

**REPUBLIC OF KENYA**  
**MACHAKOS COUNTY ASSEMBLY**

**OFFICIAL REPORT**

**Wednesday, 31<sup>st</sup> May, 2017**

The House met at 2.31 p.m.

*[The Temporary Deputy Speaker (Mr. R. Mutuku) in the Chair]*

**PRAYERS**

**Hon. Temporary Deputy Speaker:** Proceed.

**PAPER LAID**

PROGRESS REPORT FOR COMMITTEES FOR JULY TO 31<sup>ST</sup> DECEMBER, 2016

**Hon. Katela:** Thank you, Mr. Speaker, Sir. I am stepping in for the chairman of liaison committee. Mr. Speaker, Sir, I beg to lay the following paper on the Table of the House today, Wednesday, 31<sup>st</sup> May, 2017; progress report for select and sectoral committees for the period starting July, 2016 and ending 31<sup>st</sup> December, 2016

**Hon. Temporary Deputy Speaker:** Thank you. Paper laid. Proceed clerk.

**NOTICE OF MOTION**

PROGRESS REPORT FOR COMMITTEES FOR JULY TO 31<sup>ST</sup> DECEMBER, 2016

**Hon. Katela:** Mr. Speaker, Sir, pursuant to Standing Order 44 (1), I wish to give notice of the following motion;

THAT this House discusses and approves the liaison committee report on the progress report on select and sectoral committees for the period starting July and ending December, 2016.

Thank you, Mr. Speaker.

**Hon. Temporary Deputy Speaker:** Thank you notice issued. Proceed clerk.

**STATEMENT**

BUSINESS FOR THE HOUSE FROM 6<sup>TH</sup> TO 7<sup>TH</sup> JUNE, 2017

**Majority Leader (Hon. Mwonga):** Thank you, Mr. Speaker, Sir. I stand under Standing Order 41(2)(a) 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 ten 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 on today, Wednesday, 31<sup>st</sup> May, 2017 and pursuant to the provisions of the Standing Order 151 balloted business for the coming week of 6<sup>th</sup> to 7<sup>th</sup> June, 2017 as follows;

Tuesday, 6<sup>th</sup> June, 2017

Morning;

Report of Finance and Revenue Collection Committee on Income and Expenditure for 2015/16 financial year. (Debate)

Afternoon;

Report of Auditor General on the financial statements of Machakos County Assembly for the year ended 30<sup>th</sup> June, 2015 and Car Loans and Mortgage Schemes for the year ended 30<sup>th</sup> June, 2015 by Public Accounts and Investments Committee (Reading of report and Debate)

Wednesday, 7<sup>th</sup> June, 2017

Morning;

Report of Broadcasting and Library Committee on adoption of Machakos County Assembly Broadcasting Policy.

Report of *ad hoc* Committee on Inspectorate Officers

Afternoon;

Report of Agriculture and Cooperative Development Committee on the status report on the performance of Agriculture department for 2015/16 (Motion)

Thank you, Mr. Speaker, Sir,

**Hon. Temporary Deputy Speaker:** Thank you, proceed clerk.

### MOTION

PROGRESS REPORT FOR COMMITTEES FOR JULY TO 31<sup>ST</sup> DECEMBER, 2016

**Hon. Katela:** Mr. Speaker, Sir;

That aware that among other roles, the Liaison Committee is assigned to guide and co-ordinate the operations, policies and mandate of all Committees and ensuring that committees submit reports as required by the Standing Orders pursuant to Standing Order 191(2)(a) and (d);

Further, the liaison committee shall consider reports of committees that have not been deliberated by the Assembly and shall report to the assembly on the consideration of such reports as provided for in Standing Order 191(3);

Mr. Speaker, Sir, acknowledging that the Liaison Committee is mandated with ensuring that Select and Sectoral Committees submit their half yearly progress reports as required by the Standing Order 180(1)

Further aware that the Liaison Committee received, discussed and compiled the progress report of Select and Sectoral Committees.

Mr. Speaker, Sir, I wish to move a motion that this Hon. House discusses and approves the compiled committees' progress reports for the period starting July and ending December, 2016.

Thank you, Mr. Speaker, Sir. I call upon Hon. Mutuku to second the motion.

**Hon. M. Mutuku:** Thank you, Mr. Speaker. As a member of liaison committee, I would like to second the motion. Mr. Speaker, it is out of progress reports that this Hon. House will be in a position to know how we are faring on. In view of that, Mr. Speaker, I hereby second the motion.

**Hon. Temporary Deputy Speaker:** The motion is properly before the House. I would urge Hon. Katela to proceed with the report.

**Hon. Katela:** Thank you, Mr. Speaker. Mr. Speaker, Sir, the principal purpose of parliamentary committees is to perform functions which the Houses themselves are not well fitted to perform, that is, finding out the facts of a case, examining witnesses, sifting evidence and drawing up reasoned conclusions. Because of their composition and method of procedure, which is structured but generally informal compared with the Houses, committees are well suited to the gathering of evidence from expert groups or individuals.

Further, Mr. Speaker, Sir, committees oversight and scrutinize the Executive and can contribute towards a better informed administration and government policy-making process. In respect of their formal proceedings, committees are extensions of the Houses themselves, limited in their power of inquiry by the extent of the authority delegated to them and governed for the most part in their proceedings by procedures and practice which reflect those which prevail in the House by which they were appointed from.

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.'

The Committee hereby submits a compiled report of the same.

**Hon. Temporary Deputy Speaker:** Order, Hon. Members! Let us allow the chairman to finish.

**Hon. Katela:** Mr. Speaker, Sir, pursuant to Standing Order 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 the annual operating budget among the Committees.
- iii. Consider the 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.

Further on Standing Order 191(3) 'the Liaison Committee shall consider reports of Committees that have not been deliberated by the assembly and shall report to the Assembly on the consideration of such reports.'

Mr. Speaker, Sir, the committee membership is as tabulated headed by Hon. Nathaniel Nganga.

Mr. Speaker, Sir, the sectoral Committees are aligned to a particular sector/department in the Executive. The functions of sectoral committees is as stated in Standing Order 190(5) and their specific mandate is as stipulated under the Second Schedule of the Standing Orders.

Mr. Speaker, Sir, during the period under consideration, all the sectoral interrogated their respective departments on matters pertaining departmental reports and policy objectives. The committees also conducted site visits to various county projects with a view to investigating their status and impact to the residents of Machakos.

Further, during this period most of the committees benchmarked with their counterparts in other counties with a view of comparing one's practices with best practices from other institutions. From the benchmarking visits, committees are able to gauge their performance and pinpoint their shortcomings.

Committees reported to the House on the aforementioned activities and made recommendations. These recommendations have been forwarded to the County Executive for implementation.

Mr. Speaker Sir, different select Committees have different mandate pursuant to the Standing Orders. Some are watchdog committees and others are house-keeping Committees. The House Business Committee ensured that the House calendar and the Standing Orders were implemented accordingly pursuant to Standing Order 151(5).

The Committee on selection nominated members (in consultation with Assembly Parties) to various Committees and ensured that committee memberships were balanced pursuant to Standing Order 152.

The County Public accounts and investments Committee examined reports of county accounts from the Auditor General and tabled reports with recommendations to this Hon. House. The Budget and Appropriations Committee during the period under review examined and reported to this house on appropriations bills. The Committee also considered the County Budget Policy Statement.

Mr. Speaker, Sir, it is unfortunate to report that, the committee on Implementation which is also a watchdog committee and whose mandate is to scrutinize the resolutions of the Assembly and the extent of implementations of the resolutions of the house has been dormant. Most of the

resolutions of this Hon. House have never been implemented and no follow up has been made by this committee. This jeopardizes the oversight role of this Hon. House.

Mr. Speaker, Sir, the devolution and intergovernmental relations committee has been dormant during the time under review despite having a vast mandate. The Committee's meetings' agenda seemed to revolve around one agenda which is the mandate of the Committee.

Mr. Speaker, Sir, it is worth noting that some select committees such as Delegated Legislation, Assembly Procedure and Rules, Powers and Privileges, Appointment and Assembly Broadcasting are not as active as compared to other committees because their mandate is limited or subject to other factors like the need to amend the Standing Orders, new appointments and statutory instruments submitted to the County Assembly for scrutiny.

**SUMMARY OF SITTINGS, REPORTS AND BILLS TABLED BY COMMITTEES BETWEEN JULY AND DECEMBER 2016.**

S/NO	COMMITTEE	NUMBER OF SITTINGS	NUMBER OF REPORTS/BILLS TABLED TO THE HOUSE
1.	Tourism and Culture	13	1
2.	Labour, ICT and Public Service	12	0
1.	Transport Public Works and Housing	12	2
2.	Education and Social Welfare	13	1
3.	Finance and Revenue Collection	19	2
4.	Trade, Planning and Industrialization	13	3
5.	Decentralized Units and Urban Areas	11	0
6.	Agriculture and Cooperative Development	12	1
7.	Youth, Women and Sports	12	1
8.	Environment, Lands and Natural Resources	13	3
9.	Health and Emergency Services	15	2
10.	Justice and Legal Affairs	12	1
11.	Rules and Procedure	4	0
12.	Selection	3	1
13.	Delegated Legislation	1	0
14.	Public Accounts and Investments	6	1
15.	Implementation	10	1
16.	Budget and Appropriation	9	2

17.	Powers and Privileges	2	0
18.	Ward Development Fund	7	1
19.	Broadcasting	3	0
20.	Devolution and Intergovernmental relations	13	0

- The most active Sectoral committees during that period were Trade, Planning and industrialization Finance and Environment, Lands and Natural resources. They presented the most reports to this Hon. House. The Committees also held the most meetings.
- The least active Sectoral Committee during the period under consideration was Decentralized Units and Urban areas Committee. It neither presented any report nor discussed any bill during this period. The decentralized Committee has been rated as the least active sectoral Committee for the last two years.
- The most active Select Committee over that period was Budget and Appropriation Committee. It presented the most reports for adoption by this Hon. House.
- The least active Select Committee over the period under review was the Committee on Broadcasting and library. 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 honorable house for discussion. This includes the Devolution and intergovernmental relations, Labour, ICT and Public Service and the Decentralized Units and Urban areas.

Mr. Speaker, Sir, almost all the committees faced the following challenges during the period;

1. Lack of quorum during committee meetings resulting to adjournment.
2. Present members signing on behalf of an absent member.
3. Failure by the CEC members and Chief Officers to;
  - Honour the committee invitations.
  - Submit the status reports and any prerequisite documents on time.

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

1. Members to observe time during Committee meeting to evade 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 site visits and discussed various reports with the executive but have not yet tabled reports to this Hon. House for adoption. Mr. Speaker the Liaison Committee recommends that committees should adhere to the timelines provided for in the Standing Orders, County Governments Act, the PFM and the Constitution of Kenya.

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. Temporary Deputy Speaker:** Thank you, Hon. Members. The report is properly laid before the House. Everybody has followed it and I hereby invite debate. Any Member against the report? A Member with a positive comment on the report? Then I will take it that you are all in agreement of the report as read by Hon. Katela on behalf of the Chairperson of Chairpersons. Hon. Members, I will proceed to put the question.

*(Question put and agreed to)*

### ADJOURNMENT

**Hon. Temporary Deputy Speaker:** In the absence of any other business, the House adjourns.

House rose at 2.56 p.m.