaker, from 24<sup>th</sup> to 29<sup>th</sup> October, 2015, the committee on Procedure and rules retreated to Addis Ababa, Ethiopia on invitation to the First Annual Conference.

## **PUBLIC ACCOUNTS AND INVESTMENT COMMITTEE**

### ***Committee Sittings***

Mr. Speaker, over this period the committee held a total of eight sittings to interrogate Accounting Officers from the County Assembly, County Executive, defunct councils and water companies on queries raised in the Auditor General's special audit report in respect to their departments.

### ***Field Visits***

Mr. Speaker, Sir, the committee had various visits within the county. They include:-

1. Visit to all the sub-counties to see the status of greenhouses.
2. Visited the Machakos Yard to investigate on the conditions of tractors.

### ***Foreign Trips***

Mr. Speaker, Sir, in the period under consideration, the committee visited Dubai in the month of November, and the report on Dubai trip is under way.

## **DELEGATED LEGISLATION COMMITTEE**

### ***Committee Sittings***

Mr. Speaker, over this period the committee held a total of 8 sittings.

### ***Retreat/ Reports Tabled***

Mr. Speaker, Sir, the committee retreated to Mombasa with other members of this Hon. House to deliberate on various regulations that were enacted. The Committee, further tabled the following reports;

- Report on the Housing/Car Loan regulations.
- Report on the Ward Offices regulations.

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- Report on the Ward development Fund Regulations.

## **COMMITTEE ON DEVOLUTION**

### ***Committee Sitings***

Mr. Speaker, the committee took office on 6<sup>th</sup> October, 2015. During this period the committee held a total of six sittings to deliberate various matters under its mandate that is the status of devolution in Machakos County, strategizing on committees' activities.

### ***Challenges***

Mr. Speaker, the only challenges the members experienced over the time included

- Failure of Hon. Members to report for the committee sittings on time.
- Lack of quorum during some sittings that is out of the six sittings, the committee adjourned four times due to lack of quorum.

## **COMMITTEE ON SELECTION**

### ***Committee Sitings***

Mr. Speaker, Sir, during the period the Committee held four (4) sittings.

### ***Reports Tabled***

Mr. Speaker, Sir, during the period in consideration the committee prepared and tabled two (2) reports in the House.

## **COMMITTEE ON IMPLEMENTATION**

### ***Committee Meetings/Activities***

Mr. Speaker, Sir, during the period the Committee held eight sittings. The committee went for benchmarking with their counterparts in Kisumu for fact-finding mission.

### ***Reports Tabled***

Mr. Speaker, Sir, during the period under review, the committee tabled one report for the Benchmarking exercise to Kisumu County. Mr. Speaker, there is a table there on page 10 which indicates the number of sittings the committee held and the number of reports tabled. Mr. Speaker, as it is evident the committee on finance and revenue collection had the highest sittings, Mr. Speaker. I believe the sittings contribute to the success of the department and, Mr. Speaker, the committee on Powers and Privileges had the least sittings three of them in number, Mr. Speaker.

Mr. Speaker, several committees did not table reports like justice and legal affairs committee, county public accounts and investments committee, budget and appropriation committee and ward development fund committee and devolution committee. They never tabled

any committee reports during the period under review. The committee that tabled most reports was the committee on finance with a total of five reports followed by the committee on delegated legislation and the committee on trade, planning and industrialization. Others have a minimum of one or two.

## **ANALYSIS**

1. The most active Sectoral committee during that period was Finance and Revenue Collection. It presented the most reports to this Hon. House. The Committee was also among those which held the most meetings.
2. The least active Sectoral Committee during the period under consideration was Justice and Legal Affairs Committee. It neither presented any report nor discussed any bill during this period.
3. The most active Select Committee over that period was Delegated Legislation Committee. It presented the most reports for adoption by this Hon. House.
4. The least active Select Committee over the period under review was the Committee on Devolution. The Committee is among the Select Committees which held the least meetings and never tabled any report to this Hon. House

Mr. Speaker, Sir, the Liaison Committee has noted that there are Committees leading in the number of meetings during the period under review yet no report or bill from such Committees was presented in this Hon. House for discussion. The Liaison Committee urges all the members to be responsible for creating agenda in Committee meetings.

## **CHALLENGES FACED BY THE COMMITTEES**

Mr. Speaker, Sir, almost all the committees faced the following challenges during the period. The one and the most serious was lack of quorum during committee meetings resulting to adjournment sittings, present members signing on behalf of an absentee members and failure by the executive committee member and the chief officers to honour the committee's invitation or submit the status reports and any prerequisite documents on time.

## **RECCOMENDATIONS**

Mr. Speaker, Sir, the Committee recommends the following;

1. Members to observe time during Committee meeting to avoid circumstances where meetings are adjourned due to lack of quorum.
2. Committee Chairpersons to crack the whip on members who fail to attend Committee meeting for four consecutive sittings pursuant to Standing Order 167.
3. The Liaison Committee has noted that there are some Committees which have undertaken project supervision Exercise but have not yet tabled report to this Hon. House for

adoption. Mr. Speaker, the Liaison Committee recommends that such reports be tabled in the floor of this House within the next one Month.

### **ACKNOWLEDGMENT**

Mr. Speaker, Sir, the Liaison Committee is grateful to your office and that of the Clerk to the County Assembly for the Support accorded during the Committee sittings. Mr. Speaker, Sir, it is therefore my privilege, on behalf of the Liaison Committee, to table this report and recommend it to this Hon. House for adoption. Thank you, Mr. Speaker, Sir.

**Hon. Speaker:** Thank you very much the report is properly laid. Let us hear arguments in support of adoption. Let us begin with Hon. Munyaka.

**Hon. Nzeki:** In support of the report, I would like to mention a few things I have seen in this House right now and because the finance team is always the best, you will find that we have four in this House. You count and find that the majority of finance are occupying the House and I congratulate the members because we have Hon. Raphael, Hon. Mueni and our Deputy Speaker plus me the chairman. So you find that in our report and how we have been attending meetings, we are very serious.

Mr. Speaker, Sir, in meetings, I do not find some challenges. We all attend meetings and members are not serious especially other committees. You will find a committee which has not even brought a report in the House. We have brought five reports. The attendance was 31 sittings and members, I think we should be very serious because we have been brought here, Mr. Speaker, Sir to serve our people. So, I congratulate the committee of finance especially the members who make this committee to be the most active committee.

**Hon. Speaker:** Let us hear Hon. Kathinzi.

**Hon. Kathinzi:** I would like to congratulate the chairperson of chairpersons for this wonderful job done and this is a commendable job. It is a progress report which will show us the way we are advancing from one level of understanding of the roles of county assembly to there. I think this is a report which we would like to request, even committee by committee, it is very well analyzed. Mr. Speaker, on page 10, I am going to emphasize on that particular page. You can see on the number of reports, Mr. Speaker, you can see there are those who know what they are doing here as chairpersons and definitely, according to the body language of the report, it is also very clear showing those who do not know what they are doing in this assembly as the chairpersons of those committees, Mr. Speaker.

You will start with number 12, that is the committee on justice and legal affairs. I was just wondering, 14 sittings with no report.

*(Applause)*

What do they sit to discuss, Mr. Speaker? 14 sittings without a report! The PAC and PIC report, they have 8 sittings with no single report. It is wanting. We can understand the budget and appropriation committee, because we understand the procedures, we cannot expect them to bring a report other than the budget and the supplementary budget. Probably, we can excuse number 18.

When you go back to the Ward Development Fund committee, I think there have been several sittings which we understand we have been expecting that we get a heavy report from that particular docket. Another committee to excuse, personally, is committee number 21 whereby this committee as we were told, was formed at the end of the year and we do not expect much because part of the time was used to..... (*inaudible*).

Mr. Speaker, if I can remember last time when the chairperson of chairpersons brought this report and I said, when you are bringing this report, do not forget that the liaison committee is a committee by itself. So we would also want to see the performance of your committee. This is a good report but I understand next time should be number 22 in the column so that we can see how many sittings have the liaison committee sat and how many reports have they brought in the House. So this is something, as a reminder, that the liaison committee should be a committee to be recognized and shown in the table of contents indicating 'this is the number of sittings we have sat and this is the number of reports,' So that we can also gauge the performance of the chairperson of chairpersons.

Mr. Speaker, on the other hand, I want to commend very highly, the committee number five that is the committee on finance and revenue collection and the chairman is here, he is very much active although one guy told me, he was a retired teacher, and this retired teacher told me that 'I am retired but not tired.' It seems this is very much applicable to the retired army general one, Mr. Hon. Nzeki. He has done marvelous job having 31 sittings with five reports and I think I am very lucky to have sitting in these sittings. I can remember a report by report. This is a commendable job. The other committees they are following under his effort.

Committee number two is a committee on trade, planning and industrialization. I think there must be something wrong between what *Mheshimiwa* Nzeki is thinking according to the reports because there is no committee which has given us four reports. This is a big question, Mr. Speaker, which means there is a big gap in terms of the performance of this particular chairperson and therefore, I would request that we support this document and add something little in terms of recommendation that we need to award such performing committees.

Give them a trophy, for instance, maybe as a House we can arrange for them international trip for a week so that we can encourage other committees and probably I think I should be included in that committee and be a member, Mr. Speaker, so that I can also benefit from that and also contribute in terms of that. Mr. Speaker, a period of six months is not two days. This is a report that should be kept very well in the shelves and at the same time penalize those chairpersons and this one should be taken for purposes of recording.

The chairpersons who have brought zero reports, we have in this House, very able chairpersons who can bring at least not less than five reports in this particular period of time, *mheshimiwa* Kathinzi being one of them. Being given one of these committees, I can drive this

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particular docket, at least fairly, Mr. Speaker. This is a shame to have a committee sitting 14 sittings with zero report, eight sittings with zero report. What are they sitting to discuss, Mr. Speaker?

This is something which you should discuss in camera but because we have already the members of the Fourth Estate in the gallery, this is a shame for our county. A member who is elected to come chair a committee and for 12 months, there is no report. They are not able to create business for this House. So, I this is a document, I think we need to encourage if this House can follow the suit of the chairperson of finance .committee. I think you owe me a cup of tea later in the day. Thank you.

**Hon. Speaker:** Thank you let us hear Hon Mueni.

**Hon. (Ms.) Mueni:** I stand to support the report but Mr. Speaker, Sir, you can see the House is not having the chairpersons whom we are talking about. I think you have to crack the whip and tell the chairmen who are having these meetings, I think they are not serious. I think they are getting the money from the county for nothing and they are not doing anything to our county. They are not adding any value. It is only our chairperson for finance committee whom we work with day and night, trying to get money for this county. Mr. Speaker, Sir, Hon. Katela tries but not the best.

*(Applause)*

So even Mr. Speaker, Sir, I think we are not having quorum. We are talking to empty seats so I do not know whether we are doing anything here because we are just passing time. I think you can have eyes to see even if you do not see.

*(Laughter)*

Mr. Speaker, Sir, I think you have to see now. You can count the members who are here.

**Hon. Speaker:** Order, Hon. Mueni.

**Hon. (Ms.) Mueni:** I know I am out of order but Mr. Speaker, Sir---

*(Laughter)*

Sometimes you have to be serious and tell the members to come to the House to hear what is going on because even I think some members will go home the way they came without having anything in their head because I do not know whether they are serious. They just wait for the salary to go to the accounts.

**Hon. Speaker:** Yes let us hear Hon. Chairman for justice and legal affairs committee.

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**Hon. Itumo:** I feel today very down because of the report in front of me, Mr. Speaker, but I also believe when there is number one there must be number last also, Mr. Speaker. If you look at the report, as I stand to support the report, it is a report featuring 2015 from July to December. Mr. Speaker, the committee of Justice and legal affairs have turned a new leaf, Mr. Speaker, whereby in recent past, one Hon. Kathinzi who has just left the floor and was just trying to read the script just looking at me, I know directly, actually, I sensed what he was trying to do. He is the one who said the report that I brought into this House would be termed as a year's report because it was very well-cooked and I believe in the next report, the committee of justice and legal affairs, this time round will reflect the opposite of what is read today, Mr. Speaker.

It is a very hurting to read a report but now that we have promised that we have turned a new leaf, even I can see my vice chairperson is very active nowadays and is trying to give me over 70 percent back-up so that we can come up with such report as the one we have just brought. Mr. Speaker, let each and every member forget to see the committee on justice at this level, Mr. Speaker. I wish to bring well-cooked reports and I know we are going to do our best. I do support the report, Mr. Speaker.

**Hon. Speaker:** Thank you. Any other? Hon. Members then and before I call on the mover to reply, Hon. Mueni has raised very substantial matters and is out of her contribution and that of Hon. Kathinzi, I find it important to read to the house Standing Order number 167 that 'if a member fails to attend four consecutive sittings of a committee without the written permission of the chairperson of the committee, or the permission of the Speaker, if the member is the chairperson, the chairperson, or the Speaker, as the case may be, shall notify the committee of the failure.'

Sub section 2 'the committee, having noted the notification under paragraph (1) may resolve that the member or the chairperson as the case may be, be suspended from the membership of the committee and that the matter be reported to the Selection Committee.' Part 3 states that 'upon receipt of a report under paragraph (2), the selection committee shall consider the matter and shall propose a replacement of the member for approval by the House.'

Hon. Members, that is contained in the report page 11 that the chairpersons must be seen to crack their whips. With that let me revert and ask the mover to reply.

**Hon. Nganga:** Thank you, Mr. Speaker, for that guidance. Mr. Speaker, I want to respond to a few issues that have been raised by the Hon. Kathinzi especially on having the liaison committee also evaluate itself. Mr. Speaker, in the Standing Orders what the Standing Orders require if you read 180 (1) it says that 'unless a more regular interval prescribed under any written law, each select committee shall submit half yearly reports to the liaison committee.' So, I think with your proper understanding of that you will realize why the liaison committee is not able to evaluate itself.

However, if need be, then that can be done and for your consumption, Hon. Kathinzi, the liaison committee is one of the committees that meets on a weekly basis to prepare business for

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the other committees and we have been able to table reports in this House but the Standing Order also states, the Standing Order 180 ‘unless a more regular interval is prescribed.’ Now that we have been given half a year to submit reports, you may wonder when we submit one report in every half session of the year because that is the only regular interval that has been provided for.

The other matter that I will raise is that in most of assemblies, the best practice in the Commonwealth countries and even in all the assemblies that we have in the world, is that most of the business of legislative Houses is conducted in committees and in the plenary, we only seek approvals. We don’t do much business of legislature. So when we do not take serious the work of committees that means that the House is not digesting enough for this House and it is not doing its duty for the people of this county.

So I will urge all members to take their committee seriously and deliberate the business before them. The issues they have noted of concern to the people they represent and their political parties, they also can be tackled inn that.

There was a complaint by the chairpersons about non-attendance and lack of quorum in the committees. It is unfortunate that today, they are not here in their numbers, Mr. Speaker. It is an indicator that there is need to change direction especially in requirement of members to attend the House and also these committees because without finding a way to enforce that then, we will always have challenges with the quorum and as the Standing Order 167 has clearly indicated, the chairpersons have the authority now to move ahead and enforce that Standing Order for those members of committees who are not able to attend without an express authority from the chairperson so that members can be able to undertake the business.

Mr. Speaker, also of importance to note is that committee invitation to county executive members, especially the chief officers, has not been honored as the committees would want and there is need to place more emphasis and that there be a written communication that the chairpersons of committees would want to see that this matters be honored as immediately as possible and Mr. Speaker, you also realize that in some committees, especially the finance committee, there is one time that we were locked in a stalemate where an officer failed to submit critical documents for decision-making, Mr. Speaker, especially on income and expenditure report and when they fail to do that, by the time the committee is about to submit the report on the floor of the House, then the officers come running asking to be given an opportunity to be heard.

Mr. Speaker, to enhance a good working relationship within committees and the House would be of much help. Therefore, Mr. Speaker, I want to thank all members for supporting this report and I urge that as chairperson and members, we learn from the issues that have been raised thereby. Mr. Speaker, I use this opportunity to thank the clerk of the committee who prepared this nice report one, Norah Muteti. So with that, Mr. Speaker, I thank and I propose that you may have the question put to adopt the report. Thank you.

*(Applause)*

**Hon. Speaker:** Thank you very much. Then I propose to put the question.

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*(Question put and agreed to)*

**ADJOURNMENT**

**Hon. Speaker:** Then the House will adjourn there being no other business

The House rose at 3.25 p.m.