

**REPUBLIC OF KENYA**  
**COUNTY ASSEMBLY OF MACHAKOS**  
**OFFICIAL REPORT**

**Tuesday, 8th October, 2024**

The House met at 2.33 p.m.

*[The Deputy Speaker (Hon. Stephen Mwanthi) in the Chair]*

**PRAYERS**

**Hon. Deputy Speaker:** Good afternoon, Hon. Members. Welcome to our today's sitting and so I call upon the Clerk to take us through.

**STATEMENT SOUGHT**  
STATUS OF CLEANING SERVICES IN MASINGA LEVEL IV HOSPITAL

**Hon. Deputy Speaker:** Under this one we have Hon. Joshua Mwonga, Chairperson Labour, Public Service and ICT Committee.

**Hon. Joshua Mwonga** (Masinga Central, WDM-K): Good afternoon, Hon. Speaker and the Members.

Hon. Speaker, aware that Article 43(1)(a) of the Constitution of Kenya provides that every person has the right to the highest attainable standard of health, which includes the right to health care services, including reproductive health care; Aware that Part 2 (2)(a) and (c) of the Fourth Schedule to the Constitution of Kenya provides that the functions of the County government include County health services, including County health facilities and the promotion of primary health care;

Hon. Speaker, pursuant to the Standing Order 41 of the Assembly Standing Orders, I wish to seek a Statement from the Chairperson of the Assembly Committee on Health and Emergency Services concerning the following matters:

- i) Details of the contractor offering cleaning services in Masinga Level IV Hospital;
- ii) Reasons why the employees of the contractor have not been remunerated for the last 6 months
- iii) The contract sum for the cleaning services.

Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you, Hon. Joshua Mwonga. I direct that the Committee on Health and Emergency Services to respond on or before 12th November, 2024. Thank you. Clerk, you may proceed.

**MOTIONS**  
NOMINATION OF MEMBERS TO COMMITTEES

**Hon. Deputy Speaker:** Under this one I call upon Hon. Nicholas Nzioka, the Leader of Majority and the Chairperson Committee on Selection.

**Hon. Nicholas Nzioka** (Machakos Central, WDM-K): Thank you, Mr. Speaker. Hon. Speaker, I wish to move the motion that, pursuant to Standing Order 155, this House adopts the 5th Report of the Committee of Selection on nomination of Members to Committees laid on the Table of the House on 8<sup>th</sup> October, 2024.

Thank you, Mr. Speaker. I wish to call Hon. Ndawa to second the Motion.

**Hon. Mbili Ndawa** (Matuu, MCCP) seconded.

**Hon. Deputy Speaker:** Thank you, Hon. Majority Leader and Hon. Minority Leader for seconding.

*(Question proposed)*

Before I invite Members for debate, let me call the mover to take the House through the highlights of this report.

**Hon. Nicholas Nzioka** (Machakos Central, WDM-K): Thank you, Mr. Speaker. With your permission I wish to go to the mandate of the Committee, the background and then review of the nomination. The mandate of the Committee is provided for under Standing Order 152(2) and states that, the Committee on Selection shall nominate or substitute members to serve in Committees, save for the membership of the House Business Committee and Committee on Appointments.

Article 124(1) of the Constitution provides that, each House of Parliament may establish committees, and shall make Standing Orders for the orderly conduct of its proceedings, including the proceedings of its committees.

Section 14(1) of the County Governments Act provides that, a county assembly:

- (a) May make standing orders consistent with the Constitution and this Act regulating the procedure of the county assembly including, in particular, orders for the proper conduct of proceedings; and
- (b) Subject to standing orders made under paragraph (a), may establish committees in such manner and for such general or special purposes as it considers fit, and regulate the procedure of any committee so established.

Further, Section 14(4) of the County Governments Act provides that, the County Assembly shall in establishing committees under this section ensure that each member of the County Assembly is appointed to at least one committee.

Standing Order 152(2) provides that, the Committee on Selection shall nominate or substitute members to serve in Committees, save for the membership of the House Business Committee and Committee on Appointments.

Standing Order 153 provide for nomination of Members to select committees as follows:

- (1) Unless otherwise provided by any written law or these Standing Orders, the Committee on Selection shall, in consultation with Assembly parties, nominate Members who shall serve on a Select Committee.
- (2) The Committee on Selection shall give consideration to the need for gender balance and shall, so far as is practicable, ensure that no more than two-thirds of membership of a Committee, including a Committee established through a resolution of the House, are of the same gender.
- (3) A vacancy occasioned by the resignation or removal of a Member from a Select Committee shall be filled within fourteen days of the vacancy.
- (4) A Member against whom an adverse recommendation has been made in a report of a Select Committee that has been adopted by the Assembly shall be ineligible for nomination as Member of that Committee.

Further, Standing Order 154 provides for the criteria for nomination as follows:

In nominating Members to serve on a select committee, the Selection Committee shall ensure that the membership of each Committee reflects the relative majorities of the seats held by each of the Assembly parties in the Assembly.

Despite paragraph (1), a member belonging to a party other than an Assembly party or Independent Member may be nominated to serve in Select Committee and the allocation of membership of Select Committees shall be as nearly as practicable proportional to the number of members belonging to such parties and Independent Members.

Except as the Assembly may otherwise resolve, on the recommendation of the Committee on Selection for reasons to be stated, no member shall be appointed to serve in more than two Sectoral committees.

In addition, Standing Order 155 provides for approval of nomination as follows:

- (1) The Selection Committee shall, within seven days upon nomination of members to serve in any Committee of the House, present the list to the House for approval.
- (2) Whenever a Motion for approval of a list under paragraph (1) is moved in the House, no objection against the proposed membership of a Member in a Select Committee shall be permitted and objections, if any, shall be formulated against the proposed membership as a whole.
- (3) A Member shall not be a member of a Committee of the House, unless the nomination of such Member into the Committee is approved by the House.

Further, Standing Order No. 156 provides for discharge of a member from a committee:

- (1) The Assembly party that nominated a member to a Select Committee may discharge a member from a Select Committee after according the member an opportunity to be heard.
- (2) The Assembly Party Whip of the party that nominated the member to a select Committee shall give notice in writing accompanied with evidence that the affected member was heard.
- (3) The Speaker shall, within three days of receipt of the notice under paragraph (2) inform the member of the notice and the discharge shall take effect forthwith.

### *REVIEW AND NOMINATION OF MEMBERS TO COMMITTEES*

The Committee on Selection held a meeting on 7<sup>th</sup> October, 2024 and pursuant to Standing Order 152(2) reviewed and nominated members to Committees. This exercise was informed by the need enhance efficiency in Committees as the Selection Committee had received concerns from Assembly parties that some members served in very few committees and would be more productive if added more committees.

The Committee on Selection received the following report from Assembly parties of Members who had relinquished committees that could be allocated to Hon. Members who had less Committees:

Table 3.1: Relinquishing of Committees by Members

S.No.	HON. MEMBER	COMMITTEE RELINQUISHED
1.	Hon. Jackson Ndaka	1. Culture and Tourism
2.	Hon. Rosina Kanini	1. Culture and Tourism 2. Lands and Energy
3.	Hon. Charles Mbuva	1. Labour, Public Service & ICT
4.	Hon. Daniel Muindi	1. Justice and Legal Affairs
5.	Hon. Justus Mutuku	1. Implementation
6.	Hon. Catherine Kyee	1. Implementation
7.	Hon. Mercy Njagi	1. Implementation
8.	Hon. Catherine Muia	1. Devolution & Intergovernmental Relations
9.	Hon. Margaret Ndalana	1. Social Welfare and Sports
10.	Hon. Winfred Mutua	1. Environment
11.	Hon. Grace Bahati	1. Agriculture

Guided by Standing Orders 152(2) and 154(1), the Committee on Selection undertook nomination of Members in Committees ceded as follows:

Table 3.2: Nomination of Members in Committees

S.No.	COMMITTEE	IN
1.	Culture and Tourism	1. Hon. Grace Bahati 2. Hon. Mathew Ndunda
2.	Labour, Public Service & ICT	1. Hon. Mathew Ndunda
3.	Implementation	1. Hon. Daniel Ndwiki 2. Hon. Joshua Mwonga 3. Hon. Mathew Ndunda
4.	Justice and Legal Affairs	1. Hon. Vincent Mutie
5.	Devolution & Intergovernmental Relations	1. Hon. Hon. Jeremiah Kaloi
6.	Social Welfare and Sports	1. Hon. Boniface Maeke
7.	Lands and Energy	1. Hon. Anastacia Mutevu
8.	Environment	1. Hon. Nicholas Nzioka
9.	Agriculture	1. Hon. Winfred Mutua

## RECOMMENDATIONS

Pursuant to Standing Order 155, the Committee on Selection recommends that the House approves the appointment of Members nominated to the following nine (9) Committees as contained in this report and as in table 3.2

- (i) Culture and Tourism Committee
  - (a) Hon. Grace Bahati
  - (b) Hon. Matthew Ndunda
- (ii) Labour, Public Service and ICT Committee
  - (a) Hon. Matthew Ndunda
- (iii) Implementation Committee
  - (a) Hon. Daniel Ndwiki
  - (b) Hon. Joshua Mwonga
  - (c) Hon. Matthew Ndunda
- (iv) Justice and Legal Affairs
  - (a) Hon. Vincent Mutie
- (v) Devolution and Intergovernmental Relations
  - (a) Hon. Jeremiah Kaloi
- (vi) Social Welfare and Sports
  - (a) Hon. Boniface Maeke
- (vii) Lands and Energy
  - (a) Hon. Anastacia Mutevu
- (viii) Environment
  - (a) Hon. Nicholas Nzioka
- (ix) Agriculture
  - (a) Hon. Winfred Mutua

Hon. Speaker, the Committee on Selection is grateful to the Office of the Speaker and that of the Clerk to the County Assembly for the support accorded during execution of this task, I wish to express my appreciation to the Hon. Members of the committee who sacrificed their time to participate in exercise of nomination and substitution of Members to committees and in preparation of this report. Mr. Speaker, I do not have so much to add just to urge the Hon. Members, because it is a discussion we have had for a long time, to pass the report as it is. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you, Hon. Chair. I now invite Members to debate the motion. Hon. Kavyu

**Hon. Francis Kavyu** (Kinanie, MCCC): Thank you, Hon. Speaker. I rise to support the report because as it has been noted by the committee that it is true that there were members who had so many committees and by the virtue that only payments can be done to a maximum of four committee sittings, you found that the extra committees that Members were holding most of them had the choice of either to attend or not to attend and that was greatly impacting the effectiveness of this committees so it is a good step.

I would also like to commend the committee for also looking into the issue of two Hon. Members who had lesser committees that is Hon. Mathew Ndunda and Hon. Maeke and I also want to make the request because there is still room for them, let us have the two Members reinstated so that they can also have the privilege of having at least four committees where they

can also contribute. They have issues that affect their areas and the only opportunity that they can get is if they are able to be part and parcel of the allowable committees so that they can also present the issues affecting their areas and also in the spirit of fairness and equity as an Assembly.

The other thing, Mr. Speaker, that I will also make a recommendation on is that the committee on Urban Areas mostly touches on municipalities and it is my request and recommendation that all Members from the municipalities can also be considered to be part of those committees. This is because some of us come from those municipalities and there are very critical programmes that happen within our areas and sometimes, we are normally caught off guard and sometimes you do not get an opportunity to get as much as details at what is happening in regards to the municipalities. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you, Hon. Kavyu. Hon. Lloyd.

**Hon. Loyd Mutua** (Nominated, MCCC): Thank you, Mr. Speaker. I want to support the report and I want to comment and thank the committee for the report they have given us. I want to be a little bit biased on the committee that I am a member, the Committee on Implementation. I want to thank the committee for giving us Hon. Ndwiki and Hon. Mwonga and there is someone else and Hon. Mathew Ndunda. Those are very committed Members, we have been struggling with quorum and now with other Members, I do not think we will have a problem.

*(Applause)*

Something else I would like to comment for those Members who have more committees if may be the Lord touches them as we proceed and if they can gracious enough, donate to those who do not have enough committees. I will ask my ruling party those who have enough committees or more than five, they can help them because if we give them or not, we cannot earn that money. It is good if everyone has enough in those committees because after these political shenanigans, we have a life after politics. Thank you very much.

**Hon. Deputy Speaker:** Thank you. Hon. Helen.

**Hon. Helen Ndeti** (Nominated, WDM-K): Thank you, Mr. Speaker. I stand here to congratulate the Selection committee, I think what they have is good, we need to balance. I have seen in a few committees and especially in the afternoons where we lack quorum because Members have already finished their committee sittings in the morning and in the afternoon, you cannot sit because you cannot get quorum. So, when you do a good balancing, it is good for all of us. Thank you.

**Hon. Deputy Speaker:** Thank you. Hon. Dominic.

**Hon. Dominic Maitha** (Muthwani, WDM-K) Thank you, Mr. Speaker. I want to take this opportunity to thank the Selection Committee for the good work that they did. More importantly I want to congratulate those Members who did the honourable thing to relinquish committees; they deserve a round of applause.

*(Applause)*

Hon. Speaker, I think I cannot say it far much better than the way it had been put by my predecessors Mheshimiwa Kavyu and Hon. Loyd. Hon. Members, we just need to realize one thing; all what brought us in this House is service delivery and nothing else. We can be political enemies and I can tell you there is nothing like political enmity; we just differ in ideologies in politics but the next day we would sit in the same cafeteria, eat together, get out laughing. Of importance is to ask ourselves; when we are getting out of that Assembly, what service have we given to the residents of Machakos County.

Hon. Speaker, I just want to thank the committee for seeing it fair to do placements to Members in various committees and as Hon. Members have proposed, there is still room. Members, I want to tell you one thing; the fights that we fought in this Assembly today give us the privileges that we enjoy. It was not easy to get where we are today and this has been there but at the end of the day, we have always got positive achievements. Committees are lacking quorum and that translates to this Assembly lacking business. Members the more this Assembly is active the more we continue learning.

I want to tell you, I have ambitions of going to the National Assembly; I would be one of the happiest person today seated in the National Assembly listening to the debate happening in the National Assembly but I can only grow from what I do and experience in this County Assembly. So, Members I wish to even make a further appeal. We know we can only earn a maximum of four committee sittings and if you feel you cannot deliver in a certain committee, kindly do the honourable thing and humane thing and just relinquish that committee, give it to a Member so that, that committee can have quorum to transact business, bring business to this House that will prosper the agenda of Machakos County to the next level. That is my humble plea.

Lastly, Hon. Chair, I am very grateful, the Committee on Implementation has a lot of pending work. Today we passed a report about the Machakos Water Sewerage Company, last week we passed resolutions and the previous weeks. All that work lands in that committee so that we can ensure what has been resolved in this House is achieved. So that committee needs serious Members and I thank God that the Members that I have received are serious and even going forward, Hon. Speaker, I will be making an appeal to the Chair, Selection Committee for further recommendations that those Members who will not be active in the committee, I will seek even to speak to them so that they can go to committees where they feel a little bit more comfortable so that I can get more serious Members in that committee so that one day one time I can be recommended as the committee that has brought results to Machakos County Assembly.

Otherwise, I support the report in totality and when I come forward Hon. Majority Leader, I want to thank you because I made a request to you with the Hon. Speaker and you heeded to my request. When I go ahead and forward other proposals, kindly listen to me. I do not want to be a Chair for the sake of being a Chair; I want to be a chair who can deliver and have results for the people of this Assembly and Machakos County in totality. Thank you.

**Hon. Deputy Speaker:** Thank you, Hon. Dominic. Hon. Mwonga.

**Hon. Joshua Mwonga** (Masinga Central, WDM-K): Thank you, Mr. Speaker, for catching my eye. Mr. Speaker, I first want to make some correction to the previous contributors Mr. Speaker and the immediate contributor. I want to inform him that we do not have a

committee by the name Selection Committee; it is Committee on Selection and it is a mistake which has been repeatedly done by majority of Members.

I want to applaud the chair, Committee on Selection, his members and also the Members who relinquished some committees so that other Members can benefit from them. Mr. Speaker, it cannot be left unnoticed that the 11 Members who did a wise and wonderful job.

*(Applause)*

I also want to applaud the committee for finding it wise to return one Hon. Mathew Ndunda to the committee of Agriculture. He used to be in that committee and that is a personal request that I made through the Chair of that committee and I want to thank you for returning Mathew to my committee. I know his commitment; he used to attend that committee punctually. I also want to thank---

**Hon. Deputy Speaker:** I thought that committee is chaired by Hon. Mbuva.

**Hon. Joshua Mwonga** (Masinga Central, WDM-K): Sorry, committee on Labour, that is the committee I chair. I also want to thank my brother, the outspoken Member for Muthwani for requesting that I be brought to his committee. That has happened and I want to assure you, I served in the military for four years, 10 months, 28 days and what I can boast of is about punctuality. I want to assure you, unless the committee coincides with another committee, I will be very punctual. I want to assure you that. Members, now that we have been, those who have been slotted to other committees please let us take it upon ourselves that we form quorum in this new committees. That is the only way we can give business to this House. Thank you, Mr. Speaker, I want to end there and support this report. Thank you.

**Hon. Deputy Speaker:** Thank you, Hon. Joshua. Hon. Engineer.

**Hon. Vincent Mutie** (Upper Kaewa/Iveti, WDM-K): Thank you, Hon. Speaker. The Hon. Felix is speaking to me I do not know what he is saying so perhaps when I complete you will---

**Hon. Speaker:** Hon. Felix, address the Chair.

**Hon. Vincent Mutie** (Upper Kaewa/Iveti, WDM-K): Hon. Felix, address the Chair. I do not expect that from you having been here for a longer period. Hon. Speaker I rise up to make my comments on the report that we have received from the committee of Selection on the reallocation and reorganization. Once again as they execute their work, I am happy that after we have stayed for two years with only three committees now we have a fourth one especially for me and a few others but most important is that we have members who have shown selflessness and have seen the light and decided to share with others who are somehow disadvantaged.

May be one thing that I would request the committee to consider next time is to ask Members on areas of interest and expertise. For example, if someone has an expertise in a certain field, they can be of much help to that particular committee. Also I would ask next time when they are doing it, to consider interests of Members where they feel they are interested to serve.



Of course, you might not satisfy all Members but you can help the Assembly by creating and tapping into the interests that Members could be having.

For example, someone would say that I am passionate in serving in a certain committee and it is easier when you are doing something that you love and it is different from when you are doing something because it is the only thing that is available. If that balance can be achieved then we could make progress but I believe this is a good step and I have seen my name is in that list having been taken back to the committee on Justice and Legal affairs. I once served there and now that I am back there, I want to promise that I will continue serving.

*(Applause)*

The Hon. Caroline is excited because she is the Vice Chair and Hon. Mwonga was a Member with me. I do not know whether he is still there or he left. I understand he is not but I am happy that we have to meet again at the Committee on Implementation. I am not sure whether we will be able to transact business because he is a trouble shooter and trouble maker but I believe the Chair will be able to balance the activities.

**Hon. Joshua Mwonga** (Masinga Central, WDM-K): Point of order, Hon. Speaker.

**Hon. Deputy Speaker:** Yes.

**Hon. Joshua Mwonga** (Masinga Central, WDM-K): Mr. Speaker, is it in Order for the Hon. Member to insinuate that I am trouble maker yet I am one of the best committee Chairs.

**Hon. Deputy Speaker:** Where did you get the statistics Hon. Mwonga that you are the best Chair?

**Hon. Joshua Mwonga** (Masinga Central, WDM-K): Chair, I think you can also attest because you are the Chair of Chairs and you have severally congratulated me. Thank you.

*(Laughter)*

**Hon. Deputy Speaker:** I am yet to do so.

**Hon. Vincent Mutie** (Upper Kaewa/Iveti, WDM-K): Hon. Speaker, I read somewhere, show me your friends and I will tell you who you are. So I am only describing the Hon. Joshua Mwonga in light of his friends.

**Hon. Joshua Mwonga**( Masinga Central, WDM-K): Point of order, Mr. Speaker.

**Hon. Deputy Speaker:** Hon. Dominic

**Hon. Dominic Maitha** (Muthwani, WDM-K): Hon. Speaker, I am mesmerized and troubled when the Hon. Members stands to allude that he can only attest the kind of person you are based on the friends that you associate with. Some of the closest people I always associate

myself with on a day to day basis is the Hon. Chair for Health and Hon. Joshua Mwonga. Is it in order for this Member to suggest that that is how we are?

**Hon. Deputy Speaker:** Maybe he is also a trouble maker you may not know.

**Hon. Dominic Maitha** (Muthwani, WDM-K): It cannot be said better than that, Hon. Speaker.

**Hon. Deputy Speaker:** Hon. Vincent, you may proceed.

**Hon. Vincent Mutie** (Upper Kaewa/Iveti, WDM-K): Thank you, Hon. Speaker. I said I read somewhere, show me your friends and I will tell you who you are. Basically, I was saying that you can only attract that which you are. That notwithstanding, I must congratulate my neighbour the Majority Leader, the Chair of Committee on Selection for the consideration that you made especially on accommodating some of our colleagues who were disadvantaged. We may not agree on everything, on our views, our thoughts and our convictions but we can have the golden rule that that which does not benefit me, I should not withhold it to another person.

*(Applause)*

There is no need for one person to hold way above the four mandatory committees when we have one other person who has nothing. That does not build us neither does it destroy them. So, I would still make the same appeal that my brother has made that consider also that those other members who have fewer committees, let us not see their political persuasion but the ideas which they can bring to make the Assembly better and that is by allowing them to serve in the committees. Thank you and I support the report.

**Hon. Deputy Speaker:** Thank you, Hon. Vincent. Hon. Ndawa.

**Hon. Mbili Ndawa** (Matuu, MCCP): Thank you, Mr. Speaker. I want to applaud our most able Chair together with the Committee Members who sat and ensured that we balance. We want to make sure everybody is comfortable and I also want to take this opportunity to congratulate those who have been placed in those committees and make a formal application that if you have been allocated a committee please be present. It is very unfortunate most of those we have given committees are not present in this House. We have given them committees and they are not here and they were aware that we were giving them committees. They should be here and at least we should hear them say whether they are happy or not. I am requesting as an Assembly, we need to be keen, each and every Member do what they are supposed to so that we can ensure the committees---

**Hon. Deputy Speaker:** Point of order.

**Hon. Vincent Mutie** (Upper Kaewa, WDM-K): Hon. Speaker, is it in order for the Minority Leader to suggest that he had already or rather the Members knew that they are to be given committees. If they knew first hand, I am afraid that I did not know that I was to be taken

to the Committee of Justice. Is it in order for the Minority Leader to make a claim suggesting that the Committee on Selection leaked their own report?

**Hon. Mbili Ndawa** (Matuu, MCCP): Thank you, Mr. Speaker. The reason I am saying so, the report was shared in our WhatsApp group where everyone is a Member at least two hours before the Assembly started. So, even if you are in Kisumu, you are aware because you can see from this social platform. That is why I am saying they were aware because it was posted.

What I wanted to say is we want to give the best and as committees. This Assembly has adjourned severally because of lack of business. We want to encourage the committee Chairs to ensure that the committees meet and do what they are supposed to do so that we do not lack quorum.

Again Hon. Speaker, I want to correct the previous contributors; almost everyone who spoke all talked about earning; we are not placing Members to earn, we are placing Members to work. You cannot request for a consideration for a work that you are paid to do. We cannot! Otherwise we are confusing our electorates if they hear us say we are being put in committees to be earning. That is very unfair and that is a very bad language. So, in future when we are contributing in this Assembly, let the---

**Hon. Deputy Speaker:** Hon. Ndawa, you are also on microphone.

**Hon. Mbili Ndawa** (Matuu, MCCP): Yes, it live. We are putting Members in committees so that they can be able to transact business and ensure the work of the Assembly is done correctly.

Lastly, Hon. Speaker, this is an application I am making to the Chairs of the committees; previously we have received complaints from our Members because as a Minority Leader, I place Members in committees and some Members used to complain about being harassed by some Chairs. So, in case you are in that category, I will request that you desist. Kindly desist. Please, let us treat our Members with decorum and respect so that they can do work freely and be happy. Thank you, Hon. Speaker. I support the motion.

**Hon. Deputy Speaker:** Thank you, Hon. Ndawa. Hon. Felix.

**Hon. Felix Ngui** (Katangi, WDM-K): Thank you, Hon. Speaker. I want to take this opportunity to thank the Chair who is the Majority Leader and the committee Members. I am also a Member of the committee on Selection. I want to correct Members that some Members say that they had requested to be placed in different committees and in our Committee; we did not receive any request. The Committee sat down and saw it fit that we distribute committees to different Members who had less committees and other Members relinquished their own committees so that we can apportion to other Members. So, we had no requests from Members that they needed to be put in this or that committee. That is work which was done by the Committee on selection.

As I thank the Chair and the Members, I want to say that most of the work for legislators is done in committees. It is very important for each and every Member to be in different committees so that they can exercise their mandate and especially for the Members who are elected because these Members represent wards which have different needs and they can only

exercise their mandate in these committees. For example, in the committees of education, roads and any other committee and I want to urge Members to make use of these committees where you have been placed. Come to committees; create business so that we can be active in this Assembly.

Finally, as a Member of the Implementation Committee which is the biggest beneficiary of this placements to different committees, I want to appreciate the Hon. Members who have been placed there like Hon. Mwonga, Hon. Vincent but I am scared that they have been said to be trouble makers. I confirm that Hon. Mwonga is one of the trouble makers because one time in this Assembly he referred to one Member as 'a black man with a black heart.' He referred that to Mheshimiwa Kavyu---

**Hon. Joshua Mwonga** (Masinga Central, WDM-K): Point of information, Mr. Speaker.

**Hon. Deputy Speaker:** Point of information.

**Hon. Joshua Mwonga** (Masinga Central, WDM-K): Mr. Speaker, I want to inform our Hon. Commissioner that the language I used, although I was ruled out of order and the Speaker of the day said it was unparliamentary, I was just giving an example of a man who I know. To say somebody is black and has a black heart; there was nothing wrong with that. I was just saying---

**Hon. Deputy Speaker:** You have just said that it was ruled that you were out of order...

**Hon. Joshua Mwonga** (Masinga Central, WDM-K): No, no! The Speaker said it was unparliamentary and she ordered me to withdraw and I withdrew. Now, the Hon. Commissioner is now again bringing the matter back to the Assembly. Is it in order for him to do that? I withdrew and I thought it is nowhere. I think Mr. Speaker you should rule that the Commissioner is out of order to revisit the matter. Thank you.

**Hon. Deputy Speaker:** Commissioner?

**Hon. Felix Ngui** (Katangi, WDM-K): Hon. Speaker, I am only concerned because the Hon. Member is also alleging to measure how a man has a black heart because he is also saying the he knows Hon. Kavyu very well and he is a man who is black with a black heart. Maybe he would tell us how he measures when someone has a black, white or a red heart. Maybe that could be a discussion for another day. So Mr. Speaker, I just want to wind up and say that we are happy for the work that has been done by the committee and Members please let us work in our committees. Thank you so much.

**Hon. Deputy Speaker:** Thank you, Hon. Felix. I now invite the mover to come and reply.

**Hon. Nicholas Nzioka** (Machakos Central, WDM-K): Thank you, Mr. Speaker. I do not want to go into matters black, red or even white hearts but what I want to say is as an Hon. Member of my committee has said we did not leak the placement of Members to anyone but since every Member of this County Assembly knew we were meeting they were just mere

speculation but since we have presented the report Members whom the committee on Selection thought had less committees, I now know they are happy there has been a lot of acknowledgement on that matter and I think as committee on Selection we will continue to do our work if need be.

We have heard the sentiments of Members but I just want to remind Hon. Members we are an Assembly and when we are doing our work there is a term I like referring to as Assembly parties; we are in this House and the consideration is that we have the majority, minority and also have other Assembly parties as our Standing Orders define us so I am asking those who do not belong to an Assembly party if you are invited to an Assembly party please make sure you stay friends with the Assembly party that invited you here in the committees because if you are not friends with them and they have given you slots what do you expect them to do? They can use their slots in a better way.

I also want to say that a committee is as good as its Chair and the Membership and especially the chair. I like referring to the Hon. Chair for Health because for health I see he has created such a good network with his Members. I kept like hearing from Members from other committees if you are retreating as Selection do not remove me from health, please so Chairs of committees you may want to borrow a leaf from the Chair for Health committee. He has something that he does to his Members but I also want to say Hon. Speaker, I am a Member of the labour committee and our Chair is a master of stick and carrot and he cannot run away from that. The Chair is very good until you mess up with the time of coming to the committee or not telling him that you are not going to come to the committee.

*(Applause)*

He will close that book and tell you; I am the Chair, why didn't you tell me you are late. If you give him good reason like the other day I was rushing to school and I told him; Chair, I know I know I will not make it so what do we do? My Chair did what he did as a good Chair and then in that same day a Member never came to the committee and never called the Chair to apologize. Chair *akamfanyia ile kitu*.

*(Laughter)*

So Chairs are very important. With that I thank the Members for supporting our report and I hope we continue doing well. Thank you, Mr. Speaker.

*(Applause)*

**Hon. Deputy Speaker:** Thank you, Hon. Nicholas. At least you have tried to sanitize that Chair. You know they were so much on him.

*(Question put and agreed to)*

COUNTY GOVERNMENT BUDGET IMPLEMENTATION  
REVIEW REPORT FOR THE FIRST NINE MONTHS OF 2023/2024

**Hon. Deputy Speaker:** Under this one, I call upon the Chair, Budget and Appropriations Committee Hon. Dominic Ndambuki.

**Hon. Dominic Ndambuki** (Kathiani Central, WDM-K): Thank you, Hon. Speaker.

Hon. Speaker, I wish to move the motion, THAT, pursuant to Standing Order 186, this House adopts the Report of Budget and Appropriations Committee on County Government Budget implementation review report by the COB for the first nine months of the FY 2023/2024 laid on the Table of the House on 8th October, 2024. I call upon Hon. Judas Ndawa to second.

**Hon. Mbili Ndawa** (Matuu, MCCC) seconded.

**Hon. Deputy Speaker:** Thank you, Hon. Ndambuki and Hon. Ndawa.

*(Question proposed)*

Before I invite Members, let the mover take us through the highlights of the report.

**Hon. Dominic Ndambuki** (Kathiani Central, WDM-K): Thank you, Hon. Speaker. I am going to read or present before the House the report by Budget and Appropriations committee on the first nine months of the fiscal year 2023/2024.

**Hon. Francis Kavyu** (Kinanie, MCCC): Point of order.

**Hon. Deputy Speaker:** Point of order Hon. Kavyu.

**Hon. Francis Kavyu** (Kinanie, MCCC): Thank you, Mr. Speaker. I am rising on Standing Order 32 on the issue of quorum. The House has no quorum at the moment and because of the weight of the report that the committee on Budget is about to present to this House, I will make a request to you that using your powers you allow Members time probably either tonight so that we can peruse the report and familiarize ourselves with it so that we can continue with the same tomorrow or a time when it is found appropriate because it is a weighty report and requires full concentration of the House. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you, Hon. Kavyu. I think you stood on Standing Order 27 which requires...sorry Standing Order 32.

**Hon. Mbili Ndawa** (Matuu, MCCC): Point of information.

**Hon. Deputy Speaker:** Point of information.

**Hon. Mbili Ndawa** (Matuu, MCCC): Thank you, Hon. Speaker. Without dwelling much on the Standing Order which has been raised by our colleague, Hon. Speaker, the issue of budget reports involves figures and it is only fair we discuss figures in the morning sitting. In the afternoon it is not easy to cope with what is going to be presented so Hon. Speaker, we request you allow us to go peruse what is on that report then we sit with House Business Committee and we ballot for it to come again.

**Hon. Deputy Speaker:** Allow the Clerk first to inform me whether there is or---

**Hon. Francis Kavyu** (Kinanie, MCCC): Mr. Chair, who is he informing? Is he supporting or who is he informing somebody?

**Hon. Deputy Speaker:** Hon. Kavyu, you were saying something.

**Hon. Joshua Mwonga** (Masinga Central, WDM-K): He has surrendered the minutes to me, Mr. Speaker---

**Hon. Francis Kavyu** (Kinanie, MCCC): Not true.

*(Laughter)*

**Hon. Deputy Speaker:** You see Hon. Mwonga the problem---

**Hon. Francis Kavyu** (Kinanie, MCCC): That is the trouble maker the Members were talking about.

**Hon. Deputy Speaker:** You may proceed Hon. Kavyu and then Hon. Mwonga you can say something over the same.

**Hon. Francis Kavyu** (Kinanie, MCCC): Mr. Speaker, I was saying that the Leader of Minority Party has supported the request I was making that we defer the report for today so that we can look at it when Members are fresh and they can fully concentrate but I also want to disagree with him. It is not everybody who has a problem with numbers in the afternoon; it is only that we are asking for time to go and peruse to acquaint ourselves with the report. Thank you, Mr. Chair.

**Hon. Deputy Speaker:** Thank you, Hon. Kavyu. Hon. Mwonga.

**Hon. Joshua Mwonga** (Masinga Central, WDM-K): Mr. Speaker, mine is the fear that will order the bell to be rung for 10 minutes because the Standing Orders say so. I wanted that you invoke Standing Order 1 it is your discretion that you order that we meet tomorrow in the morning for the same business. Do not please order the ringing of the bell for 10 minutes.

**Hon. Deputy Speaker:** Thank you, Hon. Mwonga and for your sake we will not ring the bell. Hon. Dominic, you still want to say something over the same?

**Hon. Dominic Maitha** (Muthwani, WDM-K): Thank you, Hon. Speaker for taking that consideration. Members we need to take that matter seriously. If we agree that we are going to discuss this report tomorrow. If we so agree let us observe timelines.

**Hon. Mbili Ndawa** (Matuu, MCCC): Point of information. Hon. Speaker, the business cannot come back unless it goes back to the House Business Committee for balloting. That is the information I am giving you; it has to go back to the house business committee for balloting.

**Hon. Dominic Maitha** (Muthwani, WDM-K): So Hon. Speaker. If that is the case the House Business Committee can still convene tomorrow in the morning or even today once we leave here we have enough quorum for Members of House Business Committee we go and re-ballot the business for tomorrow morning because Hon. Members it is not that we cannot listen to this committee. We are ready to listen but the contents of a certain committee the way we adjourn on the content on the committee on education has got very critical information. So if this resort will have to come back to this House tomorrow morning or any other day, let us ensure that we have enough numbers.

So those Members who are seated here today unless, otherwise we have an important report tomorrow for education and this is another report that if the Speaker directs we are going to ballot and have it tomorrow morning so let us observe timelines so that we can be able to dispense these businesses at the right time before the first sitting tomorrow morning. Thank you.

**Hon. Deputy Speaker:** Hon. Members I think the mood of the Members is that we adjourn. We are going to do the same. I will request the clerk to take back that report to House business for re-balloting.

### ADJOURNMENT

**Hon. Deputy Speaker:** So the House adjourns to Wednesday, 9th October, 2024 at 10.00 a.m. Thank you, Hon. Members.

The House rose at 3.30 p.m.