



COUNTY GOVERNMENT OF MAKUENI

## MAKUENI COUNTY ASSEMBLY

### OFFICIAL REPORT

Second County Assembly – Second Session

Wednesday, 7<sup>th</sup> March, 2018

*(The House met at 2.30 p.m.)*

*[The Speaker (Hon. Douglas Mbilu) in the Chair]*

### PRAYERS

### PAPERS LAID

**The Speaker** (Hon. Douglas Mbilu): Chairperson Committee on Health Services to lay a Report of the Joint Committee on Health Services and Delegated County Legislation on consideration of the Makueni County Universal Healthcare guidelines.

**The Member for Kikumbulyu North** (Hon. Jackson Mbalu): Mr. Speaker sir, I beg to lay the following Paper on the Table of the Assembly today Wednesday 7<sup>th</sup> March, 2018 at 2.30 p.m.; The Progress Report of the Joint Committee on Health Services and Delegated County Legislation on the consideration of the Makueni County Universal Healthcare guidelines. This is a Progress Report of the Committee on Health ---

**The Speaker** (Hon. Douglas Mbilu): Order Chairperson Committee on Health. You are laying a Paper. We are still under Papers.

**The Member for Kikumbulyu North** (Hon. Jackson Mbalu): Thank you Mr. Speaker.

**The Speaker** (Hon. Douglas Mbilu): Do not rush to the Motion. Next order.

## NOTICE OF MOTION

**The Speaker** (Hon. Douglas Mbilu): Chairperson Health Services.

**The Member for Kikumbulyu North** (Hon. Jackson Mbalu): Mr. Speaker sir, I beg guideline on this Progress report and whether it should be going for a Notice of Motion on it.

**The Speaker** (Hon. Douglas Mbilu): Chairperson the Order Paper reads adoption of a Report of a joint Committee on Health Services and Delegated County Legislation so you move the Motion.

**The Member for Kikumbulyu North** (Hon. Jackson Mbalu): Okay, the Assembly resolves to adopt Progressive Report of the Joint Committee on Health Services and Delegated County Legislation on consideration of the Makueni County Universal Healthcare guidelines laid on the Table of the Assembly today Wednesday 7<sup>th</sup> of March 2018 at 2.30 p.m. Thank you.

**The Speaker** (Hon. Douglas Mbilu): Chairperson Committee on Health Services, the Order Paper reads Notices of Motion for adoption of a Report and you are giving a Notice of Motion for a Progress Report.

**The Member for Kikumbulyu North** (Hon. Jackson Mbalu): Mr. Speaker sir, it is a Progressive Report because we were supposed to give that but since there was not enough time after consulting with the ECM, we realized we did not have the final report and that is why we are bringing to this House a Progressive Report on the same.

**The Speaker** (Hon. Douglas Mbilu): When was this Report due?

**The Member for Kikumbulyu North** (Hon. Jackson Mbalu): It was due last week.

**The Speaker** (Hon. Douglas Mbilu): Last week?

**The Member for Kikumbulyu North** (Hon. Jackson Mbalu): Yes.

**The Speaker** (Hon. Douglas Mbilu): And it is a Progress Report?

**The Member for Kikumbulyu North** (Hon. Jackson Mbalu): Yes sir. It is a Progress Report due to the issues concerned. It is of heavy issues. This Report is very important and there was no way we were going to give a half-baked Report having not being able to get all the facts we needed. We had a sitting with the Chief Officer, and the ECM and we felt we needed to sit down and review most of these issues because they are affecting our people.

**The Speaker** (Hon. Douglas Mbilu): Well, considering that the said Report was committed to the Committee on Health Services and Committee on Delegated

Legislation by this House, I will allow Members to contribute towards the said Progress Report and then I will make a Communication to that effect.

**The Member for Kikumbulyu North** (Hon. Jackson Mbalu): Mr. Speaker I beg to read the Report so that before we comment ---

**The Speaker** (Hon. Douglas Mbilu): The subject is this Assembly gave a limited time within which you are supposed to file a report, that time has lapsed and the Committee has not concluded and it is scheduled in the Order Paper as a Motion before this House and Members are not likely to debate this in the next few days until you conclude and therefore I am uncomfortable to give directions without comments by Members as to how you have been performing in your Committee. Hon. Deputy Speaker.

**The Deputy Speaker** (Hon. Harrison Mutie): Thank you Mr. Speaker. I rise to support the request by the Chairperson Health Services because the subject matter - --

**The Speaker** (Hon. Douglas Mbilu): What request in particular Member for Nzambani?

**The Deputy Speaker** (Hon. Harrison Mutie): Mr. Speaker they have requested that they be given more time.

**The Speaker** (Hon. Douglas Mbilu): The subject matter is whether to move the Notice of Motion or not.

**The Deputy Speaker** (Hon. Harrison Mutie): Mr. Speaker even though I stand to be guided by your wisdom and because I am aware that the Report is not substantive, I would request this House to deny the Chairman to move the Notice but rather to add the Committee more time so that they can have a substantive Motion. Nevertheless, the Standing Order requires that once we lay the Papers we move the Notice and the Motion and even if the Report is not conclusive the Chairperson has a period to request the Speaker to grant the Committee more time so that they can conclude that matter so your wisdom on this matter is required. Thank you.

**The Speaker** (Hon. Douglas Mbilu): Member for Mbitini Ward.

**The Member for Mbitini Ward** (Hon. Joshat Nzuki): Thank you Mr. Speaker. Actually being a Member of that Delegated County Legislation Committee and owing to the fact that the matter that came across is too weighty and some of these things were not concluded, we deemed it fit through our able Health Chairperson to be given some more time so that we may bring a conclusive Report. Thank you Mr. Speaker.

**The Speaker** (Hon. Douglas Mbilu): Hon. Sharon Mutinda.

**Hon. Sharon Mutinda**: Thank you Mr. Speaker. I wish to inform the House that universal Health care is a very weighty matter and as we progress there are

amendments which are supposed to be done on the same. Therefore, we must have a sitting with the ECM and officials and first do amendments before we file a conclusive Report. Therefore, I wish to request that we be given time so that we may deliberate on this matter because I know there are arrangement which are being made from the other side that we go somewhere we sit and we come up with a Report. Therefore, we ask for some time so that we can do what is required. Thank you.

**The Speaker** (Hon. Douglas Mbilu): Member for Kithungo/ Kitundu Ward.

**The Minority Leader** (Hon. Kisungi WA Katete): Thank you Mr. Speaker. I think the Committee in this Report had four weeks and I tend to think this matter being of concern to this Assembly, four weeks is a very long time. I would also like to complain that it seems only the CO was available for all time the Committee had for consultations and I would like to complain that it seems the ECMs actually do not have much time for this Assembly and I share in the frustrations of the Chairmen in this House that this House should be taken seriously because this is a matter that should have been concluded by now and when the Committee is requesting for four weeks, it seems now we are giving the ECM more time to appear before the Committee and probably articulate together with the Committee and the CO on what should be included in the Guidelines. Therefore, I stand to condemn the non – cooperation of the ECMs in the Executive including the ECM for Water who has not been providing enough information for us as a Committee to perform. I mean the Committee of Water and as of today all ---

**The Speaker** (Hon. Douglas Mbilu): Order Leader of the Minority. Are you discussing issues of Water Committee as Chairperson or as a Member for Kithungo/ Kitundu Ward?

**The Minority Leader** (Hon. Kisungi WA Katete): I am sorry for that Chair but it is perturbing to discover that the ECMs are not giving us good time to perform. I just gave an example and shared my frustrations with those of the other Chairmen in this House because I can see the request for four weeks is to give the ECM more time to interact with the Committee. Therefore, we stand to be guided what we should do especially with these issues to do with ECMs because this House is in jeopardy because of the non- availability of the ECMS. I rest my case. Thank you.

**The Speaker** (Hon. Douglas Mbilu): Hon. Janet Kitunga.

**Hon. Janet Kitunga:** Thank you Mr. Speaker for this opportunity. I really respect the Hon. Member who has just left the floor of the House and he has used a terminology which I didn't feel is friendly for this House. When he was addressing Chairpersons of Committees he used the term Chairmen. I pray that he gets to be a gender sensitive leader and use the words Chairpersons. Thank you Mr. Speaker.

**The Speaker** (Hon. Douglas Mbilu): Member for Email/ Mulala Ward.

**The Member for Email/Mulala Ward** (Hon. Nicodemus Muthoka): Thank you Mr. Speaker. I have different opinions from Members that just preceded in giving out comments. Mine is on the Report, the timeline given of four weeks. I think in the Report it says no issues were addressed. It meant that in the time given to the Committee to give a Report they did not get anything substantial to present to this House. We need to ask ourselves why was the Committee not ready to present a Report within the time given because it seems there is lack of cooperation maybe between the Executive and the Committee. For my stand I see there is a problem I think we should address rather than being on the timeline between the Executive and the Committee itself. Thank you.

**The Speaker** (Hon. Douglas Mbilu): Member for Ukia.

**The Member for Ukia Ward** (Hon. Japheth Katumo): Thank you Mr. Speaker for catching my eye. I want to agree with the Committee that maybe because of a few issues they have not been able to give a Report back to this House but what I am seeing is inconsistent with our Standing Orders. You cannot lay a Paper and at the same time give a Notice of Motion for a Report that is not ready. What it means is that if you give a Notice of this Motion and then we come here tomorrow debate on a Progress Report, it means that there will still be another Motion that will be given for us to debate the complete Report. There ought to be consultation before and that should have been expunged from the Order Paper.

**The Speaker** (Hon. Douglas Mbilu): Member for Ukia, directions for Committee to consider the Business of this House are determined in this House. Therefore, there is no higher institution in this Assembly than this House and therefore a Committee seated somewhere may not really determine the ultimate business of the House without taking responsibility and explaining why that Business which was committed did not take place. The subject matter is moving a Motion which has been discovered to be a Progress Report and we are not yet on the content of the Motion, we are at the question on whether that Motion should proceed. Therefore that is my guidance. Member for Ukia.

**The Member for Ukia Ward** (Hon. Japheth Katumo): Yes Mr. Speaker I am so directed. I am just echoing what you are saying, that these Notices of Motion should not be left to go on.

**The Speaker** (Hon. Douglas Mbilu): Very well. Member for Mavindini.

**The Majority Whip** (Hon. Jonathan Kimongo): Thank you Mr. Speaker. I stand to be informed whether it is unprocedural to move a Notice of Motion and go and prepare the Motion and bring it after a week or so unless Notice of Motion has an expiry time because I tend to think the Chairperson can move a Notice of Motion today go and take their sweet time for the whole of the week and come and present the Motion next week. Alternatively, it has happened before in this House whereby we debate Motions that are not fully conclusive and we revisit them. What is the issue

with us talking about this Progressive Report and when they are ready they bring it again. This Committee has a lot of work and this matter is not so light and given that it encompasses two Committees they have got to look for convenience of time for them to converge because this is not one Committee. They two Committees, they have got to agree on time and this matter is very weighty. They need to do research, and they need to consult. Mr. Speaker these Members should be given ample time to bring us a good thing and I trust they can do it.

**The Speaker** (Hon. Douglas Mbilu): Hon. Sharon Mutinda.

**Hon. Sharon Mutinda:** Thank you Mr. Speaker. I want to know the Hon. Member who was on the floor has used a term that I have not understood. He said, "*We go and use our sweet time.*" What are those sweet times and what will we be doing?

**The Speaker** (Hon. Douglas Mbilu): Member for Mavindini Ward on sweet times.

**The Majority Whip** (Hon. Jonathan Kimongo): Mr. Speaker I think the Member is just ---

**The Speaker** (Hon. Douglas Mbilu): Did you use such a word?

**The Majority Whip** (Hon. Jonathan Kimongo): I may have used and I do not refuse because sweet is an approved English vocabulary. Sweet time is your good time, you take your good time. Do not take sweet to be literal. I think the Hon. Member is just being so literal on what sweet means. It is not the usual sweetness of sugar cane or those other things.

*(Consultations)*

*(Hon. Harrison Mutie stood in his place)*

**The Speaker** (Hon. Douglas Mbilu): What is it Member for Nzambani/ Ivingoni Ward?

**The Deputy Speaker** (Hon. Harrison Mutie): Thank you very much Mr. Speaker.

**The Speaker** (Hon. Douglas Mbilu): On that particular word it has been explained.

**The Deputy Speaker** (Hon. Harrison Mutie): No, it is not on that particular word. I would want to guide the debate.

**The Speaker** (Hon. Douglas Mbilu): Proceed.

**The Deputy Speaker** (Hon. Harrison Mutie): Number one, as the Chairperson Liaison Committee I have duty to ensure that if a Committee has being assigned an assignment they proceed and execute it within the given time frame. With this particular Committee and Members are aware, when time was allotted to this Committee we had some few internal challenges I would not want Chairpersons and Members of this House to lay blame on the Executive where there is no blame to be placed. The request has been made, the Committee has not moved out and that is truth Members. The Committee needs to be facilitated to go and come out with a good Report that is acceptable in this House.

Number two, when a Committee has been given days for example, sixty days and those days elapse it is in the Standing Order that the Chairperson should come to this House and report and I think that is what the Chairperson Committee on Health Services was doing and procedure is very simple. That we lay a Paper, move a Notice and then move a Motion and present issues as they are as at that time. Therefore, I am standing with my Chairperson and Department of Health Service and its entire Committee. They had no time to go and work on this assignment that you had given us and I think it is prudent Chairpersons to be very respectable to that.

Number three Mr. Speaker, you allow me to touch on what Mheshimiwa Kimongo has talked about sweet time even though he has walked out. I think he has predetermined that I was going to hit him. When he talks about sweet time it means that you can issue some directives to certain Committees and sweet time means they can even come back in December and we are in March but because we are bound by your strict directives sweet time does not apply to Committees. If it is about sixty days, within sixty days a Report needs to come back whether it is a Progress, complete or an status of a Report. Thank you Mr. Speaker.

**The Speaker** (Hon. Douglas Mbilu): Member for Kisau/ Kiteta Ward.

**The Member for Kisau/ Kiteta Ward** (Hon. Dennis Masavu): Asante Mheshimiwa Spika yangu ni machache tu ---

*(Laughter)*

**The Member for Kisau/ Kiteta Ward** (Hon. Dennis Masavu): Najua tunaweza kuweka maneno mengi ya bure na hatukuchaguliwa tukae hapa Bungeni saa zingine tunatakikana huko nyumbani. Hii ni kitu tungemaliza twende ingine na twende huko nyumbani tuonane na mwananchi. Mimi yangu nakuomba uongeze Mwenyekiti wa Afya muda kwa sababu hii ni swala inangusa wale wananchi wa kawaida, wale hawana uwezo ndio wakae chini pamoja na Waziri wa Afya, CEO na hii kitu waiweke iwe sawa ndio akileta hapa alete kitu haina maneno sababu inatusumbua huko nyumbani. Ningeomba, kwa uwezo wako hio umepewa, uongeze Mwenyekiti muda wa kwenda kukaa chini, watembee siku mbili tatu, walete maneno mzuri hapa na sisi

tutaendelea watu wetu kutibiwa vizuri na hio tunamaliza badala ya kurukaruka hapa tunangogana mnaleta sijui sweet sijui nini. Sasa hio tuwache ---

*(Laughter)*

**The Member for Kisau/ Kiteta Ward** (Hon. Dennis Masavu): Tumia ule uwezo wako kwa sababu Mungu amekupa uwezo wa kujua ni nini ile inawezekana kwa sababu tuko na Mwenyekiti wa Afya ambaye ni daktari na anajua ni nini mbaya, ni nini nzuri kwa afya ya mwanadamu. Mpatie muda na uwezo wa kwenda nje kidogo pamoja na Mwenyekiti Mheshimiwa kutoka Nguumo watulete maneno vizuri. Asante Mheshimiwa Spika.

**The Speaker** (Hon. Douglas Mbilu): Order Hon. Members. Pursuant to the provisions of Standing Order number 64 (1), *a Notice of Motion may be withdrawn by a member who gave the notice but Notice of the same Motion may be given again either by the same Member or by any other Member.* Under the circumstances Chairperson Committee on Health Services the Order Paper reads a Motion and there is no provisions in the Standing Order to discuss or debate a progress report in a Motion. This being a substantive Motion then we ought to have tabled a substantive Report. Therefore, we may not proceed with this Motion as it is crafted so you invoke the provisions of Standing Order number 64 and withdraw the Motion.

**The Member for Kikumbulyu North Ward** (Hon. Jackson Mbalu): Thank you Mr. Speaker. Pursuant of the provisions of Standing Order number 64 I wish to withdraw the following Notice of Motion:-

**THAT**, this Assembly resolves to adopt the Progress Report of the Joint Committee on Health Services and Delegated County Legislation on consideration of the Makueni County Universal Health Care guidelines laid on the Table of the Assembly today Wednesday 7<sup>th</sup> March, 2018 at 2:30p.m.

Thank you Mr. Speaker.

*(Notice of Motion withdrawn)*

**The Speaker** (Hon. Douglas Mbilu): Hon. Members considering that the respective Chairperson of Health Services and Mover of the Motion has withdrawn the Notice of Motion. The Chair direct as follows, that the Committee considers that Report and report back to the House within 14 days. Next order. Member for Masongaleni.

## STATEMENTS

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**The Speaker** (Hon. Douglas Mbilu): Member for Masongaleni.

STATEMENT REQUEST - IMPLEMENTATION OF MIKUYINI EARTH DAM

**The Deputy Majority Leader** (Hon. Richard Munywoki): Thank you Mr. Speaker for giving me this opportunity. Pursuant to the provisions of Standing Order 50 of the Makueni County Assembly Standing Orders, I rise to request for a Statement from the Chairperson Committee on Water Irrigation and Environment regarding incomplete implementation of Mikuyini earth dam in Masongaleni Ward. During the financial year 2016/2017 the excavation on Mikuyini earth dam was allocated Kshs.2 million. The implementation of the project commenced on 16 May, 2017 and after 20 days that is around 6 June, 2017 the operators stopped working, moved away from the site and left behind the bulldozers and the roller. On 5 February, 2018 the operators came and drove away the bulldozer and did not say when the work at the earth dam would resume. When the project started on 16 May, 2017 the operators engaged two watchmen for provision of security to the equipment on site. One watchman was working during the day while the other at night. The two watchmen were paid for ten days each and from then have not been paid to date even though they have continued to provide security services. The Chairperson would therefore clarify on the following;

- a. Why the project stopped and when the works at the earth dam would resume, the amount of money which has been used in the project so far and what is the balance remaining for this project. Why the County machines were moved to other projects before finishing works of the said earth dam.
- b. Whether the project has stalled or not.
- c. Why the earth dam is located alongside of a river instead of being astride the river.
- d. Why the watchmen have not been paid for eight months so far yet they have continued to provide security services.

Thank you Mr. Speaker.

**The Speaker** (Hon. Douglas Mbilu): The Chairperson Committee on Water Irrigation and Environmental Services.

**The Minority Leader** (Hon. Kisungi wa Katete): Thank you Mr. Speaker. We request for 21 days because we need answers for previous Statements so we want 21 days to execute this. Thank you.

**The Speaker** (Hon. Douglas Mbilu): Member for Masongaleni Ward.

**The Deputy Majority Leader** (Hon. Richard Munywoki): Thank you Mr. Speaker. I think I am not happy with the period. The residents of Mikuyuni have waited for long and they are really looking forward to know the reason because if you listened carefully to what I said, the machines are being removed, they are there and we are not being told what is happening so they assumed that the issue of a dam is

gone therefore they are eager to hear the exact stand of this project so I think 14 days will be better for me. Thank you.

**The Speaker** (Hon. Douglas Mbilu): Chairperson.

**The Minority Leader** (Hon. Kisungi wa Katete): Thank you Mr. Speaker. We actually sympathize with the Member because I understand the questions which are coming from the residents who are seeing machines in the area without work being done so we reduce our time to 14 days. Thank you.

**The Speaker** (Hon. Douglas Mbilu): Very well. The Statement request is committed to the Committee on Water, Irrigation and Environment to report back to the House within 14 days. Member for Mbitini Ward.

STATEMENT REQUEST – DELAYED COMPENSATION OF DISPLACED PERSONS

**The Member for Mbitini Ward** (Hon. Josphat Nzuki): Thank you Mr. Speaker. Pursuant to provisions of Standing Order 50 of the Makueni County Assembly Standing Orders, I rise to request for a Statement from the Chairperson Committee on Lands and Urban Planning regarding the delayed compensation of persons who were displaced during the construction of Manooni dam in Mbitini Ward. The National Government acquired land for construction of Manooni dam from the community way back in 1984, 34 years ago. The persons who were displaced to pave way for the construction of the dam have never been compensated to date despite various attempts by the leaders and the taskforces formed to probe the same having intervened. In 2015 a taskforce was formed to look into the issue. The taskforce visited the affected residents and established the actual number of the persons to be compensated and made its recommendations to both the National and County Government. To date the residents have not been compensated despite the numerous efforts made. The Chairperson should therefore clarify on the following;

- a. State the size of land acquired/taken for construction of the said dam.
- b. The number of people whose land was acquired to pave way for the project.
- c. Whether the Members of public from the area were consulted before the land was acquired.
- d. Explain the reasons why the persons whose land was acquired to pave way for the project have not been compensated to date.
- e. What plans are there to ensure the residents are compensated?

Thank you.

**The Speaker** (Hon. Douglas Mbilu): Chairperson Committee on Lands and Urban Planning.

**The Member for Wote/Nziu Ward** (Hon. Felix Mateso): Thank you Mr. Speaker. Sorry for the delay. I was doing something else.

*(Laughter)*

**The Member for Wote/Nziu Ward** (Hon. Felix Mateso): I request this Committee to be given 14 days so that it can report back on the matter. Thank you.

**The Speaker** (Hon. Douglas Mbilu): Member for Mbitini.

**The Member for Mbitini Ward** (Hon. Josphat Nzuki): Thank you Mr. Speaker. I am actually not even aware whether my able Chairperson for Lands was attentive. Although it is too hot in this House you will direct him to execute his mandate as a Committee Chairperson and in this case I am actually content with the 14 days. Thank you.

**The Speaker** (Hon. Douglas Mbilu); Very well Hon Members. Considering the subject matter involves the National Government and being requested on the floor of the County Assembly, I direct that the Committee prepares and tables a Report in this House within 21 days. Next Order.

## MOTION

### ESTABLISHMENT OF AN AD HOC COMMITTEE

**THAT** pursuant to the provision of the Makueni County Assembly Standing Orders 218, this Assembly resolves to adopt the following names as recommended by the Liaison Committee to the Members of the Ad hoc Committee to look into the matter of Petition regarding insecurity in Wote Town;

1. Hon. Douglas Mbilu David
2. Hon. Harris Musau Ngui
3. Hon. Japheth Mwilu Katumo
4. Hon. Boniface Felix Mateso
5. Hon. Jonathan Muoki Mwaniki
6. Hon. Nicholas Ndunda Maitha
7. Hon. Julius Mutula Matheka
8. Hon. Richard Munywoki Kasyoki
9. Hon. Magdalene Mulwa
10. Hon. Elizabeth Mutindi Kiiio
11. Hon. Bernadette Mutisya.

*(Hon. Harrison Mutie on 7.3.2018)*

*(Resumption of Debate interrupted on 7.3.2018o)*

**The Speaker** (Hon. Douglas Mbilu): Hon. Members, Standing Order no. 35 provides for the resumption of interrupted business of the House. *Any debate interrupted under this part shall on coming again before the County Assembly or the Committee be resumed at the point it was interrupted and any Member whose speech*

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*was so interrupted shall have the right to speak on such resumption for the remainder of time available to him or her if such Member does not avail himself or herself of this right, his or her speech shall be deemed to have been concluded. Mover of the Motion.*

**The Deputy Speaker** (Hon. Harrison Mutie): Thank you Mr. Speaker for granting us the resumption of that Motion. Before we adjourned in the morning, I was congratulating this House for taking this issue of insecurity very seriously and for showing a lot of love for our headquarter of Makueni. It is worth noting that if insecurity was to destabilize our business activities in our headquarter, then it means our smaller towns in the outskirts then will have no peace and therefore this House moved very first with your wisdom and therefore I was trying to explain to the Members how we arrived at the eleven Members so that they can support and approve. With your permission allow me to read the eleven names again very fast. Hon. Members, the eleven Members that the Committee of Liaison would wish to represent us in this Ad Hoc Committee include;

1. Hon. Douglas Mbilu David
2. Hon. Harris Musau Ngu
3. Hon. Japheth Mwilu Katumo
4. Hon. Boniface Felix Mateso
5. Hon. Jonathan Muoki
6. Hon. Nicholas Ndunda Maitha
7. Hon. Julius Mutula Matheka
8. Hon. Richard Munywoki Kasyoki
9. Hon. Magdalene Mulwa ---

**The Speaker** (Hon. Douglas Mbilu): Order the Mover of the Motion. I will refer you to the Standing Order no. 35 and it states that, debate to *be resumed at the point where it was interrupted*. Do not introduce and move the Motion again. You had moved the Motion; proceed with the contribution at the point where you left unless you wish to consult the HANSARD to help you know where you were that time.

**The Deputy Speaker** (Hon. Harrison Mutie): Thank you Mr. Speaker. I just wanted them to remember the names not to move the Motion afresh but with your guidance ---

**The Speaker** (Hon. Douglas Mbilu): With guidance from the Standing Order, you proceed at the coma where you stopped.

**The Deputy Speaker** (Hon. Harrison Mutie): Thank you Mr. Speaker. Hon. Members these Members were arrived based on four parameters. Number one, individual capability to deliver, number two gender rule as required by the Constitution, number three through party representation in that Committee. Our Standing Orders are very clear on any Committee that is formed in this House. For gender rule, out of the eleven Members we went into a ratio of 7:3. Seven men and

three ladies. On party representation we went on a ratio of 7:2:1 that meant that seven Members came from the Wiper party, two Members came from Muungano and one Member came from the Minority party. Lastly it is on the special interest that this Committee carries a long with it. The Members that came on special interest is Harris Ngui because of his devolution docket and maybe expertise.

I will not forget to request the Members to support based on the fact some of these Members for example Mutula having worked with administration functions before as a DC has a lot of information as far as insecurity is concerned. Number two is Hon. Richard Munywoki Kasyoki. Hon. Members you remember our Hon. Member worked with Kenya Defense Forces (KDF) of this country and retired as Colonel. Therefore based on that we felt that these two gentlemen can guide this Committee and we can have very good results. Without saying a lot about this Motion, I would request Hon. Alfred Mutuku to come and second.

**The Member for Nguumo Ward** (Hon. Alfred Mutuku): Thank you Mr. Speaker sir. I support the constitution of this Committee because we as Hon. Members it is very embarrassing to see Members of our headquarter being harassed by thug during their stay in our headquarter which is Makueni, Wote town. Therefore, I second the Motion bearing in mind that this Committee will make a way forward on how we are going to attain the safety of our residents. Bearing in mind these people terrorizing our people within Makueni are well known. These people stay in houses of our people who are within Makueni but we need to put good structures so that we may catch up with those thugs, we need to monitor them so that we may bring those who are doing that evil work to book and if need be, we imprison them and take them to Kamiti so that our people of Wote town can live with a lot of freedom. I do support the constitution of this Committee. Thank you.

**The Speaker** (Hon. Douglas Mbilu): Member for Nguumo Ward did you second the Motion or support the Motion?

**The Member for Nguumo Ward** (Hon. Alfred Mutuku): I seconded the Motion.

**The Speaker** (Hon. Douglas Mbilu): You supported the Motion.

**The Member for Nguumo Ward** (Hon. Alfred Mutuku): I can as well do that because this is a matter of urgency and it needs a big debate Mr. Speaker sir ---

**The Speaker** (Hon. Douglas Mbilu): Therefore proceed and second the Motion for the purposes of procedure.

**The Member for Nguumo Ward** (Hon. Alfred Mutuku): Thank you Mr. Speaker sir, I second the Motion.

*(Question proposed)*

**The Speaker** (Hon. Douglas Mbilu): Floor is open. Member for Kee Ward.

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**The Member for Kee Ward** (Hon. Isaac Munyao): Thank you Mr. Speaker sir. I stand to support the Motion on appointment of the Ad Hoc Committee which is going to look into the matter of the Petition concerning insecurity in Wote town. When you look at the names that have been presented being a Member of the Liaison Committee, I do agree with the membership of the Ad Hoc Committee that has been appointed to look into the matter because when you look at the most of the Members they have experience and expertise on issues concerning security. Most of them as the Deputy Speaker who is the Mover of the Motion has said, have experience when it comes to most of the administrative issues. I think this Committee comprises of the right Membership and as Hon. Members we are going to support this Committee to make sure that we handle the issues of insecurity in Wote town so that our people who are living in Wote town can live in peace. Thank you Mr. Speaker.

**The Speaker** (Hon. Douglas Mbilu): Member for Mavindini Ward.

**The Majority Whip** (Hon. Jonathan Kimongo): Thank you Mr. Speaker. I would want to support this Motion. You look at this membership list and you agree with me that Liaison Committee did quite good job, they really turned the coin on all sides because I look at the membership and you find that they are victims of the matter we are discussing. You find that they are Members of the County Assembly respecting Wards that are directly affected by this menace. You look at the membership and you find that there are Members who have a wealth of experience in the mandate that we are giving them. I tend to think this was quite a good job thinking through and bringing forth a team that can really deliver on what is at stake. Otherwise, I support.

**The Speaker** (Hon. Douglas Mbilu): Member for Wote Ward.

**The Member for Wote/ Nziu Ward** (Hon. Felix Mateso): Thank you Mr. Speaker for the opportunity. I rise to support the Motion. I would start by thanking you for giving this direction to have this Ad Hoc Committee in place. I would want to say that this team is very well balanced in terms of expertise; people who have experience in security matters for example of one Hon. Richard Kasyoki Munywoki and Mutula who is one of the people with a lot of experience and gender is also considered. I think this Committee will deliver to the expectation of my people. I will urge this House to move with speed and pass this Committee so that we start working with immediate effect. Just to update this House immediately after the Petition was brought to this House last weekend people were robbed at gun point in this town. There is need for this Committee to work very fast so that we can settle this problem in this town. Thank you Mr. Speaker.

**The Speaker** (Hon. Douglas Mbilu): Hon. Elizabeth Mutindi.

**Hon. Elizabeth Kiio:** Thank you Mr. Speaker. I also want to support the constitution of the Committee on security. This is something that should have happened as early as yesterday and we hope that the deliberations that we are going to come up with good resolutions that will help in securing our people. I have an issue with the list. I am number ten in the list but I do not know if it is by design that the names of all the men have been written first and then the ladies are at the very end to just ensure the third gender rule has been met. Next time when we have such a list I expect to see a mixture of names. It looks like we were just after thought that we had to be thought about and no wonder the---

**The Speaker** (Hon. Douglas Mbilu): Hon. Elizabeth is it a contribution or a Point of Order?

**Hon. Elizabeth Kiio:** Point of Information.

**The Speaker** (Hon. Douglas Mbilu): Then you sit down.

**Hon. Elizabeth Kiio:** I was making contribution.

**The Speaker** (Hon. Douglas Mbilu): You either contribute, sit and then raise a Point of Information or Point of Order or clarification; you cannot mix both. You still have time and you can still contribute and raise a point of clarification. The floor is open; you can contribute twice through a Point of Order and your contribution. Conclude your contribution then further, sit down and stand up on a Point of Order or clarification.

**Hon. Elizabeth Kiio:** Okay. Thank you Mr. Speaker I acknowledge the effort. I stand guided and I am happy to be part of the list so I support.

**The Speaker** (Hon. Douglas Mbilu): Hon. Sharon Mutinda.

**Hon. Sharon Mutinda:** Thank you very much Mr. Speaker. I rise to support this Motion and I will not talk much on the composition of the Committee but I wish to urge the selected Members to take this matter seriously as we wait for a fruitful outcomes as the House. Thank you.

**The Speaker** (Hon. Douglas Mbilu): Member for Emali/ Mulala Ward.

**The Member for Emali/ Mulala Ward** (Hon. Nicodemus Muthoka): Thank you Mr. Speaker. I rise to support the Motion and also inform the House the Members who have been slotted down to represent this Committee looking by the names and their characters they are able. Mine is just to give advice on the task that is ahead of this Committee to ensure that you request maybe the Chamber of Commerce Wote town so that you may work together. Secondly, measures that need to be taken to ensure that security is beefed up in residential areas in trying to minimize and advising businessmen and the community who have invested in real estate and especially

residential units to ensure that CCTV cameras are in place to ensure that security beefed up and the culprits are run away from trying to attack the members of the town. Thank you Mr. Speaker.

**The Member for Kikumbulyu South Ward** (Hon. Jades Kalunda): Point of Information.

**The Speaker** (Hon. Douglas Mbilu): Proceed Member for Kikumbulyu South Ward.

**The Member for Kikumbulyu South Ward** (Hon. Jades Kalunda): I wish to inform the House that the thirty percent threshold is not met. I doubt and somebody has being lying that 30% for gender representation is there but it is 2.7 that is 27%; I am very good in mathematics. May be somebody can withdraw that so that we can proceed. Otherwise, somebody is lying to the House that we at 30%. I stand also to be guided but still that is very factual and very specific even when I am doing research. Thank you.

**The Speaker** (Hon. Douglas Mbilu): Hon. Elizabeth Mutindi.

**Hon. Elizabeth Kiio**: Point of Order Mr. Speaker. Is the Member in order to stand on the Floor of the House without shoes?

*(Laughter)*

**The Speaker** (Hon. Douglas Mbilu): Member for Kikumbulyu South?

**The Member for Kikumbulyu South** (Hon. Jades Kalunda): She is always after my dressing. Well this are not just shoes. They are very heavy boots and very expensive boots for professors.

*(Low consultations)*

**The Speaker** (Hon Douglas Mbilu): Member for Kikumbulyu South the Point of Order, order Hon. Members, the Point of Order by Hon. Elizabeth Mutindi is whether you are in order to be seated in this House when your shoes are off. Respond to the Point of Order.

**The Member for Kikumbulyu South** (Hon. Jades Kalunda): Hon. Speaker I doubt whether she has got good eyesight because when you look at me even when I am not in shoes I am very tall so she may not differentiate ---

**The Speaker** (Hon. Douglas Mbilu): Order Hon. Kalunda. The Point of Order is not limited to the Member who is asking that question. The Point of Order is for the order of the House so proceed and respond to the Point of Order raised by Hon. Elizabeth Mutindi. Whether you are in order to be seated in this House without shoes.

**The Member for Kikumbulyu South** (Hon. Jades Kalunda): You see the problem is Hon. Speaker I do not know what that means because I am always in shoes. Everybody can see. I am even in shoes now, I do not know may be she has been dreaming. You see she is very young and she may be suffering from some things so she has to tell us what that means Hon. Speaker. I am in shoes even the Majority Leader can see and I think I am very smart. Hon. Speaker I do not know how to respond on that since I am really dressed the way I am supposed to but if in any case she was dreaming or may be something was passing through her mind it is not in order for you to be not properly dressed. Even Hon. Mutungi a seasoned Member can tell that Hon. Kalunda is always very orderly and procedural and that may not be easy for Hon. Mutindi to note.

**The Speaker** (Hon. Douglas Mbilu): Very well Hon. Kalunda in your contribution you have made some comments that are not parliamentary in nature referring to a colleague Member of the County Assembly associating her age and what are in the mental processes may not be within the powers of this House to go to that extent and therefore you must withdraw and apologize.

**The Member for Emali/Mulala Ward** (Hon. Nicodemus Muthoka): on a Point of Information.

**The Member for Kikumbulyu South** (Hon. Jades Kalunda): Hon. Speaker you can protect me.

**The Speaker** (Hon. Douglas Mbilu): What is it Member for Mulala/ Emali Ward?

**The Member for Emali/Mulala Ward** (Hon. Nicodemus Muthoka): Mr. Speaker the Point of Information is that the Hon. Member is my Chairperson Implementation Committee and he is full of wisdom and very articulate but I would request the Hon. Member in the House if he could translate what he does in the Committee and be able to appear and listen to what is being said especially on rules of the House. Thank you.

**The Speaker** (Hon. Douglas Mbilu): Very well you are so informed. However proceed, withdraw and apologize to the Member.

**The Member for Kikumbulyu South** (Hon. Jades Kalunda): Okay, thank you Hon. Speaker I withdraw but I do not know what was to be withdrawn. I will not ---

**The Speaker** (Hon. Douglas Mbilu): Hon Kalunda you are either within parliamentary language that befits this this House or you are outside it. In view of the Chair your comments and the statements that you made against your colleague are unfriendly and demeaning in nature and therefore withdraw and apologize.

**The Member for Kikumbulyu South** (Hon. Jades Kalunda): I withdraw and apologize unconditionally.

**The Speaker** (Hon. Douglas Mbilu): Very well, resume your seat. Mover of the Motion.

**The Deputy Speaker** (Hon. Harrison Mutie): Thank you Speaker. I am very happy that Members have been very positive. I will only respond to two items that have been raised by Hon. Mutindi and Hon. Kalunda on the gender rule. One third of gender rule is observed here. If you take a third of eleven Members and the professor in the House, I am not sure he is a real professor, the figure is 3.6.

*(Hon. Jades Kalunda interjected on a Point of Order)*

**The Deputy Speaker** (Hon. Harrison Mutie): We are talking about human beings and therefore the 0.6 is not a complete person and therefore that is how we arrived at three Members and the Committee on Liaison approved it. I think I can now request this Hon. House to support and approve this Motion ---

**The Speaker** (Hon. Douglas Mbilu): Order Member for Nzambani. Hon. Kalunda there are no Point of Order when the Mover of the Motion responding to the Motion.

*(Laughter)*

**The Speaker** (Hon. Douglas Mbilu): Proceed Member for Ivingoni/Nzambani.

**The Deputy Speaker** (Hon. Harrison Mutie): Thank you Mr. Speaker for protecting me. I was requesting this House to move with speed and approve these names so that by tomorrow they can start on this assignment because Wote town is hurting, the residents of this town are hurting and the towns around and everyone is looking towards this security personnel which seems not to be taking action and I think by us moving with speed then even the relevant agencies will take note and they will wake up from their deep slumber. Thank you.

*(Question put and agreed to)*

## ADJOURNMENT

**The Speaker** (Hon. Douglas Mbilu): Hon. Members the time now being 15.48 hours, the House stands adjourned until tomorrow Thursday 8<sup>th</sup> of March, 2018 at 2.30 p.m.

*(The House rose at 15.48 p.m)*