



REPUBLIC OF KENYA

NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly – First Session

Special Sitting

Tuesday 28th May, 2013

The House met at 2.30pm

(The Deputy Speaker in the Chair)

PRAYERS

Hon. Deputy Speaker (Mr. Kennedy Ng'ondi): Point of order granted

Hon. Member for Kahawa West (Mr. Patrick Chege): Mr. Speaker, thank you for giving me this opportunity and I stand before you with respect and with no ill-motive in regard to your position. I seek your clarification in respect to order No. 22 of the Standing Orders.

Hon. Deputy Speaker: Okay Members, with regard to the point of order raised by Hon Chege, I refer you to the Standing Order on presiding in the County Assembly, and it reads: *"The presiding speaker shall preside at any sitting of the County Assembly but in absence of the speaker, a member elected by the County Assembly for that purpose pursuant to Article 178(2) of the constitution shall preside"*.

This will again make me refer to standing order. No.14, which deals with the election of the Chairperson of committees:

- (1) *"As soon as practicable after the election of a speaker following a general election, a chairperson of committees shall preside over all committees of the*

whole County assembly but in absence of the chairperson of committees, a member elected by the county assembly for the purpose shall preside.

- (2) *The chairperson of the committees shall be the chairperson of the committees and shall preside over all the committees of the whole county Assembly but in absence of the chairperson of the committees, a member elected by the county Assembly for the purpose shall preside.”*

In that case, the standing order is very clear. We also have with us the County Government Act Order. For this reason, Hon. Members, I think it is in order and we can proceed. Thank you.

COMMUNICATION FROM THE CHAIR

Hon. Deputy Speaker: Hon. Members allow me to make a personal communication. When I was elected, I did not find time to compliment you and most notably the members of the CORD Alliance. It is with great pleasure that I thank you for electing me to this sit of power of the Deputy Speaker of the Nairobi City County Assembly. This being my first session as the chair, Hon. Members, my desire is to promote the dignity of this house and to make such ruling that conforms to the spirit of our new constitution.

I wish to acknowledge the good work done by the Speaker, Hon. Alex Magelo, the Leaders of the majority and the minority and the entire County Assembly of Nairobi without forgetting our able Clerk who each and every time has given advice to the entire Assembly. He has not only provided advice to the Assembly but to individual members of the Assembly as well. As you are aware, it is only through rules and procedures that we can build a better Nairobi City Assembly.

Hon. Members, the second communication is a message from the office of the Governor with regard to a special sitting. As you know, this is not just an ordinary sitting since the house was adjourned *sine die*. And one may be asking, why we are having the Assembly today. This makes me refer you to standing Order No. 26 (1), special sitting of the County Assembly:

. “Whenever during a session the County Assembly stands adjourned, whether or not a day has been appointed for the next meeting, the speaker may, on the request of the leader of the majority or the leader of the minority parties, appoint a day for a special sitting of the County Assembly”.

The official communication about the special sitting was received from the Leader of the Majority, and that is why today you can see we have indicated in brackets on the order paper 'a special sitting' of the County Assembly under Standing Order No. 26.

Hon. Members you are aware of our first assembly when we were provided with the Speaker's Rules and Procedures. The speaker read the guide of the rules and regulations governing the County Assembly. With regard to the speaker's ruling, I would like to point out Order No. 27 of rules that deal with the members' car park. It has been brought to the attention of the house that there is a total mess at the members' car park.

Members are not able to park their vehicles, because of the occupancy of the parking by intruders. It is now based on who comes first. I want to affirm the ruling of the Speaker, and this is directed to the Sergeant-At-Arms of the Assembly, that starting tomorrow, any vehicle without a sticker which will be parked on the reserved areas of the members of the County Assembly will be towed.

For the Hon. Members, who may have two or more cars, they have to laminate a copy of the sticker to be used on the other vehicles. We agreed that you will have to use the laminated sticker if you have to come to town with a different vehicle that does not bear the original sticker. You have to place the laminated sticker on the bonnet of the car.

For the benefit of Members who have just walked in, the rules of the house provide that you don't proceed to your seats when the Speaker is on the floor. Thank you.

MESSAGES

MESSAGE – NOMINATION OF MEMBERS OF THE EXECUTIVE

Hon. Deputy Speaker: There are two messages from the Governor's office. The first communication is about the nominees of the members of the executive committee. Hon. Members, the standing order no. 39 (1) relating to the messages from the Governor, provides that the speaker shall read the messages delivered from the Governor's office. In this regard, I wish to convey the following messages from His Excellency the Governor:

The message whose subject is the nomination of Nairobi City County Executive committee members was submitted by way of 10 letters dated 30th April 2013 addressed to the office of the Hon. Speaker for submission to the Assembly and here it reads;

“Pursuant to provision of Article 179(2b) and section 25 of the Constitution, Government Act, I hereby nominate the members listed below as members of the County Assembly City executive Committee responsible for the indicated departments:”

I will have the opportunity to read the names:

1. **Mohammed Abdullahi** - Department of Information Communication and E-government.
2. **John Kennedy Wanyama** – Education, Youth Affairs, Culture, Children and Social Services
3. **Erick Mokua Arita** - Public works, Roads and Transport
4. **John Gakuo** - Water Energy, Environment and Natural Resources.
5. **Ann Kamaisa Lokidor** - Agricultural Livestock Development and Fisheries
6. **Gregory Silvanus Mwakanongo** - Finance and Economy Planning
7. **Mercy Wamboi Kamau** – Public Service Management
8. **Timothy Moki King’ondeu** - Health Services
9. **Ann M. R. Othoro** – Trade Industrialization, Cooperative Development, Tourism and Wildlife
10. **Tom Patrick Odongo** - Lands, Housing and Physical Planning

Hon Members Article 172 (2) of the Constitution provides that the County Executive Committee consists of the County Governor and the Deputy Governor and the members appointed by the Governor with the approval of the Assembly from among persons who are not members of the Assembly.

Hon. Members Standing Order No. 185 (4) provides as follows; the committee on appointment shall consider for approval by the Assembly under article 179(2) of the

Constitution, members of the executive committee. In this regard, I wish to guide the Assembly as follows:

The Committee on Appointment should notify the nominees and the general public. This has already been done by way of gazette notice; dated 19th May, 2013 and placed also in the daily newspapers as a notice of the Nominees of the County Public Service Board and County Assembly executive committee members.

In this regard, I wish to guide the Committee on Appointment and Assembly as follows; that they should identify a place to hold the approval and hearing at least seven days prior to the hearings in order to manage our time optimally. I understand that the notification was made last week on Wednesday, 19th May, 2013. The Committee may therefore commence the approval hearings on 31st May 2013. The hearing will be open to the public unless the committee decides to hold any part of the proceedings in camera. Therefore, the committee should table their report in the house on or before 11th June 2013 for consideration.

Hon. Members pursuant to paragraph 3 of the Standing Order No. 39 which deals with messages from the Governors, I hereby refer the message from His Excellency the Governor containing the names of the ten nominees together with their Curriculum Vitae to the Committee on Appointment to undertake the necessary approval hearings. Hon. Members, I also direct that the Committee on Appointment meets on Thursday at 3.30pm in the Committee Room to chart the way forward and commence the proceedings. Thank you.

MESSAGE – NOMINATION OF THE MEMBERS OF COUNTY PUBLIC SERVICE BOARD

Hon. Deputy Speaker: Hon. Members, as I had said earlier I have two communications from the Governor's office. The second communication is about the nomination of the members of the County Public Service Board. The first one was the Executive committee.

Hon. Members the message from His Excellency the Governor relates to standing order No. 39(1), which provides that, the speaker will read to the County Assembly any message from the governor delivered to the Speaker to the County Assembly. I, hereby communicate the message from the Governor to the members.

In this regard, I wish to convey the following message from His Excellency the Governor. The message whose subject is the nomination of the members of the City

County Public Service Board was submitted by way of a letter dated 6th May, 2013, addressed to the office of the Speaker for submission to the County Assembly.

It reads, *“pursuant to standing order No. 58 of the County Government Act, I hereby nominate the following to be members and chairman of the County Public Service Board”*:

Hon. Members, according to section 58 of the County Government Act, I refer the names to the relevant sectoral committee, which is the committee on Labour and Social Welfare to vet the nominees and table its report. If you may allow me, I will read the names of the County Public Service Board of Nairobi City County,

1. A. R. C. Kungu - chairman
2. Mr. Chomba Munyi - member
3. Mrs. Josephine K. Gichuhi - Member
4. Mr. Mutinda Wambua – member

Those are the names of the members of the County Public Service Board which are going for hearing and approval by the committee on Labour and Social Welfare. Thank you.

MOTION – APPOINTMENT OF THE COMMITTEE ON APPOINTMENT

Leader of the Majority (Mr. Elias Otieno): Mr. Speaker sir, I beg to move the following motion that pursuant to the provisions of the Standing Order No. 185, this Assembly approves the appointment of the following members to the Committee on Appointment:

1. Hon. David Mberia
2. Hon. Hashim Kamau Athman
3. Hon. Elizabeth Akinyi Manyala

I wish to call upon the Leader of Minority to second the motion.

Hon. Leader of Minority (Mr. Abdi Ibrahim Hassan): Bwana Spika, kwa ruhusa yako naomba kuiunga hoja hii mkono na pia kuwahimiza wajumbe wenzangu kuiunga mkono kwa sababu kamati hii ni muhimu sana katika kuwachunguza wale walioweza kuidhinishwa na Gavana.. Ningependa nyumba hii iweze kuidhinisha hawa wanakamati.

Hon. Deputy Speaker: Hon. Members, I wish to propose the question related to the motion that has been moved by the Leader of Majority and seconded by the Leader of Minority, pursuant to provision of Standing Order no. 185

Hon. Member for Pipeline Ward (Mr. Samuel Kagiri Mwangi): Thank you Mr. Speaker for giving me this opportunity to contribute to this motion. I stand to oppose the motion. The Standing Order number 185 states clearly that there shall be a select Committee, which shall be designated the Committee on Appointment to be appointed by the County Assembly, consisting of the Speaker as the chair, the leaders of the majority and the minority parties and not more than three other members as nominated by the Assembly, on the basis of the proportion of the party membership in the County Assembly.

This will take into consideration, the numerical strengths of the parties and interests of independent members. I remember the same order was amended in this house, sometimes back, where we said membership should be nine. I also remember the motion was referred back however; the Speaker and the leader of the majority names were approved. The other three names were brought back, with one of the names rejected in this house.

My understanding is that if we have an amendment on a Standing Order, the same amendment should come back to the floor. But I know the amendment of the names was made in the house. We have approved three, so we need to have the other six names to be approved by this house. Thank you.

Hon. Member: Thank Mr. Speaker sir. I stand here to oppose the motion. I believe this House is the House of rules and procedures. Members, if we continue making mistakes as we are doing now, the mistakes will keep haunting us. I believe we discussed this issue during one of the sessions, and we said, as the Hon. Member for Pipeline has said, that the Committee on appointment shall have nine members. I oppose the motion.

Hon. Member for Kilimani (Mr. Moses Ogeto Nyangaresi): Thank you, Mr. Speaker, as the Hon. Members have said, I also stand to oppose the motion. I oppose the motion because the numerical strength of the parties in the House and gender balance was not taken into consideration during the constitution of the members of the Committee on Appointment, yet these are very sensitive issues.

Hon. Deputy Speaker: Order member! There is someone ahead of you.

Hon. Member for Mukuru Kwa Reuben Ward (Mr. Alkana Omogi Mauti): Mr. Speaker, the Standing Order on Committee on Appointment, states that there shall be a selected committee to be appointed by the County Assembly consisting of the speaker as the chairperson, the leaders of the majority and the minority and not more than three other members. It is very funny we have seen the chief whips; we don't know whether we don't have other members...

Hon. Deputy Speaker: Order Members! You need to refresh your minds. It is this same house which did the amendments but the way you are debating the motion is as if you were not present when the amendments were done on the same names. We amended the motion to six, and the same motion was amended again to three. And as it stands today, the three names are the same names which have been brought to the house for approval. You want to inform the Chair? No it is not allowed. Can you have your seat? Imwatok

Hon. Member for Makongeni (Mr. Peter Imwatok): Thank you, Mr. Speaker. I have the honour to congratulate you for having been elected the Deputy Speaker of this house. I wish to bring to the attention of this house that, I am a member of the House Business Committee which sat on Friday.

In the House Business Committee we proposed an amendment on the select committee including the appointment committee to be forwarded to the relevant sectoral committee and the names came back to the House Business Committee. As such I am so much surprised to see the name of Hon. Milare has been replaced despite the Leader of the Majority's strong defense for the name, that particular day.

As we left the House Business Committee we knew that Ronald Milare's name was on the list. We are now confused because we can see Elizabeth Manyala's name. I don't have any ill feelings for my sister Manyala. I feel this house is being taken for a ride, because as we left the meeting it was clear the Leader of Majority defended the name of Hon. Milare but in today's order paper the name of Hon. Milare is not appearing. Can I get a communication on the same?

Hon. Leader of Majority: Thank you Mr. Speaker. I am standing on a point of order, I think last time, if I am not wrong the problem was miscommunication of the name, and not the number. So I think that was addressed by the Leader of the Minority, and those who are opposing it are coming from the majority side of the House. I knew very well the problem was in this side because of the names.

Secondly, I fought to defend the name of Ronald Milare on Friday before the Clerk advised us to leave it out, and all the committee members voted for Hon. Manyala's name to be included. So that is the reason why Hon. Milare's name is not appearing in the list. But I was for Hon. Milare. Only one name was changed. Therefore, I don't see any reason why members from this side should oppose because last time you did not oppose the number of committee members today you are opposing the number-----

Hon. Deputy Speaker: Hon. Chege Order! Leader of the Majority

Hon. Leader of Majority: So let us not dwell on that too much. Let us not just oppose too much because I want people to see me..

Hon. Deputy Speaker: Order the Leader of Majority! Leader of Minority

Hon. Leader of Minority: Bwana Spika, nafikiri itakuwa nidhamu mbaya sana kwa hii bunge kwamba baada ya wajumbe kukubaliana, wengine wanarudi kuanza kuleta upinzani kwa mambo ambayo walikubaliana. Kama sikosei, wakati tulikuwa na malumbano katika hili jumba, malumbano yalikuwa ni kwa sababu 'members' wa CORD walikuwa wakibishana kwa sababu ya 'membership' yao. Sisi kwa upande wa Jubilee hatukuwa no shida nao na sasa hawa wenzangu wa jamii ya Jubilee wananaoamka leo kupinga hiyo orodha ya majina, nafikiri hawapingi kwa nia njema. Wanapinga kwa nia mbaya sana

Hon. Deputy Speaker: Order Millicent! Order Members! Hon. Imwatok, you have just spoken, one second ago.

Hon. Member for Ziwani/Kariakor Ward (Ms Millicent Wambui Mugadi): Nashukuru Bwana Spika, nitajaribu kuzungumza kwa Kiswahili na kumpinga kiongozi wetu. Upinzani wangu watokana na uwazi kwamba swala la jinsia, yaani 'gender' kwa kingereza, halijashughulikiwa. Hata katika TNA (Jubilee) tuko no 'gender' na tunafaa kuiweka maanani katika hesabu.

Hon. Deputy Speaker: Order Member! You are proceeding to the microphone without my permission. Chege

Hon. Patrick Chege: Thank you very much Mr. Speaker. I congratulate you for the wise ruling. I rise to oppose this motion. I think it is improper for the Leaders of Majority and Minority to say that since last time we were in agreement; the same should be happening today. I think that when the motion is put before the members on

the floor of the House, it is upon the incumbent members of the house to debate, discuss, agree or disagree. I remember having said in the House Business Committee that we have raised the number from three to six. I am also aware there was a problem with numbering because....

Mr. Speaker, let me give you time so that you get informed, you will have to make a ruling on the same. Let me continue by saying that there is nothing wrong with the additional number. Having said that, I wish to say that we don't have to be in the committee, but it is important to understand the process.

It is important for us to understand that this is a very critical committee and we cannot leave it to the Speaker, leaders of the majority and minority and only three members out of 85 members. I think it is important, while we have no problem with the names tabled, to consider making additional names of members. This will ensure that we have a committee that is fully representative of the Assembly, vetting the executive who will be in charge of Ksh31. Billion. The committee should be inclusive. I had pushed in the committee that we add names of members to this committee to the maximum number of 15. The Clerk was supposed to provide this communication to your office.

Hon. Deputy Speaker: Hon. Members, calm down

Hon. Member: Please protect me, Mr. Speaker sir.

Hon. Deputy Speaker: Calm down Members. Hon. Njoroge, please sit down.

Hon. Patrick Chege: Mr. Speaker, we have no problem with the names. All we are saying is that this is a very critical committee that has to have more than three members. I reject this motion Mr. Speaker.

Deputy Speaker: Thank you Hon. Mulatya

Hon. Member for Mukuru Kwa Njenga Ward (Mr. Alexander Mulatya): Thank you Mr. Speaker sir for giving me this opportunity to contribute to this motion. I would like to support the motion with amendments. If you can look around, we are just approving the names, but there is a rumour within ourselves here that says there seems to be a cartel.....(*Interruption*)

(Loud consultations)

Hon. Deputy Speaker: Hon. Members, Leader of Majority, please! Hon. Members, Order Leader Minority!

Hon. Alexander Mulatya: There is a rumour that we should not be called a House. The discussion around the House is that the Chief Whips should be removed because according to the Standing Order, it is not mandatory that the whips be in the committee. So, I think according to my understanding and the discussion around is that the two Chief Whips should be removed and replaced by other members

Hon. Deputy Speaker: Order members! Yes Mr. Imwatak.

Hon. Peter Imwatak: Mr. Speaker, with due respect I want to say you are a little bit biased in your selection of the members to speak.....(*Interruption*)

Hon. Deputy Speaker: Are you accusing the Chair?

Hon. Peter Imwatak: I am.....(*Interruption*)

Hon. Deputy Speaker: Order members! Can you take your seats first?

Hon. Peter Imwatak: I am informed the.....(*Interruption*)

Hon. Deputy Speaker: Can you get back to your seat!

Hon. Peter Imwatak: Thank you

Hon. Deputy Speaker: Hon. Member, please sit down! That is an allegation. The Hon. Member can you withdraw your last remarks first, before we proceed?

Hon. Peter Imwatak: Yes Mr. Speaker, I withdraw the remarks.

(Loud Consultations)

Hon. Deputy Speaker: Can you take your seats first Hon. Members. I have to give guidance to this house that in as much as you are interested in contributing to the motion on the floor, your contribution must be relevant.

As it appears in the order paper, we had already dealt with the amendments and the composition of this committee in question stands at six. So for you to increase membership you will need to provide notice of motion for the amendments of the Standing Order.

If you want to adjust the list to nine, you must give a notice of motion but as at now the Standing Order states that the membership of the said committee should be six. Are you getting me Hon. Member?

Hon. Peter Imwatok: Mr. Speaker as I had said earlier I withdraw and apologize and on top of that I want to bring to the attention of this house that as a member of the House Business Committee, on Friday, we agreed to present a petition to the relevant committee to push for all the membership of the sectoral committees to 15 members. We wrote a letter and members signed the letter to the Speaker. The Clerk called the committee with regard to the intended amendments. The committee met yesterday to discuss the amendments before it was given back to the House Business Committee for approval. I want to inform this house that that has been done, but unfortunately it has not been done properly as procedurally required.

Hon. Deputy Speaker. Thank you. I want to take two more. Elizabeth

Hon. Member for Kayole South Ward (Ms Elizabeth Manyala): Mr. Speaker sir, I rise on a point of order No. 80, regarding the ongoing discussion. If any amendment is proposed to be made, then I refer to the fourth schedule of the Constitution, and the second schedule of the Standing Orders which says that members to be included in the appointment committee shall come from the labour and social welfare. If I may read it says, "*All matters relating to labour, trade, union relation, manpower, human resources, planning, gender, culture and social welfare, youth, national youth service, national heritage, children welfare betting, lottery and sports*" So, if any amendments is going to be made the members shall constitute this committee shall come from members of the labour and social welfare.....(Interruption)

Hon. Deputy Speaker: Order Hon. Members! At this point we are not making any amendment, because it has not been brought to the attention of this house. We don't have any intention to make such amendments. Hon members I need only one contributor to the motion and then I will put the question.

Hon. Member for Roysambu Ward (Mr. Peter Warutere): Thank Mr. Speaker sir for granting me this opportunity. I stand to oppose the motion and I also stand to support you Mr. Speaker on what you're saying. I think the Committee on Appointment is a very key committee of this Assembly.

It is a committee that will vet ten executive members who will run Nairobi City County. It is a committee that should represent a composition of this Assembly. I think

one of the Hon. Members pointed out that the Chief Whips are not mandatory members of this committee. It is also good for the Members of this House to feel well represented in this Committee on Appointments. I stand to oppose on the grounds that we may not be able to amend at this time.

That is why we are opposing, so that the amendments may be done at a later date and thereafter a fully representative committee constituted. The committee will therefore include members of the House who are not currently in the list. (*Loud consultations*)

Hon. Deputy Speaker: Hon members, please sit down! I give the opportunity to the mover of the motion to reply.

Hon Leader of Majority: Thank you Mr. Speaker for giving me this opportunity to reply. I must thank the Members especially, the Leader of Minority and my fellow colleagues for supporting the motion.

First we previously had three members to be appointed then we amended the Standing Order allow for nine Members but when the amended names were brought to this House we disagreed again and amended the list back to the original number of three. So right now if we want to carry out amendments it will not be possible because the Committee of Rules and Procedure has no time to meet and do so since the vetting takes place on Friday.

If we do not approve these names, in any case, the three names already approved will suffice. The three approved names will carry on with the vetting business minus the three names that are in dispute on the floor of the House today.... (*Interruption*) your senior is talking, show some respect...

Hon. Deputy Speaker: Order Members! It is time for the mover of the motion...

Hon Leader of Majority: So I am asking you, in a respectable manner, to just swallow your pride. Let us approve these names for the good of our Nairobi County, because I don't think we are going.... (*Interruption*)

Hon. Deputy Speaker: Order Members! It is the mover of the motion on the floor

Hon Leader of Majority: I don't think we are going to convene another sitting for the Assembly because this is a special sitting. In any case that we do not have a

sitting tomorrow, what will happen? When are we going to approve these names? So I appeal to you. Please, let us swallow our pride. We know you can talk... *(Interruption)*
No. I am entitled to my own opinion..... *(Interruption)*....protect me Mr. Speaker

Hon. Deputy Speaker: Hon. Members, give the Leader of Majority time to reply to the motion.

Hon Leader of Majority: Mr. Imwatok, please sit down.

Hon. Deputy Speaker: Please sit down!

Hon Leader of Majority: Thank you Mr. Speaker for protecting me. I can see I have a lot of friends here. They are not disturbing me. There are only three who are always on my neck, but they are all my friends.

So please let us approve the names. Let us not dwell too much on it because the vetting will take about two or three days. So whether we amend or not let us have these names and pass them. Let us not dwell on chief whips' names because they are our members. Let us give them an opportunity to seat in this committee.

Hon. Deputy Speaker: Thank you, Leader of Majority

Hon. Leader of Majority: So I beg to leave now.

(Loud consultations)

Hon. Deputy Speaker: Hon. Members have your seats. Members on motion; we are behind schedule. Standing Order 185 (2) states that *"the Committee on Appointments shall be appointed within seven days on assembly of a new County Assembly and shall serve for a period of three years and that appointment thereafter shall serve for the remainder of the term of the County Assembly."*

The standing order states that we ought to have appointed the members to sit on this committee. Now members, it is very clear that we have already approved the three names and I am going to put the question. Before I put the question, there is a danger ahead. If we fail to approve the three names, then, the three named Members will proceed to hear the executive.

(Loud consultations)

Order members! I am on the floor. Order Millicent! Order Members! I think my conscience is very clear. The Standing Order states that when the speaker is on

the floor all members should remain seated and silent. Members, may I put the question? I wish to put the question, pursuant to Standing Order No. 185.

For that reason Hon. Members for those who are for these names, I now put the question as many as are of the same opinion say 'aye', as many as are of the contrary opinion say 'nay'.

(Loud consultation)

Hon. Deputy Speaker: Members that is disrespect to...*(Loud consultations)*
Members! Can you calm down?

(Loud consultation)

Hon. Deputy Speaker: Okay, Members I will put the question again....

(Loud consultation)

Hon. Deputy Speaker: Members, the Constitution allows me to put the question again. As many as are of the same opinion say 'aye', as many as are of the contrary opinion say 'nay'. One, two three, four.... okay members now.....

(Loud consultations)

Hon. Deputy Speaker: Okay Members, Members have your seats. Allow me to go back to my opening remarks. I said in my communication that my desire is to promote the dignity of this Assembly and to make such rulings that conform to the spirit of the new Constitution. So members I am giving direction. We are having a vote on this.

(Loud consultation)

Hon. Deputy Speaker: Members unless I give a ruling, the motion is still on. I have not given the ruling on this motion. No, Members can you sit down. The Speaker is on the floor. 'Bwana' Clerk and Assistant clerk I want you to help me in counting. Once I put the question and I have called, you will help me count the numbers for 'ayes' and 'nays'.

(Loud consultation)

Okay, Members sit down and consult quietly. We can't afford to leave this house divided. So sit down Members. I am putting the question once again, members.

As many as are of the same opinion say 'aye', as many as are of the contrary opinion say 'nay'. The 'nays' have it.

How many are for the division? It is okay. Now, Members sit down. The Serjeant-At-Arms, you can ring the bell for a few Minutes for the purpose of the division so that we go for the vote and the Clerk to call the roll call.

(Loud consultations as the division bell is rung)

Hon. Deputy Speaker: Serjeant-At-Arms, can you close the door? Members, you can have your seats? Members give one teller for the 'ayes' and one teller for the 'nays' Order Members! This is not a market place. I am reading: Standing Order number 69; *"When the doors have been locked and the Bar drawn and the names of the tellers have been announced, the Speaker shall put the question again and direct the Clerk to call out the names of Members in alphabetical order in the presence of the tellers."*

We have two nominated tellers Hon. Otieno and Hon. Chege. The names of the Members will be read as they are in the Kenya Gazette because we do not have the names listed in alphabetical order.... *(Loud consultations)*.

Members Order! I will throw you out! This is not a market place. Hon. Members, *"When called out, each Member shall, thereupon rise in his or her place and declare assent or dissent to the question in the following manner " I vote Yes" or "I vote No" or "I Abstain" or use appropriate Kenyan sign language."*

Hon. Deputy Speaker: Order Members. After the Clerk has read the last name in the division list the tellers will represent the results to the speaker who will thereafter announce the results to the County Assembly Members.

Please order Members! Thank you, tellers. Order Members! On motion number seven; pursuant to the provision of Standing Order No. 185 this Assembly approves the appointment of the listed members to the Committee on Appointment.

(The Clerk of the Assembly, Mr. Jacob Ngwele, calls out the roll call)

Hon. Deputy Speaker: I had put the question to the members and the division bell was rung, you went into voting. This is the results:

The 'ayes' are 26 and 'nays' are 35. The 'nays' have it. The Leader of Majority motion No. 8. Order members! Order Imwatok!

(The motion was rejected by a simple majority through voting after a division)

MOTION – APPOINTMENT TO SECTORAL COMMITTEES

Hon. Deputy Speaker: There is a correction on the motion number 10 on the name listed as Hon. Peter Wahunyu, it is Peter Wahinya. Thank you. Proceed, Majority Leader.

Hon. Leader of Majority: Thank you Mr. Speaker. I beg to motion No. 9, that pursuant to provision of Standing Order No. 153, this Assembly approves the appointment of the following members on the following respective committees.

COUNTY PUBLIC INVESTMENT COMMITTEE:

1. Hon Joash Omwenga K. MCA
2. Hon. Clarence Kipkemboi Munga MCA
3. Hon. Nelson M. Masiga MCA
4. Hon Alhad Ahmed Adam MCA
5. Hon. Daniel Oria Odhiambo MCA
6. Hon. Kingsley Odida MCA
7. Hon. Alexander M. Mulatya MCA
8. Hon. Stephen Kamau Thuo MCA
9. Hon. Peter Wahinya Njau MCA
10. Hon. Peter Migwi Gichohi MCA
11. Hon. Charles Thuo Wakarindi MCA
12. Hon. Kenneth Irungu Mwangi MCA
13. Hon, Millicent Wambui Mugadi, MCA

COUNTY PUBLIC ACCOUNTS COMMITTEE:

1. Hon. Peter Anyule Imwatok MCA
2. Hon. Daniel Kithama Mutiso MCA
3. Hon. Maurice Gari O. MCA
4. Hon. Peter V. Isuha. MCA
5. Hon. Elkana Omoga Mauti MCA
6. Hon. Benson Ligavoh Amutavi MCA

7. Hon. Ronald M. Milare MCA
8. Hon. Martin Mugo Kanyi MCA
9. Hon. Njuguna Mwangi MCA
10. Hon. Martin Waweru Gichuhi MCA
11. Hon. Jackson Mwangi Ngare MCA
12. Hon. Stephen Murathi Kambi MCA
13. Hon. Robert Mbatia, MCA

COUNTY BUDGET AND APPROPRIATIONS COMMITTEE:

1. Hon. Michael O. Ogada MCA
2. Hon. Alfred Ambani MCA
3. Hon. George .Ochola MCA
4. Hon. Maurice O. Akuk MCA
5. Hon. Oscar O. Lore MCA
6. Hon. Osman Adow Ibrahim MCA
7. Hon. Jackson Kiama Gikandi MCA
8. Hon. Kenneth Thugi Muroki MCA
9. Hon. David Njoroge Kairu MCA

COMMITTEE ON IMPLEMENTATION

1. Hon. Elias Otieno Okumu MCA
2. Hon. Alvin Olando Palapala MCA
3. Hon. Maxwell Ochar MCA
4. Hon. David Kitavi MCA
5. Hon. David N. Mberia MCA
6. Hon. Michael Paul Obonyo MCA
7. Hon. Peter Ochola Owera MCA
8. Hon. John Waweru Kinuthia MCA
9. Hon. James Kinuthia MCA
10. Hon. Amos Mbutia MCA
11. Hon. Pete Wanyoike Gitau MCA
12. Hon. Pius Mwaura Mbono MCA
13. Hon. Abdi Ibrahim MCA

COMMITTEE ON THE DELEGATED COUNTY LEGISLATION:

1. Hon. Pius Owino Otieno Obonyo MCA
2. Hon. Shadrack Juma Nyambu MCA
3. Hon. Kennedy Oduru Nyarumba MCA
4. Hon. Moses Ogeto N. MCA.
5. Hon. Wilfred Odalo MCA
6. Hon. Jairo Atenya Asitiba MCA
7. Hon. Fredrick Obenge MCA
8. Hon. Mbugua Mari MCA
9. Hon. Erastus Mairuti MCA
10. Hon. Fredrick Njogu MCA
11. Hon. Samuel Kagiri Mwangi. MCA
12. Hon. Antony Kiragu MCA
13. Hon. Samuel Ndungu Njoroge MCA

I would like to call upon the leader of the minority to defend the names.

Hon. Leader of Minority: Mr. Speaker sir, I beg to second the motion (*the Member laughs*) I hope my good friend Mr. Chege and Mr. Imwatok will not have trouble with this motion.... (*Laughter from the Member*) I beg this House to approve this motion because it is very crucial for this committee to undertake the obligation of scrutinizing the budget. The time line for the budget is running out. Mr., Speaker sir, I beg to move.

Hon. Deputy Speaker: Thank you, Chief Whip can you have your seat? Hon. Members, I wish to propose the question that pursuant to provisions of the Standing Order No. 156, this Assembly approves the appointment of the following members nominated by the committee of selection to be members of respective committees, namely, Public Accounts Committee, County Budget and Appropriation Committee, Committee on the Implementation, and committee on County Delegated registration. Thank you.

Members the motions have been moved, seconded and I have proposed the question. So you can debate. Hon. Wahinya.

Hon. Member for Ngando Ward (Mr. Peter Wahinya): Thank you Mr. Speaker. Let me begin by stating categorically that I support the motion. The leaders of the Majority and Minority have told us the urgency of the matter. I wish to support both our leaders on that matter. These committees need to be constituted urgently.

In respect to motion number nine, I wish to appeal to my fellow Members of the Assembly to support the motion. It is my proposal that we pass the names as they are. Should the question of the number that constitutes the various committees arise, it is my proposal that we pass the names as they are.

I am sure if we appeal to our good Leader of the Majority and we ask him to submit a motion to the House Business Committee to increase the number, 'Mheshimiwa' Otieno will be more than willing to do so.

So I submit that we pass this, so that we can begin work immediately. If there are any changes to follow in respect to the Standing Order to increase the numbers, I want to ask my fellow MCAs to support the motion as it is and make amendments later on. Thank you Mr., Speaker.

Hon. Deputy Speaker: Hon. Member Nelson.

Hon. Member for Eastleigh South Ward (Mr. Nelson Marakalu Masiga): Nashukuru kwa kunipa nafasi hii Bwana Spika. Mimi naunga mkono hoja hii. Mjadala huu ni wa muhimu kwa sababu unabeba uzito wa kuwahudumia wananchi. Lazima tuwe na pesa ndipo tuhudumie wananchi vema. Basi nakubaliana na wito huu na nauunga mkono. Shukurani

Hon. Deputy Speaker: Chege.

Hon. Patrick Chege: Thank you Mr. Speaker. I rise to support the motion with amendments. My minority leader was here and he mentioned my name adversely claiming that I was planning to throw the motion out again. However, let me give a history. I used to share with you in a committee where you gave valuable contribution. You approached issues with openness.

We discussed the proposal in the House Business Committee so that the committee could accommodate high representation where we would be able to fit everyone and have the relevant numbers that are a prerequisite for a committee to look like it represents the House Membership well.

We had proposed that membership be pushed to 15. I propose that I will support the motion with amendments that in the next sitting we will hold we will have membership of committees pushed to 15, and that should appear in the agenda. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Imwatak.

Hon. Peter Imwatok: Once again Mr., Speaker, thank you for giving me this opportunity to contribute to this motion. As a matter of principle I stand to oppose this motion based on the understanding that this house is a house of rules and regulations.

Standing Order No. 152, says that, *'There shall be a select committee, to be designated the County Assembly Business Committee, consisting of....'* as enlisted there. It continues to say, in respect of membership, *'....who shall be nominated by County Assembly parties and approved by the County Assembly at the commencement of every Session, reflecting the relative majorities of the seats held by each of the County Assembly parties in the County Assembly and taking into consideration the interests of Independents'*.

When you read number 5(b) and (c) it stipulates the work of the select business committee. Number 5(b) says – *"monitor and oversee the implementation of the County Assembly business and programs"*. 5(c) says *"implement the standing order in respect to the rescheduling of programmes of the business of the County assembly and the functioning of the Committees of the County Assembly;"*

Therefore, I stand to oppose this motion. My understanding of the Standing Order here is that.. *(Interruption)*. Kindly Mr. Speaker protects me.

Hon. Deputy Speaker: Order Members!

Hon. Peter Imwatok: I wish to submit that the motion is improperly before the House and I can expound on that. I am a member of the House Business Committee. It ought to be that the names are submitted for approval by the House Business Committee before they are tabled in this house.

To my understanding as the House Business Committee adjourned on Friday no names had been brought from the House's Select Committee. The jurisdiction of the house Business Committee is very clear, to monitor and oversee the implementation of the House business and programs. That is to say there is no motion which should come to the house without passing the validity of the House Business Committee.

To add on that, if I look at the list proposed herein, you can see the spirit says, interest and independence, here according to our gender distribution it is very clear that we must consider the women or have gender sensitivity. If you look at all the 13 committees you will find that there is the gender disparity, I want to submit as a matter

of principle without prejudice that this house should not approve this list. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Manyala.

Hon. Elizabeth Manyala: Mr. Speaker sir, I stand to oppose the list of these names based on standing order No. 154(2) which says the that the committee on selection shall give consideration to the need for gender balance and shall so far as practicable ensure that no committee of the County Assembly, including a committee established through a dissolution of the County Assembly shall be of the same gender.

Speaker sir, as you can see this is like, I am likening it to going to a butcher and you get steak because the County Public Budget Committee, the County Public Appropriation Committee and the Committee on Implementation are very key committees to this County Assembly.

It is like you are a butcher and you give the steak to one gender. Surely, these ladies who really fought so hard to beat the norms of this country and were elected...only four, surely they cannot be included in these committees? Why? Thank you.

(Loud consultations)

Hon. Deputy Speaker: Order Members! Warutere. Order Minority Leader!

Hon. Peter Warutere: Mr. Speaker I ask for your protection. I know this is the House of rules and procedure and pray we observe the same. I stand here to add my input on this very important motion. The house is guided by rules or procedence that has been there before. We appreciate the rule on gender.

Hon. Deputy Speaker: Hon. Member, are you proposing or opposing the motion?

Hon. Peter Warutere: I am here to agree with the motion. The issue at hand is that we don't have enough members of one gender. In the event that that is the case, then we shall allow in due time the other lot of members of the other sex to be included in the committees so that we can get the other gender quarter. Let us approve the names the way they are as we wait for that other time. Thank very much.

Hon. Deputy Speakers: Thank you very much. Hon. Ogada.

Hon. Member for Embakasi Ward (Mr. Michael Okumu Ogada): Thank Mr. Speaker for giving me this opportunity to contribute. I stand here to support the motion. Members have talked about the importance of having these committees. I know we are aware that some of the sectoral committees are in place and working while the other committees are not. Members, I remember when we met last Friday we agreed that we bring the motion and pass it.

The issue of membership constitution I think is the work of the select committee and they decided and agreed. We all appreciate that there must be gender equity in all committees. The Hon. Member has spoken and said that we have four ladies who have all been taken care of. Still the house has reserved four positions in every committee for women who are going to join us, maybe next week. Therefore, I support the motion because gender is going to be addressed when the new members join us. Thank you.

Hon. Deputy Speaker: Thank you. Hon. Kassim.

Hon. Member for Parklands/Highridge Ward (Mr. Jeffer A. Kassam): I would like to refer to Standing Order No. 153, which reads, that there shall be a select committee designated which consists of the Leader of the Majority who shall be the chairperson.

This is a standing order which clearly makes or spells out the mandate of the select committee. If this committee selects, it is then to forward to the Assembly. The Clerk can bear me witness, and I stand to be corrected, the Business Committee sets the agenda for the House...*(Interruption)*. We should be clear here, No. 2 regarding...*(Interruption)*

Deputy Speaker: Order Member! Let the member make his contribution. You are on the floor, proceed.

Deputy Speaker: Order Imwatok!

Hon. Kassim: On gender sensitivity, the IEBC is topping up and very soon we shall have the nominated lady members and I am sure majority of the nominated Members are ladies. I believe the right decision will be taken and the gender sensitivity issue will be addressed. Thank you, 'Bwana Spika'.

Hon. Deputy Speaker: Order Members! Kwamboka.

Hon. Member for Mountain View Ward (Ms Beatrice Kwamboka Makori): Mr. Speaker, I support the motion. In consideration of gender sensitivity I think it has been addressed. Hon. Manyala is a member of the House Committee, I am in the House Business Committee, Hon. Diana Kapeen is in the Select Committee and Hon Millicent is in the select Committee. So in the other select Committees that are remaining, can we wait for the nominated Members who are coming and assign them to the committees? I support the motion.

Hon. Deputy Speaker: Thank you, Member. Hon. Njoroge:

Hon. Njoroge: Thank you Mr. Speaker. I want to support this motion but cautiously. I want to support it with amendment because, the last time in the House Business Committee, we decided that we are going to add more members, from 13 to 15. As much as am not in order to amend or push for an amendment, I want to support it because there are a lot of things that are happening and that we need to tap into especially the budget.

Hon. Deputy Speaker: Order Members! Clarification; most members rise on a point of order and they support or oppose the motion. But most support the motion with amendments. It is not in order. You must give notice of motion on what you are amending. Thank you, members. Hon. Njoroge.

Hon. Njoroge: Thank you Mr. Speaker. I stand here to support the motion. There has been a cry on gender, but I think this matter needs to be clarified by Parliament. The reason is because one gender is always crying wolf yet the people on the ground rejected them. And if you go to schools...*(Interruption)*

Hon. Deputy Speaker: Order Members! Order Member! Can you withdraw that statement?

Hon. Njoroge: I want to withdraw but if is going..*(Interruption)*

Hon. Deputy Speaker: Order Member! First, can you withdraw the statement?

Hon. Njoroge: Thank very much, Mr. Speaker; I want to withdraw the statement.

Hon. Deputy Speaker: Can you sit down! Order Members!

Hon. Njoroge. I want to withdraw but let the ladies work hard because they are not given special considerations in schools, they seat the same examinations.....(*Interruption*)

Hon. Deputy Speaker: Thank you. I will allow only two members. Hon. Otieno.

Hon. Member for Sarang'ombe Ward (Mr. Pius Otieno): Thank you Mr. Speaker for the opportunity. I want to support this motion and inform Hon. Members that once you have been elected as Hon. Member of this House you represent the people of Nairobi. For instance I was not elected to represent only the people of Sarang'ombe only. These are not my words, but the words of a British philosopher Mr. Edmund Booke. I am saying so because this house is degenerating into the house of sideshows and shenanigans and I am not afraid to say so because.....(*Interruption*). .Protect me. I am the one who is on the floor and unless the Hon. Members do not understand the procedure...(*Interruption*)

Hon. Deputy Speaker: Order Hon. Imwatak! You should give other members an opportunity to contribute.

Hon. Pius Otieno: They don't understand the procedures of this house and I want you Mr. Speaker to provoke standing order no. 76, which says, "*In case a member calls for unnecessary standing orders, the Sergeant- At- Arms has all the powers to throw him out of this house*". I am saying there is need for us to approve the names and the committees.

It is almost three months down the line and residents are asking for services. Indeed, a number of businesses within the County are stuck because there are no committees to appointed members of track budget and push the implementation of services through legislation or motions.

It is important to understand that we don't stand here to be seen, but to move the substance that is reflected with the motion. When we stand here and a Hon. Member is disagreeing or agreeing with us, we must understand that one has a right to defend what he or she says even unto death. That is the spirit of constitutionalism. But you should not stand here and start casting aspersions on other members. It doesn't matter how somebody was voted in, after all you came alone. When we took oath of office we actually Mr. Speaker....(*Interruption*)

Hon. Deputy Speaker: Order Member! Can you be straight to the point?

Hon. Pius Otieno: That is why am telling you..

Hon, Deputy Speaker: Can you sit down!

Hon. Pius Otieno: I was saying that when we took oath we said that we shall diligently...

Hon Deputy Speaker: Order Member! You are not supposed to lecture Members but you are supposed to support or oppose the motion.

(Applause)

Hon. Pius Otieno: I am not lecturing

Hon. Deputy Speaker: Order Member. Sit down Members! Proceed.

Hon. Pius Otieno: Thank you Mr. Speaker. I want to support this motion; I support it because I had taken an oath to truly and diligently serve the people. That diligence will be seen through the manner in which we pass this motion.

Members have to stop participating in shouting matches. Members' integrity and competency should be above board. They must be up to the challenges of providing basic services that the committees need. These committees do not call for a shouting match. It is not a match between Gor Mahia and AFC. (*Interruption*)

Hon. Speaker: Order Members! Point of order, 'Bwana' Imwatok

Hon. Peter Imwatok: Mr. Speaker with all due respect to my fellow Member, the president of the poor, although the status is changing slowly, I want to say that this is a house of decorum and(*Interruption*)

Hon. Speaker: Order!

Hon. Peter Imwatok. All members know that they took the oath of office. I want to agree with the Leader of Majority after consulting with him over an hour ago to support the motion based on principles and amendments should be made to this motion...(*Interruptions*)

Hon. Speaker: Order Members!

Hon. Peter Imwatok: Secondly, I don't expect at any time that when a member has spoken his mind, that there should arise a clique of members ready to antagonize him at whatever cost. That is why the Standing Orders are very clear, that I

shall not be prosecuted for anything I say in the precincts of this House. Therefore I want to say it is not in order for anyone to speak in reference to any member who has spoken before him.

Hon. Deputy Speaker: Thank you Hon. Imwatok. Members that is the final submission on the motion. Members, can the mover of the motion come to reply?

Hon. Leader Majority: Thank you Mr. Speaker. First, I must thank all Members of this house for shooting down the first motion and for agreeing with this one. I know your interests are already catered for. I don't think we are at war. We are only in disagreement but not at war. I don't feel any heat. I cannot be admitted to hospital because you disagree with my opinion. Why don't you clap for me because that was a very important statement? I thank Members for accepting motion number nine, because those are the members who are going to scrutinize the budget and the executive. However, it is unfortunate that we disagreed on the most important motion.

The person who was purporting to be fighting for gender is a member of the Appointment Committee. I don't know whether that was not a woman but a man. In any case her name could have passed the test of the day. I don't know whether she could have raised the motion of gender but it is very unfortunate that we have few ladies, Hon. Members, in this house. We have four of them. But all four are in various committees.

I don't think we overlooked gender, as some people are purporting. I am a very happy person this afternoon, because the names have passed the test. Even Hon. Imwatok and Hon. Chege, they agree. You know this House must have.... every 'Soko' must have 'Wazimu'...*(Interruption)*

Hon. Deputy Speaker: Order Hon. Members! Can you sit down? Hon. Leader of Majority, order! This is not a market, this is an honourable House. You need to address this House with a lot of dignity it deserves and please; can you withdraw that last statement? Order Member! Can you withdraw that statement?

Hon. Leader of Majority: Mr. Speaker I want to withdraw. I did not mean to say.. *(Interruption)*

Hon. Deputy Speaker: Order Member! You don't need to explain. Can you withdraw the statement?

Hon. Leader of Majority: Mr. Speaker because this house is not a market, I withdraw the words.

(Loud consultations)

Hon. Deputy Speaker: Thank you. Can you sit down! *(Loud consultations)* Okay Members, allow me to put the question. *(Interruption)* Hon. Members, okay, Leader of Majority, with due respect can you give an apology to Hon. Members? Members sit down!

Hon. Leader of Majority: Mr. Speaker, I withdraw the word market and the word 'wazimu.' Due to public demand, I apologize.

Hon. Deputy Speaker: Thank you very much. Order Members! Hon. Members, I am putting the question that pursuant to provisions of Standing Order number 153, this Assembly approves the appointment of members nominated by the committee to be members of the respective committees; Committee on County Public Investment, Committee on Budget Appropriation and Committee on Delegated County Legislation. As many as are of the same opinion say 'aye' and as many as are of the contrary opinion say 'nay'. The 'ayes' have it.

(The motion was passed)

MOTION – APPOINTMENT TO THE HOUSE BUSINESS COMMITTEE

Hon. Leader of Majority: Thank you Mr. Speaker. I rise again to move the following motion, that pursuant to the provisions of standing order NO. 152, this Assembly approves the appointment of the following members to the County Assembly Business committee:-

1. Hon. Peter Wahinya Kimaru, MCA
2. Hon. Samuel Nyaberi Nyang'wara, MCA

There is already a House Business Committee. This is just a correction and I would like to call my counterpart to come and second the names.

Hon. Leader of Minority: Thank you Mr. Speaker sir, I beg to support the motion, but I want to correct my counterpart the Leader of the Majority. The name is

not 'Kimoha' but 'Kimuhu', Peter Wahinya Kimuhu. I think he has an accent problem because he comes from the Lake Victoria there..... (*Interruption*)

Hon. Deputy Speaker: Okay Members.

Hon. Leader of Minority: I want to first thank the house for the healthy heated debate on the Committee on Appointment, although the mover lost the motion. I think the debate was healthy and I thank members for that. I wish the spirit of debate in this house continues. Members should not antagonize each other because of the manner in which one votes or the way one thinks. I move to second the motion.

Hon. Deputy Speaker: Hon. Members. I would wish to propose the question that pursuant to provisions of Standing Order No. 152 that this Assembly approves the following members to the House Business Committee.

1. Hon. Peter Wahinya Kimuhu, MCA
2. Hon. Samuel Nyaberi Nyang'wara, MCA
3. Hon. Kennedy Ong'ondi, MCA

Thank you. Hon. Ogeto.

Hon. Moses Ogeto: Thank you, Mr. Speaker sir. I beg to support the motion. According to Standing Order number 152, the nomination has been coordinated very well by the two leaders of the Majority and Minority. I appreciate the consultations they carried out in coming up with the membership. I beg to support the motion. Thank you.

Hon. Deputy Speaker: Hon. Imwatok:

Hon. Peter Imwatok: Mr. Speaker, thank you for giving me the honour to contribute to this motion. I move to support the motion and congratulate Hon. Peter Wahinya and my brother Nyang'wara and Kennedy Okeyo for having been appointed to this committee. Indeed I know the importance of being a member of the committee. I want to appreciate the work of the Majority and the Minority leaders. I support the motion. Thank you.

Hon. Deputy Speaker: Hon. Chege:

Hon. Patrick Chege: I thank you for giving me the opportunity once again. I support this motion whole heartedly. You may realize by now that we are very reasonable people. We oppose where it matters and support where we should. When

I look at the names that have been brought here, I am happy to see your name, Hon. Kennedy Ng'ondi. We had an opportunity to serve together in the Public Works committee. I want to assure Hon. Members that Hon. Ng'ondi is a member of high repute, open minded and open to new ideas. As you have witnessed today, he has conducted himself with decorum. Secondly, I look at the name of Hon. Nyaberi. The Hon. Member has shown he is open- minded. That he can speak for himself. He is not a sycophant, and he is a very strong,...(*Interruption*)

Hon. Deputy Speaker: Order Member! Can you withdraw the word sycophant?

Hon. Moses Ogeto: I wish to withdraw, but I know he is not. I thank my counterpart from CORD Alliance for appointing Hon. Nyang'wara to this committee. You realize Mr. Speaker, because you have been coming to our meetings that matters are debated openly. Business committee is the heart of the house. I want to assure the house that by appointing Hon Nyang'wara in our committee, you have done the right thing.

Lastly, I want to commend the Jubilee fraternity for the wise decision of bringing on board, Hon. Peter Wahinya Kimuhu. Hon. Wahinya did contest for the deputy speaker's post which he lost but he accepted the results and moved on. I commend him and welcome him in the House Business Committee, this is where you are supposed to show metal, not to be swayed by your friends that are seated next to you. That you ensure(*Interruption*)

Hon. Deputy Speaker: Okay, Order! Minority Leader

Hon. Leader of Minority: I am still making my contribution. Mr. Speaker sir is it in order for Hon. Chege to put improper motive on his leader? Is it in order?

Hon. Deputy Speaker: Thank you. Hon. Chege. (*Loud consultations*) Consulting on low tone is allowed.

Hon. Chege: Mr. Speaker, I wish to assure my minority leader that he has my full support and I don't imply any ill motive. Talking about the members that I have mentioned, there was a heated exchange with the Leader of Majority. You will remember that your wise ruling ensured that he withdrew. He should know the mood of the house, that when we accept we accept and when we oppose we do so not in bad faith but it is a matter of debate. I want to encourage my friends in the CORD fraternity

that there are other Members who can show that kind of leadership in that position. We are coming Mr. Speaker.

Hon. Deputy Speaker: Thank you .Okay Members, may I put the question that pursuant to provisions of Standing Order number 152, this Assembly approves the listed members to the County Assembly House Business Committee. As many as are of the same opinion say 'aye' and as many as are of the contrary opinion say 'nay'. The 'ayes' have it.

(The motion was passed)

ADJOURNMENT

Hon. Deputy Speaker: Okay Members, get your seats. Thank you, Members. We have come to the end of today's business and the house shall adjourn until further notice. Thank you.

(The House rose at 5.03 pm)