

REPUBLIC OF KENYA
NYANDARUA COUNTY ASSEMBLY
2ND ASSEMBLY- 1ST SESSION
OFFICIAL REPORT

Thursday 9th November, 2017

The Assembly met at the Assembly Chamber at 2.30 pm.

[The Speaker, Hon. Ndegwa Wahome, in the Chair]

Prayer

QUORUM CALL AT THE COMMENCEMENT OF THE SITTING

(The clerk-at-the-table confirms that there is no quorum)

Speaker: There being no quorum, I invoke the provisions of Standing Order No. 35 and direct that the quorum bell be rang for ten minutes or until such time within the ten minutes that quorum will have been achieved.

(The bell is rang for eight minutes and quorum is achieved as confirmed by the clerk-at-the-table)

Hon. Members, quorum having been achieved we can proceed with the business for this afternoon. First order.

COMMUNICATION FROM THE CHAIR

NOMINATION OF A MEMBER OF THE COUNTY ASSEMBLY SERVICE BOARD

Hon. Members, this is to notify you that by a letter dated today the 9th day of November, 2017, the Clerk of the County Assembly and Secretary to the County Assembly Service Board notified my Office of the nomination of Ms. Nancy Mercy Njoki Muriithi as the female member of the Nyandarua County Assembly Service Board.

Hon. Members, pursuant to the provisions of paragraph four (4) of the First Schedule to the County Assembly Services Act 2017, the County Assembly is obligated to conduct approval hearing of the nominee in accordance with the Standing Orders.

Standing Order No. 47 (1) provides that;

1. Upon receipt of a notification of nomination for appointment to an office as is provided under the Constitution or under any other legislation required to be approved by the Assembly, the nomination shall stand committee to the relevant sectoral committee of the Assembly for consideration.
2. Despite paragraph (1), appointments under Article 179 (2) of the Constitution shall stand committed to the House Business Committee.

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There being no sectoral committee which oversees the County Assembly, and following the practices of this House, the House Business Committee shall conduct the approval hearing.

The Committee will carry out the approval proceedings, otherwise known as vetting, and shall be expected to thoroughly scrutinise the report of the County Assembly Service Board to be tabled by Hon. John Kieru Wambui and look into the recruitment procedure to ensure that there was total adherence and fidelity to the law in reaching at the nomination as well as the suitability of the said nominee.

The Committee shall conduct hearing on the proposed appointment and shall table its report for approval by this House, within twenty one days from the date of receipt of the nomination.

In addition Hon. Members, there are concerns that the House is being ambushed with reports, therefore making it difficult for the Members to peruse the reports. In this regard, it is expected that the Assembly shall probably tomorrow publish advertisement in the daily papers for the general public to, within seven days, raise any issue concerning the nominee at hand. So the earliest the House Business Committee can sit to vet the nominee is on Friday the 17th day of November, 2017. You are aware that the House will be participating in KICOSCA/CASA games in Machakos from 19th to 26th November, 2017. But to adhere to the general rule of tabling a report three days before the motion on the same is moved, the House will be forced to cut short its participation in the said games and resume on 23rd November, 2017 in order to peruse the report on the nominee. Otherwise, if Hon. Members so wish to participate in the games up to the last day, then we shall have to table the report on 28th November, 2017 and move the motion on the same on 29th November, 2017.

I will give room for Members' views; but remember there clear timelines on reports. In addition, there were raised serious concerns on the late tabling of the reports on the suitability of the nominees for the positions of CEC Member and County Secretary despite the House Business and the Committee on Justice Legal Affairs and Public Service worked extra hard to table the reports.

Yes the Member for Karau.

Hon. Kenn Mukira: Mr Speaker, considering that the KICOSCA/CASA games are held once a year, we should fully participate. Hon. Members are practising rigorously every evening with the aim of winning the games and proceeding to the ELASCA games. Additionally, I am appealing to those that will be elected to represent us at CAF to broach the idea of holding the games twice a year at the forum.

In regard of the above, I am of the idea that the report on the nominee be tabled on 28th November, 2017 and the motion on the same be moved on 29th November, 2017. Thank you.

Speaker: Yes the Member for Gatimu, Hon. Kieru Wambui.

Hon. Kieru Wambui: Thank you Mr Speaker. The report in question will be about one person and therefore may not be more than ten pages in length excluding the annexures. In consideration of this, Members will manage to peruse the report on 28th and 29th of November. Therefore, we should proceed to the KIKOSCA/CASA Games as planned and have the report on the nominee be tabled on 28th November, 2017 and the motion on the same be moved on 29th November, 2017. I hope my fellow Members will agree with me. Thank you.

Speaker: Yes Hon. Ngumo Ngamau.

Hon. Ngumo Ngamau: Thank you Mr Speaker. First I commend the House Business Committee for the work it did in vetting the ten nominees for the CEC Member positions. This the Committee did within a short time.

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Mr Speaker, as my fellow Members have observed let us peruse the report on 28th November, 2017 and debate the motion on the same on 29th November, 2017. Moreover, my doctor advised that I go for 'slim possible' and it will not be good for me to miss the KICOSCA/CASA games.

(Laughter)

Speaker: Yes Hon. Joseph Kariuki

Hon. Joseph Kariuki: Thank you Mr Speaker. I am a Member of the Welfare and Sports Committee and I represent the Assembly at the national level. There is a regulation that a county that does not participate in at least two events in a day may end up being disqualified for three years. So I propose that the report in question be tabled on 28th November, 2017 and the motion on the same be moved on 29th November, 2017.

Speaker: Hon. Members, I think we are in agreement. I just need consultations because I did not take it kindly that the committee I chair was accused of ambushing Hon. Members with a report. So we have agreed that report in question be tabled on 28th November, 2017 and the motion on the same be moved on 29th November, 2017.

Next order.

PAPERS LAID

1. NYANDARUA COUNTY RECURRENT AND DEVELOPMENT EXPENDITURE RETURNS FOR FY 2016/2017

Yes Hon. Gathungu Kamau.

Hon. Gathungu Kamau: Thank you Mr Speaker. I beg to table the Nyandarua County recurrent and development expenditure returns for FY 2016/2017.

Speaker: That report is duly tabled and according to the provisions of the Constitution, the Public Finance Management Act and the Nyandarua County Assembly Standing Orders I refer it to the Public Accounts and Investments Committee. Hon. Kieru Wambui, Hon. Sambigi Mukuria had intimated that your committee will deal with the report and table responses in February or early March of 2018.

Hon. Kieru Wambui: Mr Speaker, actually that is the position. We conversed as a committee and agreed that we shall table the reports at that time.

Speaker: Very well; next order.

2. NOMINATION FOR APPOINTMENT OF MS. NANCY MERCY NJOKI MURIITHI AS A MEMBER OF THE NYANDARUA CASB

Yes the Member for Gatimu, Hon. Kieru Wambui.

Hon. Kieru Wambui: Mr Speaker, I wish to table the Report of the Nyandarua County Service Board on the Nomination for Appointment of Ms. Nancy Mercy Njoki Muriithi as a Member of the Nyandarua County Assembly Service Board. Thank you Mr Speaker.

Speaker: Hon. Members, the report is duly tabled. I direct that the report stands referred to the House Business Committee and as agreed the Committee will ensure that a report on the same is tabled in the House on 28th November, 2017 for the motion on the same to be moved on 29th November, 2017.

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(Hon. Kieru Wambui rises on a point of order)

What is it Hon. Kieru Wambui?

Hon. Kieru Wambui: Mr Speaker, you have stated that the House Business Committee shall table the said report on 28th November, 2017 and the motion on the same to be moved on 29th November, 2017. Have you stated that as the Speaker or the Chairperson of the Committee?

Speaker: The Member for Gatimu, I do not think you require a serious response from me on that. I was stating that on behalf of the House as has earlier been agreed.

(Hon. Gathure Wambui rises on a point of order)

What is it the Member for Kaimbaga?

Hon. Gathure Wambui: Mr Speaker, you earlier stated that the Budget and Appropriations Committee shall be conducting oversight on matters relating to the CASB. In view of this, is it possible to include the Members of the Budget and Appropriations Committee in the committee that will be vetting the nominee?

Speaker: The Member for Kaimbaga has raised a very valid issue which was subject of discussion in the House when we did initial vetting in the first Assembly. It was a resolution of the House that the superior committee that should deal with matters pertaining to the Board is the House Business Committee since sectoral committees deal with matters pertaining to various sectors of the County Government.

Nonetheless, the Budget and Appropriations Committee should conduct oversight on matters relating to the CASB; this was borrowed from the National Assembly. The Budget and Appropriations Committee oversees matters pertaining to PSC. In conclusion, that the Budget and Appropriations Committee should conduct oversight on matters relating to the CASB is actually the position.

Next order.

ADJOURNMENT

Hon. Members, the business for the sitting having been exhausted, this House adjourns to Tuesday the 14th November, 2017 at 2.30 pm.

(The House rose at 2.59 pm.)