

REPUBLIC OF KENYA



FIRST ASSEMBLY – FOURTH SESSION

MAKUENI COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, 9TH FEBRUARY, 2016 (2.30 PM)

1. The Assembly assembled at thirty minutes past Two O'clock.
2. The Proceedings were opened with Prayer.
3. **PRESIDING:** -The Speaker (Hon. Stephen Ngelu).
4. **COMMUNICATION FROM THE CHAIR**

The following communications were made from the chair:-

a. Welcoming Members Back to the Assembly for the Fourth Session

“Hon. Members, this being the First Sitting of the Fourth Session and after the long recess, it is my pleasure to welcome you back. This is the fourth year since the Assembly began its operations which necessitates looking back and evaluating the gains made against the set goals and objectives.

Hon. Members,

There are a number of pending items for the Assembly’s consideration that include Bills, Motions, Petitions, Reports and Statements.

Hon. Members,

As we begin this Session, I urge all Members to work together to ensure that the Assembly discharges the constitutionally set mandate(s) of legislation, oversight and representation. The Assembly leadership will continue supporting the House Committees in discharging their mandates

and especially in public participation, processing of Bills, investigation and in other matters being considered by the respective Committees.

Each one of you **Hon Members**, is therefore called upon to actively participate to make this Session a success.

Thank you Honorable Members”.

b. Declaration of Income, Assets and Liabilities

Hon. Members, as you may be aware, towards the end of the previous Session, a Communication was made in this Assembly asking all Members to ensure they have declared their income, assets and liabilities as required.

Hon. Members, Sections 23, 26 and 27 of the Public Officers Ethics Act, 2003 requires all Public Officers (including State Officers) to make initial declarations of income, assets and liabilities within 30 days of becoming a State or Public Officer, thereafter to submit declarations once every two years and a final declaration within 30 days after ceasing to be a State or Public Officer. The declaration should clearly indicate income, assets and liabilities of the Officer, their spouses and dependent children under the age of 18 years.

Hon. Members, my Office has been notified that some Honorable Members have not complied with these mandatory requirement, which is an offense under Section 32 of the Public Officers Ethics Act, 2003 where any person found to guilty is liable on conviction, to a fine not exceeding one million shillings or imprisonment for a term not exceeding one year or both.

In this regard, Hon. Members, this is a reminder for compliance where all Members should ensure they have submitted the declarations by tomorrow, 10th February, 2016 at 5:00 pm to the Office of the Clerk. (The declaration forms can be picked from the Clerk’s office)

Thank you Honorable Members.

(Hon Stephen Ngelu, SCA)

c. Reconstitution of Three Year Period Committees

“Hon. Members, as you may be aware and as provided for in the Standing Orders, there are Assembly Committees constituted at the beginning of a new Assembly that serve for a period of three years after which their membership is reconstituted. The Committees include:

- i. the Committee on Appointments;
- ii. the Public Accounts Committee;
- iii. the Public Investments Committee;
- iv. the Budget and Appropriations Committee.

Hon. Members, Standing Orders 185 (2) requires that the Committee on Appointments be appointed within seven days of a new Assembly to serve for a period of three years after which another Committee will be appointed to serve for the remainder of the term of the County Assembly. Hon. Members, it is important to note that apart from the membership of the Speaker, the Leader of the Majority and Minority Parties, the three other Members to the Committee on Appointments are nominated by the Assembly Business Committee on the basis of proportional Party Membership, according to Standing Orders 185 (1).

Further, Hon. Members, Standing Orders 186 (4) requires that the Public Investment and Accounts Committee (which in our case was separated into two Committees; the Public Accounts Committee and the Public Investment Committee) be constituted at the beginning of a new Assembly to serve for a period of three years after which another Committee will be constituted to serve for the remainder of the County Assembly term.

On the other hand, Hon. Members, Standing Orders 187 (4) requires that the Budget and Appropriations Committee is constituted at the beginning of a new Assembly to serve for a period of three years and constituted thereafter to serve for the remainder of the County Assembly term.

Hon. Members, therefore, the County Assembly Business Committee should move with speed and nominate Members to serve in the Committee on Appointments for onward presentation to the County Assembly for consideration and approval. Further, the Committee on Selection in consultation with the County Assembly Parties, should move with speed and nominate Members to serve in the Budget and Appropriations Committee, the Public Accounts Committee and the Public Investment Committee for onward presentation to the County Assembly for consideration of approval.

Thank you Honorable Members”.

5. MESSAGES:-

The Hon. Speaker conveyed the following message to the Assembly:

Nominee for Position of Chief Officer, Finance and Socio-Economic Planning

“Hon. Members, I have the following message to convey regarding the name submitted by the Governor of the County Government of Makueni, H.E Prof. Kivutha Kibwana, for vetting and approval for the position of Chief Officer, in the Department of Finance and Socio-economic Planning.

Hon. Members, Section 45 of the County Governments Act, 2012, requires that Chief Officers shall be nominated by the Governor from persons sourced and recommended by the County Public Service Board and with the approval of the County Assembly, appointed County Chief Officers.

Hon. Members, the Governor submitted the name of Mr. Joseph Muthama Ndiku, to the Assembly for vetting and approval for the position of Chief Officer, Department of Finance and Socio-economic Planning.

The notification of the nomination having been made in the County Assembly today, February 9th, 2016, stands committed to the County Assembly departmental Committee on Finance and Socio-economic Planning, for vetting and tabling of a Report to this Assembly for consideration and approval. The Committee will be guided by the

Constitution, the Makueni County Vetting and Approval of Public Officers Act, 2015 and other relevant legislations and is expected to adhere to the set deadlines including tabling their Report within 21 calendar days from today.

Thank you Honorable Members”.

6. NOTICES OF MOTION:

The following Notice of Motion was given:

APPROVAL OF THE ASSEMBLY BUSINESS COMMITTEE:-

(The Leader of the Majority Party)

THAT, pursuant to the provisions of Standing Order No. 152(1) (d), this Assembly approves the appointment of the following Members to the Assembly Business Committee in addition to the Members specified under paragraph 1 (a) (b) and (c): -

- i. Hon. Jackson Ngovi,
- ii. Hon. Francis Mutungi,
- iii. Hon. Mutinda Mwangangi,
- iv. Hon. Martin Mutuku,
- v. Hon. Sammy Maseka,
- vi. Hon. Janet Kitung’a,
- vii. Hon. Elizabeth Muasya,
- viii. Hon. Agnes Mailu.

7. MOTION:-APPROVAL OF THE ASSEMBLY BUSINESS COMMITTEE

Motion made and question proposed;

THAT, pursuant to the provisions of Standing Order No. 152(1) (d), this Assembly approves the appointment of the following Members to the Assembly Business Committee in addition to the Members specified under paragraph 1 (a) (b) and (c): -

- i. Hon. Jackson Ngovi,
- ii. Hon. Francis Mutungi,

- iii. Hon. Mutinda Mwangangi,
- iv. Hon. Martin Mutuku,
- v. Hon. Sammy Maseka,
- vi. Hon. Janet Kitung'a,
- vii. Hon. Elizabeth Muasya,
- viii. Hon. Agnes Mailu.

(The Leader of the Majority Party)

No debate arising.

Question put and agreed to.

- 8. ASSEMBLY ROSE – at five minutes to three O'clock.**

MEMORANDUM

The Speaker will take the Chair on
Wednesday, 10th February 2016 at 9.30 a.m.

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