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**MACHAKOS COUNTY ASSEMBLY****OFFICIAL REPORT****Wednesday, 29<sup>th</sup> June, 2016**

The House met at 10.03 a.m.

*[The Speaker (Hon. Bernard Mung'ata) in the Chair]***PRAYERS****MOTION****REPORT ON CONDUCT OF THE CPSB SECRETARY**

**Hon. (Ms.) Mutune:** Thank you, Mr. Speaker, Sir, and the House at large. I am standing in for the Chairman, his car got a mechanical problem on the way but he is coming. I urge the House to continue with the motion. Thank you, Mr. Speaker, Sir.

**Hon. Speaker:** Yes, proceed with the motion. The debate continues so we will begin with your contributions.

**Hon. (Ms.) Mutune:** Mr. Speaker, Sir, our recommendations are in the report that we brought to the House. We therefore give the chance to Hon. Members to give their contributions and make their final remarks. Thank you, Mr. Speaker, Sir.

**Hon. Speaker:** Thank you, let us proceed. Yes, Hon. Mwonga.

**Majority Leader (Hon. Mwonga):** Mr. Speaker, last week when this report was before this Hon. House, the House agreed to adjourn to a later date which is today, due to the reason that there were no Members in the Chamber and we could not attain the threshold of 75 per cent, Mr. Speaker. Likewise, Mr. Speaker, today, although it is assumed that the Speaker does not see, the only Members in this House are less than 10 and if not less than 10, they cannot number 15.

Mr. Speaker, the issue we are discussing here is about an Officer who is already under suspension by His Excellency the Governor and the reasons why the Governor suspended her, we do not know because he did not suspend her due to the reason there was a debate about her or censure motion about her in the House so Mr. Speaker, this is an issue this House should dispense with and do other businesses of the House instead of repeating the same, same issue day in, day out, Mr. Speaker.

I want to urge Members that we take a stand on this and Members as I said last week, let us not set precedence which will bring problems to the County Executive because maybe some officers will learn that this House is a toothless House and I am not saying that, Mr. Speaker. I am not imputing that it is a toothless dog, Mr. Speaker; I know we know our duties and roles Mr.

Speaker but with the glaring evidence here in this report of the *ad-hoc* Committee, I think the best thing to do is to pardon this officer knowing that there was misuse in office and we abide by the recommendations of this Committee except the last recommendation, Mr. Speaker. Let us pardon her and I think mercy is natural, Mr. Speaker. Thank you, Sir.

**Hon. Speaker:** Yes, Hon. Nzoka.

**Hon. Nzoka:** Let me first applaud Majority Leader here for what he has said because I have been standing here for the last time. I know he will have time to explain. In fact, if you check this system, it is not this lady alone. In the line of investigation, Mr. Speaker, Sir, when you are given something to do with investigation, might be there is a murder of someone, you can be told 'yes, this is the person who murdered him' and he can say yes but you still go further and investigate, what was the motive and who were behind that motive? That is the investigation.

I do agree with this report that it is saying apart from her, the other commissioners, the other board members have employed their sons, their relatives and everything and I stood here and said, even among the chief officers, I have a chief officer from my area who has employed her father and I have no problem. If there is an employment, it is okay, let everyone get; but to victimize if you see how the report was here, it has established that all other coworkers did the same and they exonerated themselves and put the lady at the forefront to be slaughtered so I do....just a minute. Protect me, Mr. Speaker, Sir.

**Hon. Speaker:** Order! Order! Hon. Members.

**Hon. Nzoka:** What I can say, I can come to what Majority Leader said; we pardon this lady because this game was like a disease which we call malignant, it has spread everywhere. In fact, members are acknowledging that it had spread everywhere so I do stand to support Majority Leader. Let us pardon this lady and let us move forward; they have learnt a lesson. Thank you, Mr. Speaker, Sir.

**Hon. Speaker:** Thank you. I will take it that the proposal was made by Majority Leader to amend the report and it has been seconded by Hon. Nzoka. I put the question therefore that those in support that the report be amended to the extent that this officer be pardoned.

*(Question put and agreed to)*

The report is accordingly amended to that extent. Let us proceed then with further debate. Yes, Hon. Nduva or your point of information was defeated?

**Hon. Nduva:** Mr. Speaker, I think the information that I wanted to give is overruled because Hon. Nzoka has finished contributing.

**Hon. Speaker:** Alright let us proceed; any additional contributions? Hon. Members, then I take it that debate on this report has now been concluded because this is almost the third day of

debate. Those who have copies of the report since it was circulated, we go to the recommendations. You find that the recommendation that the particular officer who was under discussion in this report has been amended to the extent that a dismissal is a pardon, therefore the threshold of 75 percent will not apply in this report. Consequently, therefore, I will proceed to put the question on the entire report, on the adoption of the entire report as it is which will now require a simple majority.

*(Question put and agreed to)*

*(Applause)*

Hon. Members I think it is important to recognize the attendance in our gallery of our guests from our neighbouring County the Hon. Charity Mosiany, Hon. Sayianka Kosei and Benjamin Rapaine who is the Clerk of the Powers and Privileges committee of our Kajiado County.

*(Applause)*

### **ADJOURNMENT**

**Hon. Speaker:** There is no additional business this morning. Then the House adjourns until the afternoon thank you.

The House rose at 10.16 a.m.