

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

**OFFICIAL REPORT**

**Tuesday, 13<sup>th</sup> February, 2024**

The House met at 10.29 a.m.

*[The Speaker (Hon. (Mrs.) Kiusya) in the Chair]*

**PRAYERS**

**COMMUNICATION FROM THE CHAIR**

WELCOME TO THE THIRD SESSION OF THE THIRD ASSEMBLY

**Hon. Speaker:** Good morning Hon. Members. I wish to welcome you to the Third Session of the Third Assembly. I hope you got to rest and I interact with your electorates during the long recess.

Hon. Members, I wish to remind all of us of our roles as enshrined in Article 185 of the Constitution of Kenya, 2010. One of the key roles of the County Assembly is legislation hence the name legislature. I urge that we undertake to make laws and review the existing laws that are necessary for the effective performance of the functions of the County Government under the Fourth Schedule.

The County Assembly is also bestowed with the mandate of oversight and I would like to urge you to exercise oversight over the County Executive and any other County Executive organs whilst respecting the principle of the separation of powers.

Hon. Members, further I wish to remind you that you represent the interests of the people who elected you to this Assembly and that you be in touch with them so as to be able to generate business in form of Motions, Statements, Bills and Petitions.

On this note I wish to invite all Hon. Members and staff to a common lunch sponsored by the Office of the Speaker. That is today at the cafeteria.

*(Applause)*

Further, Members of the House Business Committee after approval of their membership motion will have a meeting in the Speaker's Boardroom immediately after this plenary sitting this morning. I take this opportunity to wish you a very industrious third session. Thank you, Hon. Members.

*(Applause)*

**NOTICES OF MOTIONS**

**Hon. Speaker:** May I take this opportunity to invite Hon. Nicholas Nzioka, MCA Machakos Central Ward to come forward and present the Notice of Motion.

APPOINTMENT OF MEMBERSHIP OF THE COUNTY ASSEMBLY  
BUSINESS COMMITTEE FOR THE THIRD SESSION OF THE THIRID ASSEMBLY

**Hon. Nicholas Nzioka** (Machakos Central, WDM-K): Thank you, Madam Speaker.

Hon. Speaker, that aware that the House Business Committee is established under the provisions of Standing Order 151(1) whose composition consists of the Speaker who shall be the chairperson, the Deputy Speaker, the Leader of the Majority Party, the Leader of the Minority Party and not less than nine and not more than eleven other members, who shall be nominated by Assembly parties and approved by the House at the commencement of every Session;

Aware that the Assembly Business Committee Membership should reflect the relative majorities of seats held by each of the Assembly parties in the Assembly and further aware that the nominations should take into consideration the interests of independents and the whips of each Assembly party;

Further aware that Assembly parties have nominated members to serve in the House Business Committee;

Hon. Speaker, I wish to give notice of motion THAT, pursuant to the provisions of the Machakos County Assembly Standing Order 151(1)(e), this Assembly approves the appointment of the following Members to the County Assembly Business Committee in addition to those specified under paragraphs (a), (b), (c) and (d):

1. Hon. Raphael Lucky Nzau
2. Hon. Anastacia Mutevu
3. Hon. Dominic Maitha
4. Hon. Benjamin Kinyungu
5. Hon. Irene Mulu
6. Hon. Everlyne Nzeki
7. Hon. Francis Kavyu
8. Hon. Constance Mbula
9. Hon. Mercy Njagi
10. Hon. Paul Wambua
11. Hon. Boniface Katiti

APPOINTMENT OF MEMBERSHIP OF POWERS AND PRIVILEGES  
COMMITTEE FOR THE THIRD SESSION OF THE THIRID ASSEMBLY

Hon. Speaker, that aware that the Committee on Powers and Privileges is established pursuant to Section 15(5) of the County Assemblies Powers and Privileges Act, 2017 and Standing Order 189(A);

Further aware that the Committee comprises of the Speaker who shall be the Chairperson, Deputy Speaker and not more than three other Members nominated by Assembly parties and approved by the House at the commencement of every Session;

Informed that pursuant to Section 15(4) of the County Assemblies Powers and Privileges Act, 2017 the Committee is mandated to inquire into the conduct of a Member whose conduct is alleged to constitute a breach of privilege in terms of

Section 16 of the said Act and Aware that Assembly parties have nominated Members to serve in the Committee;

Hon. Speaker, I wish to give notice of motion that THAT pursuant to Standing Order No. 189A this House approves the following members to Powers and Privileges Committee in addition to the specific members provided under Standing Order 189A(a) and (b);

1. Hon. Nicholas Nzioka
2. Hon. Constance Nzioka
3. Hon. Mary Nthenya

**Hon. Speaker:** Thank you, Hon. Member.

### MOTION

#### APPROVAL OF MEMBERSHIP OF THE HOUSE BUSINESS COMMITTEE

**Hon. Speaker:** May I take this opportunity to invite Hon. Nicholas Nzioka, MCA Machakos Central Ward and Leader of Majority Party to come forward and move the Motion.

**Hon. Nicholas Nzioka** (Machakos Central, WDM-K): Thank you, Madam Speaker.

Hon. Speaker, that aware that the House Business Committee is established under the provisions of Standing Order 151(1) whose composition consists of the Speaker who shall be the chairperson, the Deputy Speaker, the Leader of the Majority Party, the Leader of the Minority Party and not less than nine and not more than eleven other members, who shall be nominated by Assembly parties and approved by the House at the commencement of every Session;

Aware that the Assembly Business Committee Membership should reflect the relative majorities of seats held by each of the Assembly parties in the Assembly and further aware that the nominations should take into consideration the interests of independents and the whips of each Assembly party; Further aware that Assembly parties have nominated members to serve in the House Business Committee;

Hon. Speaker, I wish to move the motion THAT, pursuant to the provisions of the Machakos County Assembly Standing Order 151(1)(e), this Assembly approves the appointment of the following Members to the County Assembly Business Committee in addition to those specified under paragraphs (a), (b), (c) and (d):

1. Hon. Raphael Lucky Nzau
2. Hon. Anastacia Mutevu
3. Hon. Dominic Maitha
4. Hon. Benjamin Kinyungu
5. Hon. Irene Mulu
6. Hon. Everlyne Nzeki
7. Hon. Francis Kavyu
8. Hon. Constance Mbula
9. Hon. Mercy Njagi
10. Hon. Paul Wambua
11. Hon. Boniface Katiti

I call upon the Leader of Minority to second. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Member.

**Hon. Mbili Ndawa** (Matuu, MCCC): Thank you, Madam Speaker. Hon. Speaker, I wish to second the Motion and the reason for that is that as we are all aware, the House Business Committee is the engine of the House and without it, the House stands in limbo and no business can be transacted because every business that finds its way here has to be approved by the said Committee. So Hon. Speaker, I second and request my colleagues Hon. Members to agree and approve the Committee Members so that we can be able to move forward. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Member.

*(Question proposed)*

I now invite Members to debate this Motion. Hon. Hellen Ndeti, proceed.

**Hon. Helen Ndeti** (Nominated (WDM-K): Thank you, Madam Speaker. I wish to say that I support because this is in line with the Standing Orders that there be rotation of the House Business Committee Members and it is true reflection of the parties within the Assembly so I think the balancing of the Members is correct and I stand here to support. Thank you.

**Hon. Speaker:** Thank you, Hon. Ndeti. Do we have more on the floor? Hon. Mwonga, proceed.

**Hon. Joshua Mwonga** (Masinga Central, WDM-K): Thank you, Madam Speaker, for catching my eye. Hon. Speaker, I wish to start by applauding and thanking the Wiper party leadership for de-whipping me from the House Business Committee but I want to tell them that this is not going in any way to intimidate me or deter me from doing what is right. Thank you, Madam Speaker.

**Hon. Stephen Mwanthi** (Ekalakala, WDM-K): Point of order, Madam Speaker.

**Hon. Speaker:** Proceed.

**Hon. Stephen Mwanthi** (Ekalakala, WDM-K): Although the Member has just sat, Madam Speaker, I thought that is the procedure and it has nothing to do with any individual. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Member. Do we have more on the floor? I invite the mover to reply.

**Hon. Nicholas Nzioka** (Machakos Central, WDM-K): Thank you, Madam Speaker. I want to thank the House for quickly moving to approve the membership of the House Business Committee and as my colleague the Minority Leader has said, without this Committee we may not proceed with any other business. In looking at the membership, we considered the strength of parties as defined in Standing Orders and we also gender; even within our own parties, we also

looked at the gender card which is vital. We must always give women equal opportunities in everything we do so I thank the Hon. Members. Thank you.

*(Question put and agreed to)*

### **ADJOURNMENT**

**Hon. Speaker:** The House adjourns to Tuesday, 13th February, 2024 at 2.30 p.m. The newly-approved members of the House Business Committee, we meet immediately after this. Thank you.

The House rose at 10.46 a.m.