

# REPUBLIC OF KENYA

## NYANDARUA COUNTY ASSEMBLY

### 1<sup>ST</sup> ASSEMBLY- 5<sup>TH</sup> SESSION

#### OFFICIAL REPORT

Tuesday 13<sup>th</sup> June, 2017

*The Assembly met at the Assembly Chamber at 2.30 p.m.*

*[The Deputy Speaker (Hon. Wambugu King'ori) in the Chair]*

#### PRAYER

#### QUORUM CALL AT THE COMMENCEMENT OF THE SITTING

*(The clerk-at-the-table confirms there is quorum)*

**Speaker:** Very well, quorum having been recognized let us proceed with the business for this sitting.

First order.

#### COMMUNICATION FROM THE CHAIR

##### THE NYANDARUA COUNTY COOPERATIVE BILL, 2015

Hon. Members we have a communication from the chair. The Nyandarua County Cooperative Bill, 2015 was passed in this House and submitted to H.E. the Governor for assent. On the 2<sup>nd</sup> day of September, 2015, the Bill was referred back to the Assembly with reservations and later committed to the Committee on Trade, Industrialization, Cooperatives and Enterprise Development. Section 24(4), (5) provides for the procedure for consideration of a Bill referred back to the Assembly. Subsection 5 provides for a two-thirds vote for a Bill that is passed without consideration the Governor's reservations.

The Bill shall be considered tomorrow at 9.00 am and members are urged to take part in the consideration in order to raise the two-third majority vote for the Bill to be passed.

It is therefore very important Hon. Members that tomorrow morning we come here to ensure that that the two-thirds vote is achieved for the Bill to be passed. Otherwise, this will not be possible.

Next order.

*(Hon. Daniel Kibebo rises)*

What is it Member for Gathaara?

**Hon. Daniel Kibeho:** Thank you Mr Speaker. I appreciate your directions. I am urging all the members and I think they will be informed through text messages to show up tomorrow. If we don't achieve this threshold of two-thirds majority vote, the Bill might be referred back to us and can fail. As we are coming to the end of the term, I am urging the members to be present as you have directed so that this Bill might pass.

Thank you Mr Speaker.

**Speaker:** Very well.

Next order.

## MOTION

ASSEMBLY'S THANKS BE RECORDED FOR EXPOSITION OF PUBLIC POLICY CONTAINED IN  
CABINET SECRETARY'S ADDRESS

Yes, Hon. Kariuki Muchiri, the Member for Murungaru and also the Leader of Majority Party in this House

**Hon. Kariuki Muchiri:** Thank you Mr Speaker. This motion had already been moved by the Deputy Leader of the Majority Party and therefore it is a continuation for members to contribute on the address by the Cabinet Secretary for Public Service, Youth and Gender Affairs, Hon. Sicily Kariuki.

Therefore, this is an opportunity for those Members who would wish to contribute and debate the address. Thank you.

**Speaker:** Yes Member for Geta, Hon. John Githinji Mwaniki.

**Hon. Githinji Mwaniki:** Thank you Mr Speaker. Contrary to what the Leader of Majority is saying, we have not found anything in our pigeon holes and therefore I don't think we can debate on something that has not been provided to us.

**Speaker:** I am informed that the speech was in the pigeon holes for all members. Unless it was not put in your pigeon hole Member for Geta. Actually, it shall be provided to you.

*(Hon. James Gachomba rises)*

What is it Member for Njabini/Kiburu?

**Hon. James Gachomba:** I also have not seen the document in my pigeon hole Mr Speaker.

**Speaker:** Order Member for Njabini/Kiburu! I believe that the Office of the Clerk is well-equipped in that aspect. I understand that every member was served with the document.

*(Hon. Michael Kirumba rises on a point of order)*

**Speaker:** What is it Member for Kipipiri?

**Hon. Michael Kirumba:** Mr Speaker, it is true that your guidelines and the Hansard will bear witness to the substantive Speaker then. This is something that exhaustively debated. Many members contributed and at that point in time, the speech was given to all members. It is only fair to appreciate that we have not gotten the pigeon holes as we were used to. So, there could be that lapse and Members should appreciate also that we are in the process of having new pigeon holes.

The fact that they are not there necessitated the sergeant-at-arm to deliver the speech to every member's desk. Therefore, I think it is quite in order for the Members to appreciate that. The Leader of Majority was only re-igniting the debate that was on the floor.

*(Hon. James Gachomba rises)*

**Speaker:** Those are good observations. What is it Member for Njabini/Kiburu?

**Hon. James Gachomba:** Mr Speaker, I am not objecting what the Deputy Leader of Majority has said. If one of the Members of this House was not present, I believe that the documents were not given. The Hon. Member should therefore apologize for misleading this House.

*(Hon. Kariuki Muchiri rises on a point of information)*

**Speaker:** Do you require the information Member for Njabini/Kiburu?

**Hon. James Gachomba:** Yes I require the information but it must be very clear that we were not furnished with the document.

**Hon. Kariuki Muchiri:** Thank you Mr Speaker. I rise on a point of information now that the Member for Njabini/Kiburu has accepted to be given the information. It is worth noting that the Member was not in House on that particular day. This is why the documents were removed from his drawer because the business for that day was dispensed. Therefore, when he came today, I fail to understand why he is complaining and I can see him holding the document now.

**Hon. James Gachomba:** Mr Speaker, I was not complaining. What I was putting across is that even if I was not in Parliament that day, I was supposed to be furnished with the document immediately I entered this House. Thank you.

**Speaker:** Very well. Is any Member willing to contribute? I am aware that's the motion was moved by Hon. Kirumba and well seconded by Hon. Mumba. There were contributions from the Hon. Members for Shamata, Mirangine and Gatimu. There is a chance for other members. Remember such a motion is given an allowance of four consecutive sittings in the Assembly.

Therefore, having no more contributions from the Members, I now call the mover to respond. Member for Kipipiri.

**Hon. Michael Kirumba:** Thank you very much Mr Speaker. Mine is to thank all those members because in the first place, this House was full and Members heard what the Cabinet Secretary said. It is only fair to mention that the document was self-explanatory and that is why other members may not have contributed.

The Cabinet Secretary took cognizance of the fact that the first assembly has really done something. That has gone on record and is coming out very clearly from the address. The roads have been done and other infrastructural projects undertaken. She also pointed out at level five and level four hospitals. There are also floodlights and the *bodaboda* sheds that we have managed to be put up. All these are the manifestation of what the first assembly stood for. Nobody can say that that did not happen. Some people may start saying that the some of the roads that have been graded in various roads are narrow and such criticisms. That's not here nor there because the fact of the matter is that the roads are now accessible and passable. Transportation of goods and people is now easier. Everybody can appreciate that something has been done. Actually, while overflying this place anyone can see the location of Nyandarua County Government headquarters because of the floodlights that are in Ol'kalou. This is a fact. We have also constructed cabral bus parks in

Njabini, Miharati and Ol'kalou. Although there could be issues with the costing of the market sheds, we don't deny that, but they are already complete. We can only make it better. We also have some wards where we have each and every trading centre with a floodlight...

*(Hon. Githinji Mwaniki rises on a point of order)*

**Speaker:** What is it Member for Geta?

**Hon. Githinji Mwaniki:** Thank you Mr Speaker. I think the Deputy Leader of Majority should respond in line with the issues that were raised in the address. He is doing it as though it is the County Government that has done these projects. This speech outlines all the National Government issues that is why I think he should respond in that perspective.

**Speaker:** Member for Kipipiri can you substantiate whether you are out of order?

**Hon. Michael Kirumba:** Mr Speaker, this is the document that I am referring to and this is the same one that the Member has. It is talking of the hospitals in Engineer and Ol'kalou. This is the address and I am limiting myself to it. I am not going outside this one...

*(Hon. James Gachomba rises on a point of order)*

**Speaker:** Order Hon. Member for Njabini/Kiburu! Allow the Deputy Leader of the Majority Party to respond to the issues raised about the speech.

**Hon. Michael Kirumba:** Thank you Mr Speaker for protecting me. I would like to thank all the members.

*(Hon. James Gachomba rises on a point of order)*

**Speaker:** Who is out of order Hon. Member for Njabini/Kiburu?

**Hon. Michael Kirumba:** Hon. Kirumba is out of order. Actually we are not talking about the cabral bus parks. He should limit himself to the document...

**Speaker:** Order Member for Njabini/Kiburu. It is important you state clearly how the Member for Kipipiri is out of order.

**Hon. James Gachomba:** I am not disputing what the county government has done but we are actually dealing with the address of the Cabinet Secretary for Public Service, Youth and Gender Affairs on what the National Government has done for Nyandarua people but actually not what the county government has done. He is not supposed to tell us of the *bodaboda* sheds and cabral bus parks. Those issues are not in this document. Thank you Mr Speaker.

**Speaker:** Proceed Member for Kipipiri...

*(Hon. Samuel Thuita rises on a point of order)*

**Speaker:** What is it Member for Gathanji? Who is out of order?

**Hon. Samuel Thuita:** Thank you Mr Speaker. I rise to seek for guidance from the chair. The speech was by the Cabinet Secretary. The Deputy Leader of Majority is espousing on a speech that he did not draft. So, I am seeking your directions. Is the mover in order to respond to this motion yet the motion had been given four days? Does the Standing Orders allow for that? I am therefore seeking your guidance on that because some issues might arise out of the speech yet it is

not his address. It is therefore important that we get some guidance on whether the member is supposed to respond to such a speech.

Thank you.

**Speaker:** Hon. Member for Gathanji you have forgotten that procedurally, if a motion is moved and well seconded, then, being debated in the House, thereafter it must be responded to. If the Member who has moved it is not in a position to respond, the Speaker puts the question later.

So, the Member for Kipipiri and the Deputy Leader of Majority Party is quite in order to respond. Proceed Member for Gathanji.

**Hon. Samuel Thuita:** I also want to get a clarification and guidance on this matter as to whether you will put a question at the end of this debate. The speech was read and it was dispatched to everyone and is in the public domain. If we therefore put a question it will be to pass the speech. Will that be really necessary?

**Speaker:** Member for Gathanji you are forgetting that this is a motion. At the end of the day, the speaker or the chair should put the question.

*(The Speaker consults with clerk-at-the-table)*

Hon. Members, I would like to offer directions on this issue or rather to guide you. In reference to Standing Order No. 23 (4). It states;

(4) A Member may give a notice of Motion that “The Thanks of the Assembly be recorded for the exposition of public policy contained in the Address of the Governor” but debate on the Motion shall not exceed four sitting days.

This one is therefore being moved not necessarily as a speech but the Assembly’s thanks to be recorded for exposition of public policy contained in the speech. Then, procedurally, as you are all aware, the notice is given and later the motion is moved. A motion must be proposed after being moved and seconded and thereafter then members contribute. At the end, the question is put after the mover responds. This is therefore a question of procedures in this House.

Hon. Members, it is unfortunate that we are approaching the end of our term and some Hon. Members are going out without understanding the procedures and Standing Orders. Proceed Hon. Member for Kipipiri.

**Hon. Michael Kirumba:** Thank you Mr Speaker. This speech is touching on item one which is health. Health is a devolved function and the speech talks about the hospitals in Ol’kalou and Engineer. How can we disassociate ourselves from such a speech that is really clear? The issue of polytechnics has also been well highlighted. The issues of youth empowerment have been highlighted in terms of SACCOs which falls squarely on the portfolio of Hon. Kibebo. We cannot therefore disassociate ourselves from that. The money that has ensured that we have these things has come from the National Government and then devolved to the County Governments.

Although it is debatable as to whether we can discuss some of these things, it will always be on the record that the Cabinet Secretary appreciated the work that has been done by the county government. It is on that point that I end my response. I think we have done what we were supposed to do and give our views on these matters. We also appreciate that people understand things differently and that is the reason we are here. The way in which I understand things is totally different from what another member understands and I need to be given time to say what I know. My view is not always the right one. Another member also has the right to think otherwise. I don’t think that this is a big issue.

Otherwise, I thank all those members who have contributed to this motion and have seen what we are saying. This is for the purposes of record. In the speech, the Cabinet Secretary thinks that we have done what we were supposed to do in our term. The Bills that we have passed are already in place and when someone in the National Government appreciates what we have done, it would be foolhardy to refuse to say what it is for the record, history and posterity.

Thank you Mr Speaker. I beg to move.

*(Question put and agreed to)*

Hon. Members, I believe that the Office of the Clerk shall now record the thanks of the County Assembly for the exposition of public policy contained in the address of the Cabinet Secretary for Public Service, Youth and Gender Affairs.

*(Hon. Kariuki Muchiri rises)*

What is it Leader of Majority Party?

**Hon. Kariuki Muchiri:** Mr Speaker, I rise on Standing Orders No. 38 and 42 which require that on every Thursday I table the Notice Paper for the coming week this was not possible Mr Speaker last week the House Business Committee did not sit because there was a hitch of quorum. Therefore, allow me to read the business for rest of the week.

NOTICE PAPER 13<sup>th</sup> – 15<sup>th</sup> JUNE 2017

DATE	BUSINESS	MOVER
Tuesday 13 <sup>th</sup> June, 2017 2.30 p.m.		
	<p><b>Papers</b></p> <p><b>Notices of Motion</b></p> <p><b>Motion and Bills</b></p> <p><b>Motion</b></p> <p>1. That the thanks of the Assembly be recorded from exposition of public policy from the address of the C.S for Public Service, Gender and Youth Affairs. (DAY 2)</p>	Hon. Kariuki Muchiri (Leader of the Majority Party)
Wednesday 14 <sup>th</sup> June, 2017, 9.00 a.m.		
	<p><b>Papers</b></p> <p>1. Report of the Committee on Trade, Cooperative, Industrialisation and Enterprise Development on the</p>	Hon. Daniel Kibebo Ruara (Chairperson, Trade, Cooperative, Industrialisation

<b>DATE</b>	<b>BUSINESS</b>	<b>MOVER</b>
	<p>Nyandarua County Cooperative Societies Bill, 2015</p> <p><b>Notices of Motion</b></p> <p><b>Motion and Bills</b></p> <p><b><u>Bills</u></b></p> <ol style="list-style-type: none"> <li>1. Committee of the Whole on the Nyandarua County Cooperative Societies Bill, 2015</li> <li>2. Third Reading of the Nyandarua County Cooperative Societies Bill, 2015</li> </ol>	<p>and Enterprise Development Committee)</p> <p>Hon. Daniel Kibebo Ruara (Chairperson, Trade, Cooperative, Industrialisation and Enterprise Development Committee)</p> <p>Hon. Daniel Kibebo Ruara (Chairperson, Trade, Cooperative, Industrialisation and Enterprise Development Committee)</p>
<p>Wednesday 14<sup>th</sup> June , 2017, 2.30 p.m.</p>		
	<p><b>Papers</b></p> <p><b>Notices of Motion</b></p> <p><b>Statements</b></p> <ol style="list-style-type: none"> <li>1. Statement sought from the Chairperson of Lands Housing and Physical Planning on alleged grabbed land in Nyakio ward (amendment)</li> <li>2. Statement issued by Chairperson Water, Energy, Environment and Natural Resources in response to a statement sought by Hon. Sammy D. Kamau Ngotho on water challenges in Ol'kalou town and its environs.</li> </ol> <p><b>Motion and Bills</b></p>	<p>Hon. Joshua Muriithi Muigai (M.C.A Nyakio Ward)</p> <p>Hon. Paul Kiruka Mburu (Chairperson Water, Energy, Environment and Natural Resources)</p>
<p>Thursday 15<sup>th</sup> June, 2017, 2.30 p.m.</p>		

DATE	BUSINESS	MOVER
	<p><b>Papers</b></p> <p>1. Report of Public Investment and Accounts Committee on the audited financial operations of the Nyandarua County Assembly for FY ended 30<sup>th</sup> June 2015.</p> <p><b>Notices of Motion</b></p> <p>1. Notice of motion on the report of Public Investment and Accounts Committee on the audited financial operations of the Nyandarua County Assembly for FY ended 30<sup>th</sup> June 2015.</p> <p><b>Statement</b></p> <p>1. Statement issued by Chairperson Lands Housing and Physical Planning in response to a statement sought by Hon. Joshua Muriithi Muigai on the status of alleged grabbed land on Nyakio Ward.</p> <p><b>Motion and Bills</b></p> <p><b>Motions.</b></p> <p>1. Motion to alter the adjournment date as provided in the Sessional Legislative Calendar.</p>	<p>Hon. Sylvester Kagiri Mwangi (Chairperson Public Investment and Accounts Committee)</p> <p>Hon. Sylvester Kagiri Mwangi (Chairperson Public Investment and Accounts Committee)</p> <p>Hon. John Githinji Mwaniki (Chairperson Lands Housing and Physical Planning)</p> <p>Hon. Kariuki Muchiri (Leader of the Majority Party)</p>

Thank you Mr Speaker.

**Speaker:** Very well.

Next order.

### ADJOURNMENT

Hon. Members, having exhausted the business for the sitting, this House will then adjourn to tomorrow Wednesday, the 14<sup>th</sup> day of June 2017 at 9.00 am.

*(The House rose at 3.03 pm)*