



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly – Third Session

Thursday 19th February, 2015

The House met at 2.30 p.m.

(Mr. Speaker in the Chair)

[Hon. Alex Ole Magelo]

PRAYERS

STATEMENTS

Hon. Speaker: Yes Hon. Alex Otieno

Hon. Member for Mugumoini Ward (Mr. Alex Otieno): Thank you Mr. Speaker sir. I have two statements: one from Hon. James Kinuthia MCA, and the other one from Hon. Osman Adow MCA. I would like to start with the statement from Hon. Osman Adow. On Tuesday 22nd June, 2014 the Hon. Osman Adow MCA rose on the floor of the Assembly pursuant to Standing Order No. 41(2) (c) and requested the Chairperson for Water and Sanitation Committee for a statement regarding an illegal car wash in South C, opposite Popo Road, between Akilla 111 Police Post and Kenya Literature Bureau. In the statement, the Member sought a reply on the following;

- a. The action to be taken against the culprit of illegal use of public resources;
- b. What measures Nairobi Water and Sewerage Company has taken to ensure that the staff involved are dealt with now that the company is aware;
- c. Who supervises the Nairobi City Water and Sewerage staff on the ground; and
- d. How many other enterprises are operating illegally within the County.

Mr. Speaker sir, the Committee wrote to the County Executive Committee Member responsible for Energy and Natural Resources on 28th July, 2014 requesting to be furnished with a written response to the statement sought by the Hon. Member. In this regard, I wish to report to the Assembly as follows;

Nairobi City water and Sewerage Company received the report on the above car wash on 30th June, 2014 and after thorough investigations, it was established that the water used for the car wash is from a blocked drainage chamber and not from the Nairobi water supply system. The County Chief Executive in charge of Roads, Public Works and Transport has been advised to block the said drainage. Further the Nairobi City Water and Sewerage Company has security teams attached to all its regional offices to ensure that illegal water activities are dealt with in accordance with the law as soon as they are reported and verified.

Mr. Speaker South C falls within Central region whose Regional Manager is Mrs. Jane Mumbi and as indicated above, the matter of the above car wash is outside the jurisdiction of Nairobi City Water and Sewerage Company. Finally, all identified illegal enterprises are closed down, prosecuted or regularized depending on the specific circumstances.

The Committee on Water and Sanitation had shared this response with the Hon. Osman Adow on 14th August 2014 to which he stated that the response to the item regarding the source of the water used was unsatisfactory to the Member. The Committee liaised with the County Chief Executive responsible for Water, Energy and Natural resources to provide credible answers to the concerned. He wrote back to the Assembly on 1st October 2014 giving an updated response that:

Nairobi City Water and Sanitation Company carried out further investigations and established that the water pipeline had been punctured during the laying of a fiber optic cable and that it was difficult to detect the leakage because of the wet water conditions, Mr. Speaker could you protect me please.

Mr. Speaker: Order! Hon. Members

Hon. Alex Otieno: Mr. Speaker it was established that the water from the leakage supplemented the ground water used by the car wash. The Nairobi City Water and Sewerage Company has undertaken to maintain surveillance and repair the leakages to ensure that water from its systems does not go to waste through such business. He further undertook that the activities of the car wash business will be monitored closely. Mr. Speaker sir I beg to lay this response.

Hon. Speaker: Hon. Adow

Hon. Member for Eastleigh North Ward (Mr. Osman Adow): Thank you Mr. Speaker. I would like to commend the Chairman and the Water and Sanitation Committee for thorough investigations but there are still unanswered questions because I know for a fact that it is the young boys who are washing the cars who actually punctured the pipes. And if indeed the cable layers punctured the place, what we would want to know is that did they seek compensation? And if they did how much was paid to that effect. I pass there almost twice a day during mornings and evenings and I know that the business is still on going and therefore no concrete action was taken by the company. It is either that someone is trying to cover up by lying to the Committee, so they need to further follow up with the issue.

Hon. Speaker: Hon. Alex Otieno

Hon. Member for Mugumoini Ward: Thank you Mr. Speaker sir. As I mentioned earlier, we are still on Hon. Adow and in case of any concrete answer later on to that will be furnished to you. Thank you. Mr. Speaker sir, my second statement comes from Hon. James Kinuthia. On Tuesday 23rd October 2014 the Hon. James Kinuthia MCA rose on the floor of the Assembly pursuant to Standing Order No. 41 (2) (c) and requested the Chairperson for Water and Sanitation Committee for a statement regarding the persistent blockage of the sewage system in Kiamaiko Ward. In the statement, the Member sought a reply on the following;

1. Reason for delay in fixing the blockage despite reporting the matter to relevant authorities
2. Measures taken by the County Government to ensure that the problem of sewage system in Kiamaiko Ward is solved once and for all.

REASONS FOR DELAY IN FIXING THE BLOCKAGES DESPITE REPORTING THE MATTER TO THE RELEVANT AUTHORITIES

Mr. Speaker sir, the Committee wrote to the County Executive Committee Member responsible for Water, Energy and Natural resources on 27th October 2014 requesting to be furnished with a written response to the statement sought by the Hon. Member.

In this Mr. Speaker sir, I wish to report to the Assembly as follows;

The Nairobi City water and sewerage company is owned by the Nairobi City County and is charged with the responsibility of provision of water and sewerage to the residents on behalf of the County Government. The company responds to the cases of sewer blockages immediately they are reported. However, the response time depends on the problem area and the extent of misuse of the sewer line. In the case of Kiamaiko, the Company responded and unblocked some of the blocked lines and the two that remained are being worked on. Mr. Speaker, there are three major sewer lines that traverse Kiamaiko Ward;

1. The sewer line running from Jonsaga through Ndururuno Primary School to Ndururuno Secondary School has been flushed and unblocked;
2. The sewer line running from Munene Road through Kiamaiko to Mathare Trunk sewer line is being unblocked.
3. The sewer line running through Huruma Nursing Home through Outering Road crossing at stage 28 is being unblocked.

Mr. Speaker it should be noted that it is hard to unblock using the flushing unit due to lack of open ways to access the sewage pipes. In such areas, the company continues to use roads to unblock. However, the process of unblocking is said to be complete by 17th November 2014.

MEASURES TAKEN BY THE COUNTY GOVERNMENT TO ENSURE THAT THE PROBLEM OF SEWAGE SYSTEM IN KIAMAIKO WARD IS SOLVED ONCE AND FOR ALL

Mr. Speaker the company allocated Ksh. 25,000,000 for upgrading of the sewer in 2014/ 2015 financial year. To begin with, the Company has started the process of identifying current sewer lines in the area that require upgrading. Further to the above, construction of Gitathuru River sewer line is underway by Athi Water Services Board to relieve the existing trunk sewer.

Mr. Speaker, the following are the challenges facing sewage system in the area:

1. Lack of pre-treatment for the slaughter House waste at the source and the waste is released into the sewer line including the whole animal skin that often block the sewer system in the area;
2. Encroachment on the sewer line by residents makes it difficult for the Company officers to access and conduct maintenance
3. There is insecurity near the river bank where the trunk sewer line is located; and
4. The sewer lines are generally overloaded

Mr. Speaker I beg to lay this response.

Mr. Speaker: Thank you very much Hon. Otieno Alex. Hon. James Kinuthia

Hon. James Kinuthia: Thank you Mr. Speaker sir. I am satisfied with the statement laid by the Chairman as they responded well to my statement, but I should also urge the Nairobi Water and Sewerage Company to hasten the system of upgrading the sewer line so as to reduce the pressure on the old sewer line that was being used in my Ward. I have been trying to follow up the same with the company and the Managing Director has been telling me that currently they do not have any money set aside to the same project and so I was wondering if what the Chairman has told this Hon. House is really true. I request you to ensure that money set aside for the project is started and completed. Thank you.

Hon. Speaker: Hon. Chairperson please and on the appeal from the Hon. Member can you move with speed

Hon. Alex Otieno: Thank you Mr. Speaker sir. As I mentioned earlier, major infrastructure are being done by the Athi Water Services Board and the work is being carried out and very soon Hon. Member the problem of Kiamaiko will be something of the past.

Hon. Speaker: Thank you very much. The Chairperson for Sectoral Committee on Labor and Social Welfare.

Hon. Member for Utalii Ward (Mr. Wilson Ocholla): Thank you Mr. Speaker sir. Response to a statement requested by Hon. Elkana MCA Member for Mukuru Kwa Reuben Ward from the Chairperson Sectoral Committee on Labour which is me. I beg to respond as follows. On Tuesday 18th November 2014 the Hon. Elkana Mauti rose on the floor of the Assembly pursuant to Standing Order No. 41 (2) (c) and requested the Chairperson of Labor and Social Welfare for a response regarding recruitment of traffic marshals in the County.

According to the Member, the County Public service board advertised the recruitment of traffic marshals where shortlisted candidates attended an interview on 2nd May 2014 but to date, nothing has happened. The Member went further to state that word going round has it that the County Executive has opted to deploy National Youth Service instead of recruiting traffic marshals as planned before.

The Member further asked the Chairperson to inquire into and report on:-

- a. Whether there are any County marshals recruited by the Executive;
- b. Whether it is true that the County Government has opted for the N. Y. S service instead of the recruitment of the traffic marshals; and if so,
- c. What necessitated the idea of deployment of National Youth service over the traffic marshals?

Mr. Speaker Sir, the Committee wrote to the Nairobi City County Public Service Board Secretary on 5th December 2014 in a letter ref. REF: LSW /STM /06 / 2014, requesting to be furnished with a written response to the statement by Hon. Elkana Mauti.

In that regard, Mr. Speaker Sir, I wish to report to the Assembly as follows;

A. WHETHER THERE ARE ANY COUNTY MARSHALS RECRUITED BY THE EXECUTIVE

Mr. Speaker sir, the Nairobi City County Public Service Board Secretary responded via letter REF. NCPSB /CA/ MG/ 17 dated 8th December, 2014 on the matter stating the Board is not is not aware of any County marshals recruitment by the Executive and that no recruitment of staff in the County can be done outside the Board.

B. WHETHER IT IS TRUE THAT THE COUNTY GOVERNMENT HAS OPTED FOR THE N.Y.S SERVICE INSTEAD OF THE RECRUITMENT OF THE TRAFFIC MARSHALS

Mr. Speaker Sir, in regard to the above, the Board's Secretary stated that the County Government has not opted for the National Youth Service – NYS in place of the proposed County Traffic Marshals. However, the County Government has entered into negotiations with the National Government under the Ministry of Devolution/ NYS for purpose of securing training for the proposed County traffic marshals.

Mr. Speaker sir, this according to the County Public Service Board is to ensure that the Traffic marshals acquire the necessary skills and levels of discipline to enable them perform their functions before they are deployed since the County training facilities are limited in that respect.

Mr. Speaker sir, the County Government needed a trainer and a training institution and they have managed to seal an agreement with the National Youth Service to train the recruits. The Board intends to have the traffic marshals at the NYS soonest early this year, 2015.

Mr. Speaker, under Article 189 of the Constitution and the Urban Areas and Cities Act, the National Government and the Nairobi City County are expected to co-operate in the provisions of services in the capital City and may among other things enter into an agreement in that regard as per section 6 (5) of the Act. As part of the envisaged arrangements, it is also being considered to deploy NYS personnel as traffic marshals in the City on a purely interim and pilot basis as the County's recruited traffic marshals are undergoing training at NYS.

C. WHAT NECESSITATED THE IDEA OF DEPLOYMENT OF NATIONAL YOUTH SERVICE OVER THE TRAFFIC MARSHALS?

Mr. Speaker Sir, a way of preventing the same from happening, scanning of documents is being done to secure information. Attached herewith, is the letter from the County Secretary. Mr. Speaker I beg to lay this response. Thank you and before I leave we as a Committee we are not concrete with this statement and we have summoned the Service Board to give us further information.

Hon. Speaker: Hon. Elkana.

Hon. Member for Kwa Reuben Ward (Mr. Elkana Mauti): Mr. Speaker it is very worrying because they are reporting what was written to them. According to the Constitution of Kenya, we are supposed to inquire into. When you do investigations you do not write; that qualifies that they only rely on the information that they were given. They have never even visited the NYS training school to find out whether those people are there or it has been auctioned as we are being told. As the Chairman for Labor started he said that they have never hoped to and on finishing he said that they have made an arrangement with N.Y.S. automatically they are cheating us.

Mr. Speaker I do request the Committee on Labor to go on the ground and give us proper information. This is not satisfactory. They say they already have some people on the N.Y.S training school and who approved that? Is it this Assembly? Because any Memorandum of Understanding should be approved by this Assembly. I hope you are getting me Chairman for Labor.

Hon. Deputy Speaker: Point of Order Mr. Speaker

Hon. Speaker: Yes please

Hon. Deputy Speaker: Mr. Speaker I think the Hon. Member here is misleading the House and it is not right. The recruitment of N.Y.S Members is a reserve of the National Government. It does not come from the County Government. Thank you.

Hon. Member for Kilimani Ward (Mr. Moses Ogeto) Point of Information Mr. Speaker sir

Hon. Speaker: Point of Information

Hon. Moses Ogeto: Thank you Mr. Speaker sir. I want to clarify to my colleague Hon. Ken Ngondi that---

Hon. Speaker: The Deputy Speaker

Hon. Moses Ogeto: Thank you Mr. Speaker sir. I want to clarify to my colleague, Hon. Ken Ng'ondi, that---

Hon. Speaker: Deputy Speaker?

Hon. Moses Ogeto: The Deputy Speaker, what *Mheshimiwa* Mauti was saying about the MOU. Mr. Speaker sir, there is also a purported MOU which was signed without the approval of the Assembly, of Ethics and Anti-Corruption. And this House must be aware of which MOU has been signed. Thank you.

Hon. Speaker: Hon. Elkana Mauti, please. Just be fast. We have a lot of things.

Hon. Elkana Mauti: I hope, my Deputy Speaker, you have been corrected. I was saying about the Memorandum of Understanding. Remember this; this exercise was done in conjunction with our County Government whereby most of our Members were not aware. That was my argument. Finally, the Chairman, since 1935 when this City was started under City Council of Nairobi and now changed to City County of Nairobi, we have never heard that.

I would like to know; do we have machineries? We have a training school. What is it there for? Where will this institution go? We train people from other Counties. Does it mean we are incapable? Now, we request for NYS and we are cheating other Counties. We would like to come up--- you come up with a time, when you come with a substantive report, you will explain to us. You said that we have done employments. Have you ever visited there and saw whether they are there or it is auctioned? So, Mr. Chairman, your investigation is underway. So, you must go to the institution and check whether those people are there.

Hon. Speaker: Thank you. Actually, Hon. Chairperson, what Elkana Mauti is trying to tell you is that Nairobians and Members of the County Assembly know that we have a training school for our *askaris*. Please give us proper information and also the MOUs signed. Was the County Assembly ever involved? That is what he is trying to tell you.

Hon. Wilson Ochola: Thank you Mr. Speaker sir. I the Hon. Member was not keen to understand what I was reading, Mr. Speaker sir.

Hon. Speaker: Order!

Hon. Wilson Ochola: Thank you Mr. Speaker. Mr. Speaker, I stated very well that the report I am giving, we as the Committee have not yet concurred with the statement. Therefore, I think the training school the Hon. Member was speaking about, we knew that we have a training school. Therefore, there is nobody from the recruitment---

Hon. Speaker: Order Hon. Chairperson. Order! I think I want to make a ruling on this. First of all, this is signed on your behalf. You have not signed this as the Chairman. So, if you are not in agreement with this report, then you should not have even brought it to the Assembly. I order that the House Committee on...The Liaison Committee; can you please assist this Assembly because, yesterday we also got some substandard report. Can we have proper report from your Chairperson? And this one, we need it in a week's time, Thursday 2:30pm. Yes!

Hon. Member for Nyayo Highrise Ward (Mr. Maurice Akuk): Thank you Mr. Speaker sir. I know you have made a ruling that the Liaison Committee should look into this but I just wanted to get your attention a specific order in this Standing Order, the mandate of a certain Committee that you Chair, Mr. Speaker sir, and that is the House Business Committee.

Hon. Speaker: Order, Hon. Akuk. Where does the House Business Committee come in on the question of---

Hon. Maurice Akuk: That is what I wanted to read for you, Mr. Speaker sir, if you allow me. Please.

Hon. Speaker: Yes.

Hon. Maurice Akuk: Just give me a second Mr. Speaker sir because I am trying to find one of the mandates of the House Business Committee. Mr. Speaker, I am told it is 152 and if you read that, according to the House Business Committee, number 5: "The County Assembly Business Committee shall--" Mr. Speaker sir, I believe that it is this Committee that also determines the reports that come to this Assembly, so directing the Liaison Committee---

Hon. Speaker: Where are you reading?

Hon. Maurice Akuk: Mr. Speaker, I do want to read from A to F but I can come there and show it to---

Hon. Speaker: Be specific.

Hon. Maurice Akuk: D. Determine the order in which the reports of Committees shall be debated in the County Assembly. As you determine the order of which reports will be debated in the Assembly, I believe you can tackle this at that point. So that we don't have this problem of a report coming to the Assembly without---

Hon. Speaker: Hon. Akuk, I think what it is--- Order Hon. Order! What it says: determine the order in which--- the order, not the answers. There is a difference between the order and answers from the County Government. I thank you.

Hon. Wilson Ochola: Mr. Speaker, I think we should not rule this one to the Liaison Committee before-

Hon. Speaker: We have already finished. We have finalized. You are a Member of that Committee anyway. Next order please. Hon. Shadrack Juma, a statement?

REQUEST FOR A STATEMENT

Hon. Member for Baba Dogo Ward (Mr. Shadrack Juma): Thank you Mr. Speaker. Pursuant to Standing Order 41 (2) (C), I wish to request for a statement from the Chairperson of the select Committee on Ward Development Fund regarding the release of monies for the fund.

Hon. Speaker, the Ward Development Fund Act 2014 was passed by this Assembly on 28th January 2014 and Assented by the Governor on 3rd February 2014. It became effective on 13th March 2014 and amendments were passed by this Assembly on 2nd April 2014 as advised by the Controller of Budget and CIC. Hon. Speaker, the Select Committee on Ward Development Fund was nominated on 26th March 2014. Hon. Speaker, in the statement, the Chairperson should inquire into and report on the current status of this fund as per now. Thank you.

Hon. Speaker: Chairperson, Ward Development Fund.

Hon. Member for Kayole South Ward (Ms. Elizabeth Manyala): Thank you Mr. Speaker. A lot has happened since then; advertisements are underway and we are starting our retreat tomorrow to go and work on that and we will give a comprehensive report by Tuesday next week. Thank you, Mr. Speaker.

Hon. Speaker: Thank you Tuesday, 2:30pm. Next order, please. What is it, the poorly dressed man?

Hon. Member for Karura Ward (Mr. Stephen Thuo Kamau): Hon. Speaker, I would want to draw to your attention that last week on Wednesday, I requested a statement as far as City Park Market is concerned, and the able Chairman said he would report on the same yesterday. It is not forthcoming. My people are suffering in the car park. We need to know what the Executive is doing as far as that market is concerned. So, I am seeking your intervention to compel the Chairman to bring that statement so that we know whether we are forward as far as the City Park Market is concerned. Thank you. Odalo is the Chairman, not Warutere.

Hon. Speaker: Order Hon. ---

(Applause)

Hon. Jane Muasya (Nominated Member): Thank you Mr. Speaker. I am replying on behalf of the Chairman. This information was given to be done by three Committees. So, we are going to give the report on Tuesday 2:30 p.m.

Hon. Speaker: Very good. Thank you.

(Loud consultations)

Hon. Speaker: Order Members, order! Order Members!

Hon. Deputy Speaker: Mr. Speaker, we need to take this House seriously. Mr. Speaker, the Chairman, Trade, is in the House. And it is very wrong to assign a duty to a Member of a Committee when the Chairman is present in the House.

(Loud consultations)

Hon. Speaker: Order Hon. Members, order! Order Hon. Warutere. Order! I need to consult.

Hon. Speaker: Hon. Members! Hon. Warutere! I would like to call upon the Chairperson for Trade to tell us why he is delegating his powers while he is in the House. Order Hon. Warutere! And you are not properly dressed. Order!

(Loud consultations)

Hon. Speaker: Order Members, order! Can I hear you please?

Hon. Member for Mabatini Ward (Mr. Wilfred Odalo): Yes Mr. Speaker. I am not feeling well. Thank you.

(Loud consultations)

Hon. Speaker: Order Hon. Members! Order! I think we are going to take this House seriously and there will be no point of me sitting here in this kind of situation. Can the Chairperson produce medical documentations if he is unwell? Order Members! I want to finish this. Order! Sit down. What? Sit down, Members. Hon. Members, he gets away with it because he has some tablets in his mouth. But---

(Loud consultations)

Hon. Speaker: Order Hon. Members! Order! But I want to give this as the last warning because it is a very serious issue when you play around with the Assembly. As I said yesterday, this is a New Year. Let us start new things. Hon. Members, we have another 8 months. Then you are done. Let us be serious, Hon. Members, and especially the Chairpersons. And I want to ask the leadership of the Assembly to take note of this. Anyone who is conversing, please do so in low tones. There is no champion here of shouting and screaming. We are all champions. Please, let us have our House in order and also decorum. We all know how to shout. Some of us can shout louder than some of you. Please, let us not shout. I thank you, Hon. Members. Yes, my friend.

Hon. Member: Thank you Mr. Speaker. I am on a Point of Order under Standing Order number 80. If Hon. Members can recall last year around October, we were issued with bursary forms. Mr. Speaker, it is very disappointing, up to now – this is the 5th month that nothing is forthcoming. This is appearing like a trend. We try our level best and you know developments in Nairobi stall. The only thing which is making us to be relevant in our Wards is the bursary. And I can tell you, Mr. Speaker, the minute you hand over a cheque of 5,000 to a parent, he or she can kneel down to salute you like an Igwe because that is like his or her world. So, Mr. Speaker, I am pleading with you. The files with the names printed of those cheque leafs are lying in the office next to cereals and Kiamba's office. They don't have signatures. I don't know what we are going to do; whether we are going to wait until the other allocation bursary forms are issued. That is when they will start signing those cheques. Give us the direction Mr. Speaker. Thank you, sir.

Hon. Speaker: Hon. Members, I feel very sad that at this particular moment and in time, you still have not gotten your bursaries Cheques. At one time I feel I would rather be a Councilor, not an MCA. But nevertheless, it is the same untouchable human beings in the County Government that are not releasing these cheques. I want to ask the Chairperson for Education and Finance; why would the cheques not be dispersed to the owners? Why would that not be? I want a report on that on Tuesday 2:30 p.m. We want to know the untouchables cannot be touched by these men and women. We have accountants and auditors in this Assembly who can be transferred to those offices.

Hon. Member for Embakasi Ward (Mr. Michael Ogada): Thank you very much Mr. Speaker. I think the concern of the Members is a serious one and my Committee has undertaken some actions and we did give the Executive up to Thursday to make sure all files are ready. If by Tuesday they will not be ready, then we are going to give you a report for action against the said officers.

Hon. Speaker: Thank you very much, able Chairperson. Next business, please.

PROCEDURAL MOTION

Hon. Deputy Speaker: Hon. Speaker, on the Procedural Motion, Motion number 8, I wish to move the Motion that pursuant to Standing Order 25 (1), this Assembly approves the calendar of the Assembly regular sessions for the 3rd session of the Assembly as contained in the schedule attached to the order paper. Hon. Members, and through the Speaker, I believe that this Assembly, to some extent, in the cause of our duties, we need time to break away from the normal business of this Assembly to attend to Ward matters and even more to family issues. So, I am kindly requesting this House to approve this calendar before them. Mr. Speaker, allow me to call the Hon. Member, Kagiri to second the Motion. Thank you. Sorry, the Hon. Kagiri is not a Member of the House Business Committee. May I call upon Hon. Warutere to second the Motion.

Hon. Member for Roysambu Ward (Mr. Peter Warutere): May I have your ears, Mr. Speaker sir. Happy New Year, all of us. I am glad that you have opened another session. This is the 3rd year

Hon. Deputy Speaker: ---Sorry the Hon. Kagiri is not a Member of the House Business Committee. May I call upon Hon. Warutere to second the Motion.

Hon. Peter Warutere: May I have your ears Mr. Speaker sir. Happy new year all of us. I am glad that we have opened another session of the 3rd year, we have business to do and I am also glad that you have taken this year with the necessary gas that it deserves and it is on this note, that I second that we adopt the calendar of the County Assembly, 2015 as scheduled in this paper so that when we are all done with issues that are at Assembly we can still have things that we do within our respective Ward. For this I second this Motion. Thank you.

Hon. Speaker: Hon. Members I now propose.

(Question proposed)

Hon. Speaker: Hon. Members, Hon. Diana Kapeen.

Hon. Member for South C Ward (Ms. Diana Kapeen): Thank you Mr. Speaker, I rise to oppose the calendar of the Assembly. My reasons are that we are a House of Rules and Procedure and we are also Oversight Members of the Public. We know very well Mr. Speaker sir that most of the time when we go home we go with unfinished business----

Hon. Speaker: There is a Point of Order

Hon. Leader of Minority: Is it in order Mr. Speaker sir for my good friend Diana to start opposing before you propose the question Mr. Speaker sir?

Hon. Speaker: I have already done that? I have proposed.

Hon. Diana Kapeen: Thank you Mr. Speaker sir, Minority Leader I just want to bring to your attention that I am one person that is very attentive in anything that I do and I go through my process correctly.

(Laughter)

Hon. Diana Kapeen: Mr. Speaker sir, mine is very clear we went home for recess sometime in November and we are back with no tangible thing that we did like the bursary forms that we filled. Mr. Speaker Sir, I don't mind the recess thing, we can go because we need to bond with our family and do some work in the Wards but I do not support this because most of our issues are literary grounded once we are out of this House.

Therefore, it is my humble opinion that if at all we have to adopt the list or reject the list as my request we should do it within two weeks so that we can push issues that are not complete like bursary. We went home with project that were expected to be done with the budget for the last financial year, and up to now there is nothing that has been done, there are no projects there is nothing, but when Members are here Mr. Speaker sir you will see them running literary pushing for their services to be provided.

Members are running around to have their project advertised and bursary processed. I oppose the length, it is a lot because we have a lot of issues that can be done through the Assembly and the Sessions and we have a lot of questions that are not answered Mr. Speaker.

Hon. Speaker: Hon. Ogeto.

Hon. Moses Ogeto: Thank you Mr. Speaker sir, I also stand here to oppose this Motion. This is because as my colleague has outline very well, there are some businesses of this House as from last year we were unhandled because of the same recess.

As you see the long recess of the 3rd session which starts from 4th of December to 8th February, 2016 is a long time for this Hon. House to conduct some business. You must realize when we came from recess we were having very serious business in this House and it forced this House to do an extension for the same so as to tackle them during that time Mr. Speaker sir.

I am very sure that this Hon. House and Members have family which they should enjoy during this recess and see the electorate. I do believe that most of us come from the same Ward where we represent. There are also days which were designated like tomorrow Members are allowed to go to the Ward and conduct some business.

Therefore, I don't see why we need to have two months outside Mr. Speaker Sir, waiting to come back and conduct serious businesses. You realize also at the same time is when various Houses fell in Nairobi. I do believe that through your approval we don't need to go for two month recess, we need to go for two weeks as my colleague as proposed and come back so that this House can be in momentum to ensure that everything works so well because in this House you need to ensure that Members go back to their Wards early in the morning.

Mr. Speaker you see also on the 3rd session on the 1st part, we are supposed to start recess in 1st May and it is a Public Holiday and on Monday when we are coming back it's also after a Holiday. It is not in order because as you see these are already Public Holidays in our Kenyan system calendar, because even we realize that the Chinese are also celebrating their New Year. I wish this Assembly ensures that this recess goes in a short term basis so that we can be able to conduct businesses in this House, thank you.

Hon. Speaker: Hon. Carol Muga.

Hon. Carolyne Muga (Nominated Member): Thank you Mr. Speaker for giving me an opportunity. I want to support this Motion and probably I want to allay the fears of my fellow colleagues who are kind of worried about the length of the recess. This calendar is a frame work for us to work with, and there is nothing that hinders from amending and bringing it to a place where it suits this House as occasion demands. So I don't see why we throw out the baby with the bath water since it is a just a frame work and we are able to amend like we did in December whereby we amended and said that we needed to extent, so when that time comes and we feel that there is un finished business we are still able to work and amend and extent the House as need be. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Ngaruiya

Hon. Member for Kahawa West (Mr. Patrick Ngaruiya): Thank you Mr. Speaker for giving me this opportunity. I rise to support this Motion, I remember last year we did extent for two weeks to do business in this House but I also remember the quorum was a problem. I would wish we remain with the same dates and also as the year comes in I have high hopes that projects are going to be rolled up by the County Executive and I wish it is going to happen soonest so that Members do not waste so much time coming into this Assembly doing nothing.

So as they fear that they are going to have so much time with the electorates, I also believe it is the high time that the same Members in this House go looking at the many development projects that are going to start very soon.

I happen to hear that there is an advertisement that is going to be part of projects in the Wards and I believe this is going to keep these Members busy instead of coming in this Assembly. Mr. Speaker also I believe ---

Hon. Speaker: Hon. Ngaruiya there is a Point of Order.

Hon. Dianah Kapeen: Mr. Speaker sir, I am going to tell my friend Ngaruiya some of us live in the center of our Wards so we do not fear going home and we are not squatters.

Hon. Patrick Ngaruiya: Mr. Speaker thank you if she is not, I am an advocate of squatters and thank you for that information. I also believe that the discouragement that most people have of things will start working out. I want us to uphold this particular calendar believing that as the Ward development fund Chairman who we were within the last 30 minutes told me that there are working round the clock to ensure that the Ward Development Fund kick starts so that these Members do not spent time here. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Masiga.

Hon. Member for Eastleigh South Ward (Mr. Nelson Masiga): *Shukrani, Bwana Spika. Naelezwa na wenzangu ya kwamba Waswahili husema "utamu wa nyege ni kunyegezana." Hivyo basi, nataka nipinge mjadala huu kwa kina. Jambo la kwanza, unapoangalia tarehe ya sisi kuwa hapa katika ukumbi huu ni kwanzia tarehe kumi hadi thelathini mwezi wa nne. Naamini ya kwamba wakati Deputy Speaker amesimama akisema ya kwamba lazima tukuwe na familia zetu. Mimi nahofia kwa sababu wale vinda vyangu watakuwa wamerudi shuleni. Sitapata nafasi ya kuweza kukaa katika nyumba.*

Mwezi wa tano ni siku ambazo zimetengewa wanafunzi kuwa shuleni. Jambo lingine ninapata ya kwamba kama kiongozi, nilipochaguliwa katika Wodi yangu wale waja wangu walinipatia mambo matatu ya kuweza kuwashuhulikia. La kwanza, kuweza kuwawakilisha. Pili kuweza kusimamia rasilimali na kuweka serikali katika msasa. Tatu, ni kuhakikisha ya kwamba nimeweza kutengeneza sheria kabambe ambayo inaweza kuwasaidia. Hivyo basi nikienda na ratiba hii na kalenda hii hainifai na waja wangu ambao naweza kuwakilisha.

Kwa kusema ukweli siku ya Jumatatu, Jumatano, Ijumaa and Jumamosi ni siku ambayo nimetenga kama mwakilishi wao kuwa nao katika Wodi. Hivyo basi, sioni sababu ya kunipatia mwezi mzima kukaa nyumbani na watoto watakuwa shuleni na watu watakuwa wakifanya biashara zao huku ukiniambia nipumzike. Nitakuwa nikipumzika nikifanya nini? Hivyo basi napinga mjadala huu. Shukurani Bwana Spika.

Hon. Speaker: Hon. Member for Karura.

Hon. Kamau Thuo: Mr. Speaker, before you put the question I would want to support the Chairman of Squatters in Nairobi Hon. Ngaruiya who has just stepped out and also to go further and support this particular Motion and tell my fellow Members that you cannot leave in City Hall all your life. You need to go out and face whoever voted for you so that we cannot have an excuse to adopt this particular schedule because you are fearing to go to your Wards. In any case 2017 is not very far you still have to go.

As an Assembly, we cannot work without a plan we must have a plan and that is why I am urging the Members of this Assembly to adopt this particular schedule so that we have a time frame and a frame work of how to work as an Assembly Mr. Speaker.

Lastly I must say that you cannot also go to your Ward and Oversight whatever is happening there Mr. Speaker. You cannot oversight in City Hall but you can do presentation also in your Ward. The only thing you cannot do is to make laws, but you can go and be with your people and you will be inspired to come up with registration proposal and bring them to this Assembly. So this Members need to go back to *mashinani* like yesterday. Thank you Hon. Speaker.

Hon. Speaker: I would like to call the mover of the Motion to reply.

Hon. Deputy Speaker: Thank you Hon. Speaker, as I reply Hon. Members it is worth noting---Mr. Speaker can I get your ears.

Hon. Speaker: Order! Hon. Kambi, you are a good citizen.

Hon. Deputy Speaker: As I reply Hon. Speaker, Hon. Members it is worth noting that we have employees of this Assembly who are also entitled to proceed for their leaves and this will provide an opportunity for them to as well have a break while we are away. So am very grateful for members who are in support and as well as Members who are opposing but I just want to drive some sense into their minds so that they may see the need to adapt calendar thank you Hon. Speaker.

Hon. Speaker: Hon. Members I put the question.

(Question put and agreed to)

(Loud Consultations)

Hon. Speaker: Next order please.

PROCEDURAL MOTIONS

Limitation of Debate on a Motion

Hon. Leader of Majority: Thank you Mr. Speaker I beg to Move the following Procedural Motion

(Loud Consultations)

Hon. Speaker: Order Members, Order! Consult in low tones.

Hon. Leader of Majority: That notwithstanding the provisions of Standing Order 94(4), this Assembly orders that, each speech in a debate on any Motion, including a Special motion be limited in the following manner:- A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Sectoral Committee, in that Order.

Okay Mr. Speaker may call upon Minority Leader to come and second the Motion.

Hon. Leader of Minority: Mr. Speaker sir, I want to remind my good friend Majority Leader, that when we started this session I told him I will never second him. I think he has forgotten that Mr. Speaker sir.

Hon. Leader of Majority: Okay that is good, but I didn't know but I have known it today. So Hon. Thuo, come and second the Motion.

Hon. Thuo Kamau: I am seconding on behalf of our Leader. Put the question.

Hon. Speaker: Hon. Members I now propose the question.

(Question proposed)

Hon. Speaker: Hon. Members I call the Mover to reply.

Hon. Leader of Majority: Thank you Mr. Speaker and also I want to thank Thou for seconding the Motion. I have all the people who will second all the Motions here thank you.

Hon. Speaker: I put the question.

(Question put and agreed to)

Hon. Leader of Majority: Thank you Mr. Speaker once again and I know right now am very much prepared because any Motion that will be coming from Jubilee side like the one which-----

Hon. Leader of Majority: Thank you Mr. Speaker once again. I know right now I am very much prepared. Any Motion which is coming from the Jubilee side like the one which has been brought by Mwaura Chege, will not see the light of day on our side.

(Loud consultations)

Hon. Leader of Majority: I knew the game plan which was going on.

(Loud consultations)

Hon. Leader of Majority: It will not see the light of day.

(Loud consultations)

Hon. Speaker: Order Members! Order! Order!

(Loud consultations)

Hon. Leader of Majority: Mr. Speaker, procedural Motion, Limitation of Debate on bills sponsored by Committees---

(Loud consultations)

Hon. Speaker: Hon. Kathundo!

(Loud consultations)

Hon. Speaker: Hon. Thuo!

(Loud consultations)

Hon. Speaker: Hon. Kambi!

(Loud consultations)

Hon. Leader of Majority: Notwithstanding the provision of Standing Order number 34(4) ---

(Loud consultations)

Hon. Speaker: You do that again I will send you out.

Hon. Leader of Majority: ---this Assembly orders that each speech in a debate on Bills sponsored by a Committee, the Leader of Majority and the Leader of Minority party be limited as follows---

(Loud consultations)

Hon. Speaker: Order Members! Order!

(Loud consultations)

Hon. Leader of Majority: ---a maximum of 45 minutes---

(Loud consultations)

Hon. Speaker: Order!

(Loud consultations)

Hon. Leader of Majority: ---for the movers in moving and 15 minutes in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee if the bill is not sponsored by the relevant Committee and a maximum of 10 minutes---

(Loud consultations)

Hon. Speaker: Order Members! Order!

(Loud consultations)

Hon. Leader of Majority: --- for any other Member speaking except the Leader of Majority and Minority 15 minutes each. If the Bill is sponsored by either of them and that priority in speaking be accorded to the Leader of the Majority Party, the Minority Party and the Chairperson of the relevant Sectoral Committee. May I take this opportunity to call upon the Deputy Speaker to come and second the Motion.

(Applause)

(Loud consultations)

Hon. Speaker: Order Members! Order!

Hon. Deputy Speaker: Thank you Hon. Speaker. I rise to support the procedural Motion number 10. I second the Motion---

(Loud consultations)

Hon. Speaker: Hon. Members---

(Loud consultations)

Hon. Speaker: Hon. Members, I propose the question that,

(Question proposed)

Hon. Speaker: Hon. Members, I call the mover of the Motion to reply.

Hon. Leader of Majority: Thank you Mr. Speaker once again because you know it's very important to know people. I know even the Motion before us here was just a *kipindi* for people to make some--- you can just see the way some people are very happy. It is very important. I thank those who supported this Motion. I can see all of you are just supporting the Motion. Nobody is opposing it isn't it? So I can just thank you all, thank you.

(Loud consultations)

Hon. Speaker: Hon. Members, I put the question that,

(Question put and agreed to)

(Loud consultations)

(Laughter)

Hon. Leader of Majority: Mr. Speaker, I wish to move Motion number 11 That, notwithstanding the provisions of Standing Order 94(4), this Assembly orders that, each speech in a debate on Bills not sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party be limited as follows:- A maximum of three hours and thirty minutes, with not more than thirty (30) minutes for the Mover, in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Sectoral Committee, in that order.

May I call--- I think there are some honest people on this side so let me just call upon somebody to come and second.

(Loud consultations)

Hon. Speaker: Yes.

Hon. Leader of Majority: Mumu come and second the Motion.

Hon. Leader of Minority: Point of Order. Mr. Speaker sir, I don't think we can tolerate such language in this House. This Majority Leader must learn to respect people. It is high time he knows he is an Hon. Member like any other Member in this House, save the name of Majority Leader. He should know and respect---

Hon. Speaker: Point of Order.

Hon. Leader of Minority: Mr. Speaker sir, you should not allow him to do that because you are the one who allows this guy to disrespect people---

Hon. Speaker: Order! Order!

(Loud consultations)

Hon. Leader of Minority: Mr. Speaker sir, don't allow that.

(Loud consultations)

Hon. Speaker: Order! Order! Order!

(Loud consultations)

Hon. Leader of Minority: Don't allow that.

(Loud consultations)

Hon. Speaker: Order!

(Loud consultations)

Hon. Leader of Minority: Don't allow that Mr. Speaker sir.

(Loud consultations)

Hon. Speaker: Order!

(Loud consultations)

Hon. Speaker: Order Hon! Order Members! Order! Order!

(Loud consultations)

Hon. Leader of Minority: I am still on my feet Mr. Speaker sir.

(Loud consultations)

Hon. Speaker: Order! Order! Sit down!

(Loud consultations)

Hon. Member for Utalii Ward (Mr. Wilson Ochola): Mr. Speaker sir we don't have a guy inside the House.

(Loud consultations)

Hon. Speaker: Order!

(Loud consultations)

Hon. Wilson Ochola: The Leader of Minority should respect Majority Leader.

(Loud consultations)

Hon. Speaker: Order Members! Order! Order! Order!

(Loud consultations)

Hon. Speaker: The Speaker is on the floor.

(Loud consultations)

Hon. Speaker: The Speaker is on the floor sit down.

(Loud consultations)

Hon. Speaker: Hon. Members, order Hon. Manoah! Sit down. Hon. Members, I would like to call upon the Leaders of Majority and Minority that if they have a problem out there go deal with it out there---

(Applause)

(Loud consultations)

Hon. Speaker: ---not here and let us continue with our business of the House. I call the mover of the Motion to reply.

(Loud consultations)

Hon. Speaker: Sorry, sorry, hold on, hold on, hold on, sorry, I propose the question---

(Loud consultations)

Hon. Speaker: The seconder? Yes Mumo.

(Loud consultations)

Hon. Leah Mumo: Thank you Mr. Speaker. I rise here strongly to support.

(Applause)

(Loud consultations)

Hon. Leah Mumo: Sorry, to second.

Hon. Speaker: Hon. Members---

(Hon. Speaker consults with the Clerk)

Hon. Speaker: Order Hon. Members! Order!

Hon. Member: Mr. Speaker sir---

(Laughter)

Hon Speaker: Order!

(Loud consultations)

Hon. Speaker: Until you finish you noise I am not talking. If you talk I will walk out. Hon. Members, I propose the question--- order Members! Order! I want to call the mover of the Motion to reply.

Hon. Leader of Majority: I know *kipindi*. Mr. Speaker may I take this opportunity to also thank the first lady of this side for seconding my Motion.

(Loud consultations)

Hon. Speaker: Hon. Members, procedural Motion, I put the question that,

(Question put and agreed to)

Hon. Speaker: Hon. Majority Leader, procedural Motion, limitation of debate on report.

Hon. Leader of Majority: It is number 12. Notwithstanding the provisions of Standing Order 94(4), this Assembly orders that, each speech in a debate on a Report of a Committee---

Hon. Speaker: Order Members! Order!

Hon. Leader of Majority: ---a Sessional Paper or any other Report submitted to the Assembly, be limited as follows: - A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that Order.

So may I call upon Nelson Masiga to come and second this Motion because I think Members are concentrated this side so I can just use this side now.

(Loud consultations)

Hon. Nelson Masiga: Thank you Mr. Speaker sir, I second the Motion.

Hon. Speaker: Hon. Members I propose the question that,

(Question proposed)

Hon. Speaker: I call the mover of the Motion to reply.

Hon. Leader of Majority: Thank you Mr. Speaker and all Members for accepting the Motion. I take this opportunity to thank you all. That is what I can say right now.

(Loud consultations)

Hon. Speaker: Hon. Members I put the question that, notwithstanding the provisions of Standing Order 94(4), this Assembly orders--- order Members! Order please! Order! Hon. Members please, order! You must have had a very bad lunch.

(Laughter)

Hon. Speaker: ---this Assembly orders that each speech in a debate on a Report of a Committee, a Sessional Paper or any other Report submitted to the Assembly, be limited as follows: - A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

(Question put and agreed to)

Hon. Speaker: Hon. Majority Leader.

Hon. Leader of Majority: Mr. Speaker, I know what they are waiting for but I can see the mover of the Motion is already gone because---

(Loud consultations)

Hon. Leader of Majority: ---because you know this is *kipindi*. I know it's just *kipindi* because this side--- I can see mike is talking. Notwithstanding the provisions of Standing Order 94(4), this Assembly orders that, the debate on any Motion for the Adjournment of the Assembly to a day other than the next normal Sitting Day in accordance with the Calendar of the Assembly, be limited to a maximum of three (3) hours with not more than five (5) minutes for each Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of ten (10) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order. Provided that, when the period of Recess proposed by any such Motion does not exceed ten (10) days, the debate shall be limited to a maximum of thirty minutes (30), and shall be strictly confined to the question of the adjournment.

May I call my able Chief Whip, David Mberia to come and second.

(Applause)

(Loud consultations)

Hon. Majority Chief Whip: Mr. Speaker, I humbly second the Motion, thank you.

Hon. Speaker: Hon. Members. I propose the question that,

(Question proposed)

Hon. Speaker: The mover of the Motion to reply.

Hon. Leader of Majority: I think this is the last Motion. After that I know the--- Mr. Speaker, let me just take the opportunity to thank able Chief Whip for seconding the Motion and also you people for accepting it without any further delay. I know what is going on because I know you know it is January, so many people took their children to school so let the *kipindi* take center stage right now for them to go and take whatever they want to go and take. I thank you for that.

(Loud consultations)

Hon. Speaker: Hon. Members, I put the question that,

(Question put and agreed to)

Hon. Speaker: Next order, order Members! You say-- order Members! Order! This Assembly is still on. We are not in a Kamukunji. I want to take--- I want to send an early warning that Motion number 14.....

Hon. Speaker: ...the debate shall be limited to maximum of 30 minutes and shall be strictly confined to the question of adjournment.

(Question put and agreed to)

Hon. Speaker: Next order. Order Members! This Assembly is still on, we are not in a Kamkunji and I want to send an early warning that Motion No.14, no names of people shall be on this floor. You know the Standing Orders, so don't come and bring us here your champion of where or what. Please remember you are coming to discuss what you want to discuss and you go sit down. Next order please.

MOTION

Hon. Speaker: What is it Deputy Speaker?

Hon. Deputy Speaker: Mr. Speaker I wish this House goes into total silence because I want to record my displeasure under Standing Order 49(b). I wish to move a Motion of adjournment on the debate which is just about to appear before this House.

(Applause)

Hon. Deputy Speaker: Mr. Speaker this is based on Standing Order 21(2) and here I read: Standing Order 19, Governor entering or leaving chamber and paragraph 1, 3, 4 of Standing Order 20

Hon. Speaker: Deputy Speaker you said you are on order number?

Hon. Deputy Speaker: Yes Mr. Speaker I want to move Motion of adjournment on debate on this Motion which is just about to come before the House, and this is in regard---

Hon. Speaker: Order! Hon. Deputy Speaker. I think you should let the mover move the Motion then because you are on an opposing---

Hon. Deputy Speaker: I'm not opposing the Motion Mr. Speaker; I want the House to adjourn to discuss whether the Motion is properly before the House. That is what I'm asking. I would not allow the Motion to be read out first!

(Loud consultations)

(Members approach and surround the mace but Sergeant at Arms secure it)

Hon. Speaker: Order Members! Hon. Members, first and foremost Hon. Deputy Speaker is a Member of the House Business Committee which allowed this Motion to come. Hon. Chege Move your Motion.

Hon. Deputy Speaker: Mr. Speaker kindly it is very wrong for you to mislead this House because I registered and raised my voice and views with House Business Committee. I was against what was happening because of the Standing Order 21 which you don't want me to read and if you just allow me to read, please. This is a House of rules and procedures and under minute 21(2) and I read : on the address of any visiting dignitary including the Senator the law does not allow under Standing Order 25 that the speech be interrogated. For that reason this Motion is wrongly before the House.

Hon. Speaker: Order! Hon. Deputy Speaker. Order Members!

(Loud consultations)

Hon. Member: Law has to be followed! We cannot allow an illegality! Can the Speaker declare his interest!

(Loud consultations)

Hon. Speaker: Sit down Members, *weka watu chini*, order Members sit down

(Hon. Speaker consults several Members)

Hon. Speaker: Order Members! Order! Members. First of all I want to tell the Leader of Minority I'm not controlled like a baby and he must control his language. Deputy Speaker---

Hon. Deputy Speaker: Thank you Hon. Speaker. Speaker can you protect me please!

Hon. Speaker: Hon. Members, listen! I don't supply cabbage myself

Hon. Deputy Speaker: Speaker, what I'm saying is very simple. On the address of the Assembly, under Standing Order 25 it is only a reserve of the Governor who is supposed to be allocated 4 days after his speech to be interrogated. Under Standing Order 21(2), you can see it has been slotted into bracket (1) (3), (4) leaving out Standing Order 20 (5) (1). For that reason allow me to read Standing Order 19, Governor entering or leaving chamber and paragraph (1), (3), (4) of Standing Order 20: Governor's address to the County Assembly shall with necessary modification apply to the Senator, visiting heads of states and such other dignitaries. If you can revisit clause 2, brackets 5 has been left out. For that reason I'm requesting this House for adjournment so that Members could see the sense whether this Motion in question is properly before this House or not. That is what I'm asking Mr. Speaker. Allow me to call Hon. K'Otieno to second Motion on adjournment

(Loud consultations)

Hon. Speaker: Order! Order! Let there be a secondment

Hon. Member of Sarang'ombe Ward (Mr. Pius Owino Otieno): Thank you Mr. Speaker for this opportunity you have given me. Indeed the Deputy Speaker has alluded to some of the facts that ought to dictate the House that in the event that a Senator or dignitary is giving address to the House, his address shall not be noted. His address shall not come in form of a notice of Motion that Members would discuss. That one is Standing Order 20(1)(3)(4). Standing Order 21(c) says: That Standing Order 19, Governor entering or leaving chambers paragraph 1, 3, 4 of the Standing Order shall with necessary modification apply to the Senator, visiting heads of states. If you read Standing Order 1, 3, 4 and 5, this Standing Order has not contemplated subsection 2 and 5.

The gist of the matter is section 5 which says a Member may give notice of Motion that thanks of the County Assembly be recorded for exposition of public policy contained in the address of Governor, in this particular matter in the address of the Senator but debate on the Motion shall not exceed 4 sittings. If all of you have Standing Orders just open page number 28, it is saying this matter shall only apply to sub section 1, 3 and 4 which means subsection 5 has been left out and this Motion is not proper before this House.

(Applause)

Mr. Speaker sir, look at the notice of the Motion, Standing Order 44; this one is a burden that I shall leave on your door. It says: if the Speaker is of the opinion that any proposed Motion is one which infringes on the debate on which it is likely to infringe on any of this Standing Orders, this debate is likely to infringe on Standing Order 21 and if Mr. Speaker you are going to allow it to proceed then I'm sure we are going to suffer a serious fate because a reputation of somebody shall be injured, and that person is not going to get any compensation after that injury that would have come out of this House.

Mr. Speaker if you go to Standing Order 152(d) is County Assembly House Business Committee. It says that the County Assembly may take decisions and issues directly and guidelines to prioritize or postpone. It is in that regard that I'm saying this one should not have been balloted because it is already improper and being fact that it is here it is illegal and you cannot proceed executing something that is illegal. If you read the case of Ondieki versus the County Assembly of Nairobi, the lawyers who were appearing before Ondieki quoted Standing Order 44 and they said---

(Members exchange bottles of water at the table the Member is delivering speech, drawing laughter from the House)

This is the report that transpired---order I want to read it verbatim, I think I'm the only person who still has this report of the Ondiek commission. It is here. This is what the commission said: it is our humble submission that the whole charade was one abuse of office and conspiracy to hurt Hon. Ondiek without justification on the following grounds:

That Hon. Speaker sir, of the County Assembly knew and was very much aware that Standing Order 44 that was expected before approving the Motion to ensure the Motion did not infringe Constitution. The Standing Orders was not inconsistent with the dignity of the County Assembly, does not contain or imply allegation which the Speaker is not satisfied that the mover can substantiate. If the Motion does not meet the threshold under the Standing orders the Speaker has no mandate of approving the Motion. In this case he knew that the Motion by Hon. Chege Mwaura was only based on flimsy allegations fished from the newspaper. With those many remarks in beg to sit down and support. Thank you so much.

Hon. Speaker: Hon. Mumo. There is a Point of Order

Hon. Leah Mumo (Nominated Member): Point of Order, thank you Mr. Speaker I rise to make this House know that they sat in the House Business Committee, if they knew that the Motion that was coming was not supposed to be here I don't see why the Motion is in the Order Paper. Protect me Mr. Speaker.

Hon. Elizabeth Manyala: Mr. Speaker on what Standing Order is Hon. Mumo standing on?

Hon. Leah Mumo: Thank you Mr. Speaker I rose on Standing Order 74 and it was a Point of Information. The people who are saying we are not supposed to go on with the Motion are the same people that sit in the House Business Committee. I don't see why. This is a House of rules and regulations. We are not playing games here.

Hon. Speaker: Order! Hon. Minority Leader

Hon. Leader of Minority: Mr. Speaker sir, it is high time this House learns to follow its Standing Order like Bible. The issue of HBC which is being brought here was bulldozed; the law was never followed, Standing Order was disregarded under your Chairmanship---

(Applause)

Hon. Speaker: Order! Order! Leader of Minority. We are not here on a match with you. Hon. Members I'm the Chair of House Business Committee with the Membership which you already know. So you don't point things at me when you are a failure and you yourself have personal interest on this matter.

(Loud consultations)

Hon. Leader of Minority: Thank you Mr. Speaker sir. I want to declare I have no interest in this Motion. I'm just following the law because it is not procedural before this House, and the way I'm seeing it seems the Chair has interest in this Motion

Hon. Speaker: Hon. Members Order! I want to propose the question that the Assembly adjourns

(Loud Consultations)

Hon. Members I propose that the Assembly adjourns to discuss the Motion of adjournment. So Hon. Members can you put your input to it, Hon. Manyala

Hon. Elizabeth Manyala: Mr. Speaker sir, I rise on a Point of Order under Standing Order No 86 which is declaration of interest; No 86 Section 1. It entirely touches on you, Mr. Speaker because you are the Chairman of House Business Committee.

Mr. Speaker, when this Motion came to the House Business Committee, we sat with you and read all these; we read even Article 20. You wrote back and said that the Senator was not supposed to come but later on after I had left, you sneaked it in and the next day you called upon the House Business Committee. The Majority Leader and Minority Leader were not consulted and you used your powers to bulldoze. Because you have interest in this matter, I suggest you leave the Floor so that we get another Speaker.

(Applause)

Hon. Speaker: Order Hon. Member!

(Loud consultations)

Hon. Speaker: Hon. Leader of Majority.

(Loud consultations)

Hon. Leader of Majority: Mr. Speaker, it has been a routine in this House and this time I think I played very smart. When the Senator requested to come to this House, I neither declined nor accepted because I knew these people wanted to fix me but because of my wisdom, I did not participate. Today, let me tell you one thing Mr. Speaker, I have been quiet about this thing even several people knew very well that I am supporting this Motion. Even the mover himself knows very well this one was just a program. These people want---

Hon. Speaker: Order Hon. Members!

(Loud consultations)

Hon. Leader of Majority: Mr. Speaker, the mover should withdraw the Motion before us. I can see the mood in this House that the Motion will not go anywhere. Instead of wasting our time, as a gentleman come and withdraw the Motion. Thank you, Mr. Speaker.

Hon. Speaker: Order Hon. Members! Hon. Chege.

Hon. Member for Dandora Area II Ward (Mr. Stephen Kambi): Thank you, Mr. Speaker sir. The chicken have come home to roost. This House is guided by the Standing Orders and it does not envision the discussion of that Report. Again, in tabling of Reports in this Assembly, there is a procedure we are supposed to follow to table a Report. The Standing Orders; while it gives the Senator the chance to address the Assembly, it does not give him or her chance to table any Report. This is a Report that has mentioned people who are not able to come on this Floor and defend their names.

Secondly, there is nothing new in this Report because the Report is already in the Departmental Committees. If you go to PAC and Development Committee, they have that Report. We are guided by laws; this House is not run by Motions, sideshows or funny haircuts. What we are saying, it is time we stand on our feet as an Assembly *na sasa hivi, mbuzi kala mkeka, wadaku waende zao*. Thank you, Mr. Speaker sir.

Hon. Speaker: Diana Kapeen.

Hon. Leah Mumo: Point of Information. I want to clarify something.

Hon. Speaker: No, sit.

(Loud consultations)

Hon. Diana Kapeen: Thank you, Mr. Speaker sir. I rise on Point of Order under Standing Order No. 74. This is a House of rules and procedures. Mr. Speaker, with all due respect to our Hon. Senator, he has the capacity, ability and every power to submit the Report in the Senate and sanction the Governor to appear before the Senate. We should not be debating something that we don't know if it has ever been tabled in the Senate and rejected and this is the last resort to bring a document that Members have not even seen.

Mr. Speaker sir, this is a House of rules and procedures. I know I am going to disappoint people today but I am going to stick to my conscience, I will not debate and I urge my fellow County Reps, let us not be taken for granted. All of us are elected Members of this Assembly; all of us are Hon. Members. If it is the Minority or Majority Leader, we put them there with our vote.

These Members of this Assembly should henceforth learn that we are not pushovers. Let us work according to the book. I am saying this because there are consequences and I want to tell the Members, it is easier to go back home with a clear conscience than with unconscious and blurted ego that is stained.

Mine is that, the rules should be followed. If something is wrong, it is wrong. If the House Business Committee did not follow the procedure, we have a right to tell them to correct. Therefore, I am supporting what the Deputy Speaker said that we adjourn, Mr. Speaker so that we can at least put the question because we cannot discuss a Report that has been tabled and it is not a Report from the Governor.

Hon. Speaker: Hon.

Hon. Member for Ziwani/Kariokor Ward (Ms. Millicent Mugadi): Thank you, Mr. Speaker, I see that there is a lot of tension in the House but let's make things very simple. We are all grownups and over 18 years. Let us follow the procedure and if it is very difficult, let each and every Committee investigate on what matters to them. If they find out that there is something that is supposed to be discussed, they will bring it later but as for now we should not create tension because of battle of supremacy. Let us follow the law. Thank you.

Hon. Deputy Speaker: Mr. Speaker, I rose on the Floor on Motion of Adjournment; whether this House should adjourn to see the necessity. If in any case this Motion in question finds its way illegally in this House, kindly could you put the question so that this Motion be thrown out or retained. That is all because Members are becoming irrelevant, Mr. Speaker.

Hon. Stephen Kambi: Thank you, Mr. Speaker Sir. I beg to support what the Hon. Members have just articulated. It is very true and clear, this is a House of rules and procedures and if the Motion finds its way illegally through the House Business Committee, we want to put it categorically that it won't see the light of the day in the whole Assembly. We wouldn't open a Pandora box and set a precedent that will haunt the future Members of this Assembly. I beg, Mr. Speaker you call on either the Motion to be withdrawn or retained, just as the Deputy Speaker had proposed. Kindly sir, put the question.

Hon. Speaker: Order! Hon. Mauti.

Hon. Elkanah Mauti: One minute Mr. Speaker, I have a burning issue. It is not a matter of saying we come with a Motion of Adjournment or we deliberate whether it will go through. We don't want to hear about that. The Senator of Nairobi is not the Auditor General to bring us a Report of investigation. He came here to greet us, how can we discuss on greetings?

(Applause)

Mr. Speaker, today you have heard a Standing Order being read to you; No 86 about declaration of interest. I cannot be happy you asking such a question, you have powers to withdraw this Motion. For one, if the House Business Committee can stand here and say no; who are to discuss what it has been said no?

(Applause)

Mr. Speaker, this is the year 2015, not 2013 or 2014, we have eyes. It is now or never.

Hon. Speaker: Hon. Members, I call the mover of the Motion to reply.

(Loud consultations)

Hon. Deputy Speaker: Hon. Kambi, I have been called upon to reply. I salute you Hon. Members for this very Hon. thing you have done to put order in place. Let it go into history that this is the first time this Assembly has lived to its--- Seriously, thank you very much and God bless you for throwing out this illegality, thank you, Mr. Speaker.

(Loud consultations)

Hon. Speaker: Hon. Members, I want to thank you, but on a parting shot is that you don't run away from your responsibilities. Hon. Members, the Senator wrote a letter in accordance with the Standing Orders, and he wrote a letter after your invitation. I just want to put things clear, when he came, he did what he did, you were all here and you even extended time. Hon. Members, I want to stand here as the Speaker of Nairobi County Assembly and say I have no interest in this matter whatsoever and to tell you that I don't do business in Nairobi County Government.

Hon. Members, I now put the question that this Assembly adjourns until February, next week at 2:30 p.m.

(Loud consultations)

Hon. Speaker: Sorry, Hon. Members, I put the question that the mover withdraws the Motion.

(Loud consultations)

Hon. Speaker: Hon. Members, be seated.

(Loud consultations)

Hon. Speaker: Hon. Members, Motion No. 14. Hon. Chege.

Hon. Mwaura Chege: Thank you, Mr. Speaker, I want thank you for the opportunity. Even after having all those altercations, the decision that was made in the House Business Committee to have this Motion before this floor see the light of the day. The issues that were raised and the issue about the address of the Senator, has nothing to do with the Motion that is in front of us. The issue is not about what he said or what we need to do. I can see my friend from Sarang'ombe who is misleading the House by saying Standing Order No. 20. It does not expressly state--- I am on the Floor, Mr. Speaker.

Hon. Deputy Speaker: Mr. Speaker, I think you have given the Hon. Member to move a Motion and not sensor a Member. He is not here to lecture the House; we are not going to allow that.

Hon. Speaker: Hon. Deputy Speaker, as we have agreed, let him move his Motion and then we---

Hon. Mwaura Chege: Mr. Speaker, I stand guided but then again also, where I come from, I cannot be intimidated. Thank you, Mr. Speaker. This is the first address by a dignitary and by the Senator of this County. According to part V on the Standing Order, Mr. Speaker---

(Loud consultations)

Hon. Speaker: Okay, Point of Order.

Hon. Elizabeth Manyala: I rise on a Point of Order under Standing Order No. 87, Section 1 which says: 'A Member shall be responsible for the accuracy of any facts which the Member alleges to be true and may be required to substantiate any such facts instantly.'

Section 2 says, 'If a Member has sufficient reason to convince the Speaker that the Member is unable to substantiate the allegations instantly, the Speaker shall require that such Member substantiates the allegations not later than the next sitting day, failure to which the Member shall be deemed to be disorderly within the meaning of Standing Order 109 (Grave Disorder) unless the Member withdraws the allegations and gives a suitable apology, if the Speaker so requires. Under this Point of Order the Member is riding on a speech which he cannot himself substantiate, at the same time.

Hon. Speaker: Order! Hon. Member the Member has not talked, let him talk!

Hon. Mwaura Chege: Mr. Speaker I thank you, I also want to tell the Member that under Standing Order number 104, that's a frivolous standing Point of Order because she's saying that the speech didn't happen, if the speech happened then we are rightly talking about the speech am not talking about the facts within the speech, and what I've said Mr. Speaker is that this House owns everything that's going to be brought in front of this House and is up on this House to discuss---

Hon. Speaker: Order Members!

Hon. Mwaura Chege: and is upon this House to discuss and give a direction about any address that's given to this House. The big question which the Hon. Members need to understand when we are doing this is that the issues that have been raised. Are they genuine? Are they factual? And if they are not or if they are, what remedy or what basis do we have of knowing about that fact, if we are refusing even to look at the speech. We need not to burry our heads in the sand the speech was read and others from other dignitaries are also going to be read, how do we make traditions and customs on how to deal with such speeches, you might not like what the speech is saying, but what we are saying bring those issues in front and discuss if you feel that they were not substantiated is fine, but let's have it in a discussion and in an orderly manner to protect the dignity of this House.

I move this Motion, and I refuse to back down, I refuse to withdraw it because at the end of the day history will judge us right that if you were given certain information what did you do with it? Did you discuss it and choose to throw it out? Or did you burry your heads in the sand? Am not saying the speech was good, bad, factual, or substantiated but what I am saying we need a robust wherever so that we reach that dream. Let us be objective in viewing this debate and perform our oversight mandate if the National Assembly is discussing the County Government of Nairobi, if a Senator is bringing issues about the County Government of Nairobi and we share the same building pretend that nothing is happening, I think we are lying to ourselves.

So Mr. Speaker I plead with Members to understand that the issue was not to say the merits or demerits of the speech but am saying let's take over that speech and decide what we want to do; what would be the way forward from that speech? Do we decide that all those issues be taken to the Committees, that needs to be taken ones we have laid that speech. I sat pensively when everyone was shouting I demand to be listened to in silence Mr. Speaker.

Hon. Speaker: Order! Members let him finish his time

Hon. Mwaura Chege: I thank you Mr. Speaker and with that I beg that Members understand the objectivity that we need to protect the integrity of this floor so that anybody who would ever come to speak here let him understand that his speech is going to be interrogated and that the issues that are going to be raised are going to be truth formed based on the Committee and the capacity of these Members, but let's not refuse, hide, cornered or be persuaded to refuse to do our mandate. With that Mr. Speaker I wish to call my good friend Hon. Ogeto to second, thank you.

Hon. Moses Ogeto: Thank you Mr. Speaker sir, I think Hon. Chege has elaborated everything in this Motion. Let it be history in this House that whatever will be discussed in the same address should not be personalized. This House has a mandate to filter the goodies and have the best. I second the Motion.

Hon. Speaker: Hon. Members I propose the question that this Assembly note the address of the Senator Nairobi City County be tabled on the commencement of the third session on Tuesday 10th Feb 2015. Hon. Members! Hon. Deputy Speaker is on the floor.

Hon. Deputy Speaker: Ok Mr. Speaker I think now this is the right opportunity to register my displeasure that this Motion is wrongfully before this House, even the mover of the Motion has indicated rightfully that we need to follow the law, but what does the law tell us? What does the law dictate to this House? The law under Standing Order number 20 give a reserve to only the Governors speech to be interrogated for four consecutive days not any other dignitary Mr. Speaker including the Senator. We are going to set a very dangerous precedence in this House---

(A Member interrupts)

Hon. Deputy Speaker: You have not been given an opportunity to speak! He has not communicated, can you just hold your ---, you are alone in this, Mr. Speaker if you are there to guide this House and to give the correct position under the provision of law then this Motion in question should just die at this point in time without further engagement and for that reason I just wish to--- I am on the floor, can you visit your Standing Orders you cannot interrupt the speech of the Chairperson of Committees, The Standing Orders dictate that you cannot interrupt my speech Hon. Member.

Mr. Speaker when I am on the floor a Member should not rise on a Point of Order and it is provided, it is only a reserve for two people that's the Speaker and the Chairperson of Committees. Thank you Hon. Kambi, I would wish that the mover of the Motion come and reply so that we dispense off this nonsense Business before the House, thank you Mr. Speaker.

Hon. Speaker: Order Hon. My brother senior, please order Karen! Hon. Deputy Speaker you were seconding? Order Members!

Hon. Deputy Speaker: I have said clearly am opposing the Motion.

(Loud consultations)

Hon. Speaker: Hon. Kairu and then Hon. Imwatok!

Hon. Member for Woodley/Kenyatta Golf Course (Mr. Njoroge Kairu): Thank you very much Mr. Speaker sir, today is one among my saddest days in this House and I am very sad because of what's happening. We've been misled by the House Business, they have been mistreating this House the way they want, I want to second what Mr. Chege has said, that let us look at things critically, if you go to the newspapers today and all the news is on corruption in Nairobi County and that's what the Senator mentioned. In my wisdom what we would have allowed is to receive the report and then be taken to relevant Committee for us to look whether those things are right or not, for that reason I have no word to say but I second what Mr. Chege has said, thank you Mr. Speaker sir.

Hon. Speaker: Hon. Imwatok, Minority is on the floor but sit down you guys!

Hon. Member for Makongeni Ward (Mr. Peter Imwatok): Mr. Speaker I thank you for your indulgence to give me a chance to speak. First of all I must say these words to my brother Chege Mwaura, this's a brother we've shared a lot and I know what he believes in, on this Mr. Speaker I want to touch on one or two things that will make my conviction be very clear why I say this Motion should not be in this House. Number one on your table and this entire County Assembly on behalf of the PAC (Public Accounts Committee) there's a case in court and two quarters of the so-called the speech by the Senator of Nairobi was a paste and copy from the auditor's report 2012 June to 2013 February, that's to say the so-called report brought here by the Senator is not factual and is not touching on anybody. I can dare say that the Motion brought before the House is to propagate---

Hon. Speaker: He's on a point of order also! Ooh continue point of order!

Hon. Member for Eastleigh North Ward (Mr. Osman Adow Ibrahim): Mr. Speaker Sir, time is running out and I want time of leaving the House to be extended by thirty minutes so I would like my brother Imwatok to second the same.

Hon. Peter Imwatok: Kindly Mr. Speaker without any ad hoc I second the same.

Hon. Speaker: Hon. Members I propose that time be added 6:00 pm to 6:30pm, sorry 5:30 p.m. to 6:00 p.m. and I put order! I have not put a question for----- Hon. Members, I put the question that the Assembly extends the sitting for 30 minutes,

(Question put and agreed to)

Hon. Peter Imwatok: Mr. Speaker I think I have my ten minutes or so remaining, I wanted to say Mr. Speaker, the so-called address---

Hon.: Speaker: Hon. Kambi

Hon. Peter Imwatok: It must be noted in the HANSARD and the Members of the fourth estate that the originality or the genesis of the Senator of Nairobi being in this Assembly started on 28th August 2014. I wrote a Motion inviting the Senator of Nairobi County Assembly to the Nairobi County Assembly to give address and the letter was explicit Mr. Speaker, it was talking about the Senator to come and give address touching on article number 96 of the Constitution and it dint tell the Senator to come with investigatory documents. He was to come and explain to us his functions as far as County development is concerned but not to investigate which case was in Bungoma County, which Company in Mumias sugar or whatever Mr. Speaker,---

Hon. Leah Mumo: Thank you Mr. Speaker, I want to tell the Hon. Member that the work of the Senate is oversight which is in the Constitution. Thank you.

Hon. Peter Imwatok: Thank you Mumo for making me note of that I understand the Super Senator does investigatory not oversight Mr. Speaker, ---

Hon. Mwaura Chege: Mr. Speaker I really would not want to interrupt my good friend and I thank you Mr. Speaker. I am rising on Standing Order number 27 (4) kindly give me directions on. What the Leader of Minority moved was not within the 30 minutes we are not going to let it pass if we want to follow the rule of law then we follow it to the latter, you passed an illegality Mr. Minority Leader---

Hon. Peter Imwatok: Point of Order Mr. Speaker, on the same you have made a ruling, kindly allow me to continue---

Hon. Mwaura Chege: Let's get a ruling on 27 (4).

Hon. Peter Imwatok: As the Speaker consults I want to make note---

Hon. Peter Imwatok: As the Speaker consults, I want to make a note.

Hon. Speaker: Members Order! Hon. Chege but I thought it is in Order. The Minority Leader is in Order.

Hon. Mwaura Chege: Mr. Speaker, the Minority Leader---

Hon. Speaker: It is 30 minutes before.

Hon. Mwaura Chege: He brought this issue at 5:27 p.m. not 30 minutes before he requested. So if you are willing to follow the law, let us follow it to the latter.

Hon. Speaker: Order!

Hon. Deputy Speaker: But Mr. Speaker we cannot go behind.

Hon. Speaker: Order! Hon. Chege maybe his watch was 5:50 p.m.

Hon. Mwaura Chege: Mr. Speaker you should not be guided by his watch, you should be guided by the watch that is in front of this Assembly and the Standing Order. According to what has happened now, Mr. Speaker, let us close the Assembly because the time has passed. If you wanted to adjourn Motion to extend time you would have done 30 minutes before.

Hon. Member for Dandora III Ward (Mr. Charles Thuo): Is the Hon. Member challenging the decision of the Speaker simply because he is a Member of the Speaker's panel that we have never seen? It has never delivered anything. Is this---

Hon. Speaker: Order Members!

Hon. Charles Thuo: *Wewe endelea na kazi mzee, uko sawa*

Hon. Speaker: Order Hon. Imwatok.

Hon. Charles Thuo: Mr. Speaker, the watch of Hon. Chege is not working. It was bought at river road.

Hon. Speaker: Order Hon. Thuo! Hon. Members can we have Hon. Imwatok dispensing off with the--- and go quickly.

Hon. Peter Imwatok: Thank you Mr. Speaker, I am just taking one minute or so to finish as per the mood of the House Mr. Speaker, kindly Kambi

Hon. Stephen Kambi: Let us have a ruling on 27(4) if we want to follow the law.

(Loud consultations)

Hon. Speaker: Kindly My Hon. Member.

Hon. Peter Imwatok: Mr. Speaker I thank you. This address before the floor of the House, Mr. Speaker may I call the mover.

Hon. Speaker: Order Members! Sit down. Hon. Members, pay attention please. Order Hon. Deputy Speaker and Majority Chief Whip. Governor address to the Assembly. The Governor may be accompanied in the chamber by an AD Camp. Whenever the Governor addresses the County Assembly, the Speaker of the County Assembly shall take the seat at the right side of the Governor and the Senator of the County shall take seat at the left side of the Governor. When delivering and address the County Assembly, the Governor shall be heard in silence and shall not be followed by any comment or question.

Hon. Members whenever the Governor delivers an address, a Member may as soon lay the address on the table of the County Assembly following the reading of such address. A Member may give a notice of Motion that the facts of the County Assembly be accorded for the exposition of the public policy as contained in the address of the Governor, but debate on the Motion shall not exceed four sittings after the address by the Senate visiting dignitary. The Speaker may in consultation with the Leader of the Majority party and the Leader of the Minority party allow the Senate of the County or a visiting Governor or other visiting dignitaries address the County on such occasions as may be. I therefore rule that the Motion before this House is not procedural, this is---

(Applause)

Hon. Speaker: Order Members, Order sit down. This is--- Order Member and therefore I would like to call Hon. Mwaura to withdraw the Motion, subsequently if not, the Motion will not feature again in any House Business. Thank you Hon. Members.

Hon. Mwaura Chege: I think Mr. Speaker, I was not heard very well, the Motion was properly before this House and I will not withdraw that Motion.

(Loud consultation)

Hon. Speaker: Order Hon. Members. Order Hon. Deputy Speaker. Failure to do that I therefore subsequently put the question that the Motion be forcefully withdrawn.

(Question put and agreed to)

(Loud consultation)

Hon. Speaker: The House adjourns until Tuesday 2:30 p.m.

The house rose at 5:40 p.m.