

REPUBLIC OF KENYA

NYANDARUA COUNTY ASSEMBLY

2ND ASSEMBLY- 2ND SESSION

OFFICIAL REPORT

Tuesday 13th February, 2018

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 quorum)

Speaker: Very well, Hon. Members, quorum having been recognized we can proceed with the business for this sitting, which comes after the long recess.

First order.

COMMUNICATION FROM THE CHAIR

Hon. Members, I held back a bit because we are expecting to start the implementation of the 2013 circular and 2017 December circular today. That is why I was waiting for the members to clock-in. This is because if you don't clock-in by the time the assembly adjourns, then you cannot be factored in for that particular sitting because time will already have run out for that sitting. The communication from the chair is as follows.

WELCOMING HON. MEMBERS FROM LONG RECESS

Honourable Members, I wish to welcome you back from the long recess for the 1st part of the second session of this 2nd Assembly. The long break was important as it ensured that we had quality time with our families as we also addressed issues of concern to our electorate from close quarters. We also thank God that there was no incident involving any of our members and that we have all come back here in peace.

During this session, it is expected that concerns shall be effectively addressed by way of statements to the respective Committee Chairs, Motions, Bills and through wide range of engagements with the Executive at the Committee level.

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I wish to most sincerely thank the Hon. Members for their exhibition of a flawless sense of patriotism and responsibility by availing yourselves at short notice for special sittings to deal with issues of County importance, which included processing of the 1st County Supplementary Budget and the 1st Supplementary Appropriation Law.

Hon. Members, during the current session, it is expected that the Assembly will finalize on the pending businesses to ensure that the County moves forward. Some of these businesses are approval of the County Integrated Development Plan (CIDP), the County Spatial Development Plans and the pending vetting of the Chief Officers for the respective departments.

It is also expected that the Committees shall, either singularly or jointly, be exposed to intensive training programmes on their respective mandate and functions to ensure effective representation, legislation and all the important oversight. This Assembly being the voice of the people of this beloved County shall play its role as per the oath of office partaken by each one of us without fear, favour, or ill will. The Assembly will speak the language of our people and reflect their feelings through all our actions.

To quote Pope Francis in one of his many homilies, 'we want to be shepherds with smell of the sheep'. Hon. Members to achieve the above, I want to assure you that my office will do everything in facilitation and otherwise towards that objective which is service to our people without obstruction. I therefore also take this opportunity to wish you a fruitful session that will not only serve our people but also satisfy our flesh and souls. That is all as the communication goes.

Next order.

PAPER(S) LAID

THE NYANDARUA COUNTY ASSEMBLY SESSIONAL LEGISLATIVE CALENDAR.

Yes, the vice chairperson, House Business Committee and Member for Nyakio, Hon. Zachary Mwangi Njeru.

Hon. Zachary Njeru: Thank you Mr Speaker. I beg to table the Nyandarua County Assembly Sessional Legislative Calendar for the Second Session of the Second Assembly.

Thank you.

Speaker: Very well, the calendar of the County Assembly of Nyandarua, 2018 for the second assembly in relation to the second session is duly tabled.

Next order.

NOTICE(S) OF MOTION

THE NYANDARUA COUNTY ASSEMBLY SESSIONAL LEGISLATIVE CALENDAR

Member for Nyakio and the Vice Chairperson of the House Business Committee, Hon. Zachary Mwangi Njeru.

Hon. Zachary Njeru: Thank you Mr Speaker. I beg to give notice of the following motion;

THAT pursuant to Standing Order No. 29 (1), this House does approve the Nyandarua County Assembly Sessional Legislative Calendar for the Second Session of the Second Assembly as follows;

CALENDAR OF THE COUNTY ASSEMBLY (2018)

**SECOND ASSEMBLY - SECOND SESSION
SCHEDULE**

PERIOD	DAYS
Second Session : First Part	Tuesday 13th February – Monday 11th June
A: Sitting Days Tuesday, 13 th February – Thursday, 29 th March 2018	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
B: Short Recess Friday, 30 th March – Monday, 9 th April, 2018	
C: Sitting Days Tuesday, 10 th April – Thursday, 10 th May, 2018	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
D: Long Recess Friday, 11 th May – Monday, 11 th June, 2018	
Second Session : Second Part	Tuesday, 12th June – Monday, 24th September 2018
E: Sitting Days Tuesday, 12 th June – Thursday, 12 th July, 2018	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
F: Short Recess Friday, 13 th July – Monday, 23 rd July, 2018	
G: Sitting Days Tuesday 24 th July- Thursday 23 rd August 2018	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
H: Long Recess Friday 24 th August –Monday 24 th September 2018	
Second Session : Third Part	Tuesday, 25th September-Monday 11th February 2019
I: Sitting days Tuesday, 25 th September–Thursday,25 th October,2018	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
J: Short Recess Friday, 26 th October – Monday, 5 th November, 2018	
K: Sitting days Tuesday, 6 th November–Thursday, 6 th December,2018	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
L: Long Recess Friday 7 th December –Monday 11 th February 2019	

Thank you Mr. Speaker, Sir.

Speaker: Very well, the notice of that particular motion is duly given.

Next order.

STATEMENT(S)

STATEMENT BY THE LEADER OF MAJORITY

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What is it Leader of the Majority party, Hon. Gathungu Kamau?

Hon. Gathungu Kamau: Thank you Mr Speaker sir, I have a statement.

First, let me take this pleasant opportunity to welcome the Hon. Members to the second session of the Second Assembly. It is my hope that members had a happy festive season. Secondly, I thank the members for making the First Session of the Second Assembly a success, for the continued believe, and support to my office. I promise that I will continue to articulate our issues to the best of my knowledge and powers bestowed upon the Majority Leader's office. In this regard, my office remains open and Hon. Members should feel free to contact me in case they have issues that require my attention.

Thirdly, I wish to invite members for an all members *Kamukunji* on Thursday 15th February 2018 at the assembly hall. The aim will be to discuss the matter affecting Hon. Members which shall include among others the content of the report tabled by the House Business Committee on the last day of the previous assembly session.

Lastly, the office has noted with great concern that not all Hon. Members have been supplied with the portrait of H.E the President and H.E the Governor for their ward offices. Concerning this, I wish to request the committee on Members' Welfare, Catering and Library Service to take up the matter and device a way in which members will be supplied with the two portraits and see to it that members with more than two offices get enough portraits for their offices. Thank you Mr Speaker sir.

(Hon. Gathure Wambui rises)

Speaker: What it is member for Kaimbaga?

Hon. Gathure Wambui: Thank you Mr Speaker. Mr Speaker the Leader of Majority has given a speech on his part. I would also like to give a short statement as the 'leader of the independents' and the minorities in this House.

(Laughter)

Speaker: Member for Kaimbaga, please resume your seat. The Leader of Majority had requested for that. The statement by the Leader of Majority and the Leader of Minorities are allowed on Thursdays and I think you are neither of that. There are statements that we welcome, that is, the general statements on Tuesdays but again you will require to give the Speaker a one-hour notice for that statement. However having agreed that we are all on a learning process, I will allow you a few minutes to hear what the 'leader of the independents' wants to say.

Hon. Gathure Wambui: Mr Speaker, you know the Majority Leader is normally given one hour and I can see that he has used about ten minutes. For me I want to take only one minute to touch on some issues.

One is to thank the Hon. Members for cooperating with the 'minorities members' in the assembly. The previous session was successful. However, there are those grey areas where the minority members were left out. I hope that going forward we are going to see cooperation between the members of the Jubilee Party and minority members.

Mr Speaker, we joined this House as opposition but today we are no longer seen as such. As we move on, I might be moving government business in this House Mr Speaker. There is no need for me to elaborate further; you can understand what I mean.

(Hon. Suleiman Kimani rises on a point of order)

Speaker: What is it member for Kanjuiri Range, Hon. Suleiman Kimani?

Hon. Suleiman Kimani: Mr Speaker, I do not know what the member for Kaimbaga means when he says that he is a member from the opposition. The only known opposition in Kenya is NASA. I want to know what he means by saying that he is in the opposition yet I know that he was supporting the president and the government in place today. I need clarification. Thank you.

Speaker: Very well. I would not dwell on that very much. However, I would want to say to the member for Kaimbaga that by the remotest definition of opposition, he could not be one person in the opposition. The constitution defines an independent member as a member who is aligned to neither the government nor the opposition, but is a free thinker, actually an adventurous thinker. Obviously, the member for Kaimbaga knows better than that. He has actually said that severally; that he came to this House for thinking independently. He cannot be the opposition but he can oppose the government position and positions of other independent members, however he will never be defined as opposition because the constitution does not allow him to be such.

Member for Kaimbaga proceed.

Hon. Gathure Wambui: Thank you Mr Speaker, I think I was misunderstood. I meant that some people might have perceived us as not being part of the government. That is not the case because those who perceive us that way are wrong. My friend here could have been arguing it from another perspective but that was on matters of the county. I am the leader of the members in the House elected on an independent ticket but someone out there was saying that the independent members have another leader by the name 'Badilisha'. Mr Speaker, it is notable that the Members elected on an independent ticket are working hand in hand with the government and I will reiterate that these Hon. Members should not see us as outsiders. In the same breath, I would like to thank the Hon. Members for the support they have been giving His Excellency the Governor, just like the President enjoys the support of Jubilee Members both in the Senate and the National Assembly, I would urge Hon. Kimemia...

(Hon. Wambugu King'ori rises on a point of order)

Speaker: What is it Member for North Kinangop, Hon. Edinald Wambugu King'ori?

Hon. Wambugu King'ori: Mr Speaker, in as much as the Hon. Members are still learning, is it in order for the Member for Gathanji to come into the House inappropriately dressed?

Speaker: The Member for Gathanji should acclimatize himself with the rules of this Hon. House on the mode of dressing. For men, it includes an official* pair of shoes, a pair of socks, a pair of official trousers, a shirt, a tie and a jacket. Member for Gathanji, quietly vacate the House. Proceed Member for Kaimbaga.

Hon. Gathure Wambui: Mr Speaker, I wanted to congratulate you for standing in the gap and arbitrating between the executive and the County Assembly on matters that would have precipitated division between the two arms of government especially on budget matters. I wish to stop there and emphasize that my Members (those elected on an independent ticket) will work hand in hand with the government of the day in order to deliver what *Wanjiku* elected us to deliver. Thank you Mr Speaker.

Speaker: Very well; thank you for that statement by the Member for Kaimbaga and the Leader of the Independents.

Next order.

PROCEDURAL MOTION

Speaker: Yes Member for Nyakio, the deputy Speaker and the Vice Chairperson, House Business Committee Hon. Zachary Mwangi Njeru.

Hon. Zachary Njeru: Mr. Speaker, Sir, I beg to move the following procedural motion;

THAT pursuant to Standing order 230 (Exemption of Business from Standing Orders) the motion; “THAT this House does approve the Nyandarua County Assembly Sessional Legislative Calendar for the Second Session of the Second Assembly” be exempted from the requirement of Standing Order No.48 (5) b) Which requires that a notice of motion be given at least one (1) day before a motion appears on the order Paper.

Mr Speaker, Sir, as the Hon. Members are well aware, we are resuming the Assembly Business today and it is important that we fast-track the adoption of this calendar so that we can smoothly transact business during this session. Without much ado, I wish to call Hon. Mwangi Maitai to second.

Speaker: Yes Member for Central, Hon. David Mwangi Maitai.

(Hon. Mwangi Maitai bows in secondment)

(Question proposed)

(Question put and agreed to)

Speaker: Next order.

MOTION

THE NYANDARUA COUNTY ASSEMBLY SESSIONAL LEGISLATIVE CALENDAR

Speaker: Member for Nyakio, the deputy Speaker and the Vice Chairperson, House Business Committee Hon. Zachary Mwangi Njeru.

Hon. Zachary Njeru: Mr. Speaker, Sir, I beg to move the following motion;

THAT pursuant to Standing Order No. 29 (1), this House does approve the Nyandarua County Assembly Sessional Legislative Calendar for the Second Session of the Second Assembly as follows;

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Mr Speaker, we are aware that sessional calendars must be drafted in consideration of the businesses of the Assembly, especially the budgetary processes. Remember documents pertaining to budgets must be laid before this House. Recesses are scheduled in sessional calendars in order to allow Hon. Members to attend to issues affecting the people in the wards. Finally, Mr Speaker, I thank those who made their contributions towards the making of the document at hand. I call upon the Majority Leader to second the motion.

Speaker: Yes, the Leader of Majority, Hon. Gathungu Kamau.

Hon. Gathungu Kamau: Thank you Mr Speaker. I rise to second the motion on the Sessional Calendar. We know what is expected of us during this second session of the Second Assembly.

I beg to second. Thank you.

(Question proposed)

(Question put and agreed to)

Speaker: Hon. Members, having approved the Sessional Calendar, the same shall be gazetted for the members of the public who would wish to attend Assembly plenaries to stay notified.

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Next order.

ADJOURNMENT

Hon. Members, having exhausted the business for the sitting, this House does adjourn to tomorrow Wednesday, the 14th day of February 2018 at 9.00 a.m.

(The House rose at 3.05 pm)