

REPUBLIC OF KENYA

NYANDARUA COUNTY ASSEMBLY

1ST ASSEMBLY- 5TH SESSION

OFFICIAL REPORT

Tuesday, 23rd May, 2017

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

[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, quorum having not been recognized, I now invoke the provisions of Standing Order 34 and direct that the quorum bell be rung for an initial ten minutes or until such a time within the ten minutes that the quorum will have been achieved

(The quorum bell is rung for one minute and the quorum is achieved as confirmed by the clerk-at-the-table)

Hon. Members, quorum having been recognized we will proceed with the business for the sittings

First order.

COMMUNICATION(S) FROM THE CHAIR

1. WELCOMING MUNYEKI PRIMARY SCHOOL

Hon. Members, I wish to notify you that today, the 23rd day of March 2017, we have the honour to welcome teachers and pupils of Class seven and eight from Munyeki Primary School in Ol'kalou Sub County of our County, Nyandarua. For your information, that school is my *alma mater*, implying that is where I went to school. There are a total of fifty (50) students and two teachers who are leading the delegation namely;

1. Mr. Hezron Kimani and;
2. Mr. Benson Githui.

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In the delegation, we also have the leadership of the students led by;

1. Kelvin Kinyanjui Wamwara,
2. Hannah Wanjiru Mwita; and
3. Brian Kamau Mwangi.

As an assembly, we have a standing tradition of warmly welcoming our visitors, more so students as we deliberate on important matters touching on the County.

I therefore ask you Hon. Members to join me in applauding the teachers and students of Munyeki primary school as aforesaid.

(Applause)

Finally, I wish to thank the Member of the County Assembly (MCA) for the area (Karau ward), namely Hon. Sammy Douglas Kamau for ensuring the school is accommodated appropriately at the Assembly during our today's plenary.

Thank you.

2. NOMINATIONS OF CEC MEMBERS FOR VETTING

Hon. Members, this is to notify you that by a letter dated 16/05/2017, His Excellency the Governor, Daniel Waithaka Mwangi has in line with Section 30 of the County Governments Act, 2012 nominated the following persons to the County Executive Committee;

1. Mr. Amon Kimani Kinyanjui – CECM, Finance and Economic Planning,
2. Mrs. Loise Nyambura Kabachia – CECM, Cooperatives, Trade and Enterprise Development,
3. Mr. Martin Igecha Kamami – CECM, Water, Environment and Natural Resources.

Hon. Members, the appointment of the Executive Committee and any Member to that Committee is governed under Article 179 of the Constitution of Kenya, Section 30 and 35 of the County Governments Act, 2012. These constitutional and statutory provisions require for the approval of a nominee by the County Assembly.

Standing Order No. 45 (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 committed to the relevant Sectoral Committee of the Assembly for consideration.

2) Despite Paragraph (1), appointments under Article 179 (2) (b) Of the Constitution shall stand Committed to the House Business Committee.

In light of the above, I wish to hereby commit the aforementioned names to the House Business Committee to conduct the approval hearing of the nominees.

The Committee will carry out the approval proceedings otherwise known as vetting and shall be expected to thoroughly scrutinize the process to ensure that there was total adherence and fidelity to the law in reaching at the nominations as well as the suitability of the said nominees.

The Committee shall conduct hearing on the proposed appointments and shall table its report within twenty-one days from the date of receipt of the nominations as aforesaid.

3. NOMINATIONS OF CHIEF OFFICERS FOR VETTING

Hon. Members, this is to notify you that by a letter dated 16th May 2017, and received in my office on the 17 /05/2017, His Excellency the Governor, Daniel Waithaka Mwangi has in accordance with with Section 45 (1) (b) of the County Governments Act, 2012 nominated the following persons as Chief officers;

1. Mr. Daniel Kamau Muguko – Chief officer Department of Finance and Economic Planning,
2. Mr. Stephen Kinyanjui Mungai – Chief officer Department of Youth Affairs, Sports, Tourism and Wildlife.

Hon. Members, Section, 45 of the County Government Act, 2012 requires for the approval of a nominee to the position of Chief Officer by the County Assembly. Further Standing order no 45 (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 committed to the relevant Sectoral Committee of the Assembly for consideration.

In light of the above, I wish to hereby commit the aforementioned names to the following House Committees;

1. Mr. Daniel Kamau Muguko – Chief officer Department of Finance and Economic Planning to be committed to the committee on Finance and Economic Planning.

Hon. Members, I am aware that some of you thought that the same should have gone to the Committee on Budget and Appropriations but you should note the Committee on Budget is a select committee and not a sectoral committee and therefore the most closely related sectoral committee is the Committee on Finance and Economic Planning.

2. Mr. Stephen Kinyanjui Mungai – Chief Officer Department of Youth Affairs, Sports, Tourism and Wildlife will be vetted by the Youth Affairs, Sports, Tourism and Wildlife Committee.

The Committees are expected to carry out the approval hearings and shall be expected to thoroughly scrutinize the process to ensure that there is total adherence and fidelity to the law in reaching at the nominations as well as the suitability of the said nominees.

The Committees shall conduct hearings on the proposed appointments and table their reports in the Assembly within twenty-one days from the date of receipt of the nominations. That is all Hon. Members that appertains to the communications from the chair.

Next order.

PAPER(S) LAID

1. PROGRESS REPORT ON THE AMENDMENT OF THE NYANDARUA COUNTY ALCOHOLIC DRINKS CONTROL ACT

Yes, the Vice Chairperson of the Committee on Education, Labour, Culture and Social Services, and County Member from Kipipiri, Hon. Nancy Ng'ang'a.

Hon. Nancy Ng'ang'a: Thank you Mr Speaker. I wish to read the progress report of the Committee on Education, Labour, Culture and Social Services, on the petition by the Nyandarua County Recreational and Entertainment Self-help Group...

Speaker: Before you proceed, you will need to table the progress report for record. So, you can do it from the dispatch box.

Hon. Nancy Ng'ang'a: Thank you Mr Speaker, I wish to table the progress report of the Committee on Education, Labour, Culture and Social Services, on the petition by the Nyandarua County Recreational and Entertainment Self-help Group.

Speaker: Very well, you can now proceed to give highlights on the same.

Hon. Nancy Ng'ang'a: This petition was brought forth by petitioners who were concerned about some issues. They were not satisfied when the County came up with the alcohol law and felt that some issues needed to be addressed. On 16th March 2017, we sat with them as a committee, and listened to them. They were a group comprising of following:

- | | | |
|----|-----------------------|--|
| a) | Mr. James Mwaura | -Secretary Bar Owners Association |
| b) | Ms. Veronica Karamuki | -Treasurer Bar Owners Association |
| c) | Mr. Samuel Karanja | -Chairman OlKalou Sub-county Bar owners. |
| d) | Mr. John Wambugu | -Member Bar Owners Association |
| e) | Mr. Jackson Maina | -Chairperson OlJorOrok Sub County Bar Owners |
| f) | Mr. Josphat Ndegwa | -Organizing Secretary County Bar Owners |

Also in attendance were:

- | | | |
|----|-------------------|--|
| a) | Mr. Joseph Mbugua | - Alcoholic Drinks Control Board Chairperson |
| b) | Mr. Joseph Mwangi | -Alcoholic Drinks Control Board Member |

From the lengthy deliberations of the meeting, it was agreed that:

- The issues raised were quite significant as some of the issues in the County Alcohol law appeared to be in contravention of the Nyandarua County Finance Act, 2017.
- A further consultative meeting be held between the Petitioners, the Committee on Education, Labour, Culture & Social Services, the Committee on Finance and Economic Planning and the Departments of Revenue and Finance and Economic Planning.

Due to the political party primaries and the various activities related to the County Budget Estimates FY 2017-18, the scheduled consultative meeting between the stakeholders, the above named departments from the executive arm of the County Government and the Joint Committee

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of Education, Labour, Culture and Social Services and that of Finance and Economic Planning did not take place. However, the Committee is still trying to set up the consultative meeting on a convenient date to all.

Mr Speaker Sir, it is also of paramount importance to bring to the attention of this Hon. House the following facts:

- That some of the Petitioners have subsequently after the meeting held on the 16th of March 2017, moved to the High Court at Nyahururu vide Judicial Review Case No. 12 of 2017 where the County Assembly is listed as one of the interested parties. In the above matter, Mr Josphat Muiru (one of the Petitioners) has sworn an affidavit on behalf of the ex-parte applicants in support of the Application dated 10th May 2017 and filled on the 11th of May 2017.
- That some of the Petitioners Mr John Wambugu Kinyua and Mr Josphat Muiru Ndegwa during their tenure as the OlJoro-orok Sub-County Chairperson and Nyandarua North Bar Owners Association Chairperson respectively had previously filed a consolidated Petition (OlJoro-orok Bar Owners & 5 others v Deputy County Commissioner, Nyandarua West Sub-County & Deputy County Commissioner & 5 others [2016]) before the High Court sitting in Naivasha which was dismissed for lack of merit.

In the said consolidated Petition, the County Government was listed as an interested party. Mr Speaker, there were some salient issues that were observed during the meeting that was held on 17th May 2017.

1. Conflict with the National law & the Constitution

The effect of S.33(2) of the County Alcoholic Drinks Control Act is to prohibit by criminal sanction the manufacture, sale, packaging, distribution and or possessions of alcoholic drinks not packaged in glass containers of more than 500ml within the boundaries of the County.

The conflict as emphasized by the Petitioners is in the fact that the county law provides for a standard of manufacture and packaging of alcoholic products within the County, which is different from the standard of manufacture and packaging, provided in the National Legislation.

The National law provides that alcoholic drinks may be manufactured and packaged in non-glass bottles of not less than 200 ml. e.g. Section 31 (2) of National Alcoholic Drinks Control Act provides that packaging material maybe metallic.

The Committee agreed with the Petitioner's assertions that there was need to review the County legislation on this particular issue.

2. Drinking before stipulated Hours is not Illegal

Mr Speaker Sir, the Nyandarua Alcoholic Drinks and Control Act, among other issues, states it is illegal to sell alcohol before 5.00 pm and after 11.00 pm on weekdays and before 2.00 pm and after 11.00 pm on weekends.

Upon consideration of the issue, it was observed that the offense that exists is that of selling alcohol before hours, and not drinking before the said stipulated hours. The Courts have since invalidated the said count.

3. Composition of the Sub-County Alcoholic Drinks Regulation Committee

The Sub – County Alcoholic Drinks Regulation Committee excludes the inclusion of stakeholders. There is a varied opinion on the inclusion of stakeholders in these Committees bearing in mind the regulatory function expected of them, *vis a vis* the constitutional principles provided for in Article 10 and 27 of the Constitution.

On the same note, the Committee for instance took note of the contentions that in Section 13(1), (a) of the County Act, one of the grounds of refusal of license by the Sub – County Committee is, if it is considered that the area has already adequate facilities, a provision regarded by the Petitioners to be unreasonable and termed as contrary to the laws of demand and supply, free trade and a liberal economy. There is need to look into the contentions by the petitioners.

4. Whether the Nyandarua County legislation on Alcoholic Drinks Control is in the nature of “restraint in trade”

Mr Speaker Sir, the Committee did a scrutiny of the County legislation and observed that the drafting of the said county legislation cannot be used to prevent any person from trading in alcoholic drinks in Nyandarua, contrary to the sentiments of the petitioners, as long as there is compliance with the said legislation and the National legislation.

Indeed, a look at the purposes and objects for which the Nyandarua Alcoholic Drinks Control Act was enacted, it is agreeable with the overall national objective and expectations of the people in the fight against illicit and lethal alcoholic drinks and not geared towards “restraint of trade”.

Mr Speaker, Sir, as I conclude, from the foregoing and bearing in mind that the County Assembly is now listed as an interested party in Judicial Review Case No. 12 of 2017, filled in the High Court at Nyahururu and alive to the rule of *sub judice*, the Committee shall be seeking directions from your Office on the way forward.

I do not know whether the petitioners decided to go to court may be for the reason that it took the Committee took some time before we deliberated on the matter and decided that we are going to hold the second meeting with the stakeholders. I also think that they got an advice from others quarters because as a committee we had concluded that we had to have meetings with other departments such as that of Finance and Economic Planning which did not take place because of the party primaries. I think that could also have been the other reason. This I do not think we had exhausted all the avenues. The meeting we had with the petitioners was quite lengthy and by the time it ended, it was as though we had reached an agreement. We had agreed on some issues such as the need not to go to the court since we had ample time to engage all the stakeholders.

Therefore, Mr Speaker, I do not know why they decided to go to court – I think they were misadvised. I hope you are going to give us the right direction. Thank you.

Speaker: I think we shall be required to give a comprehensive direction on that issue for the reason that the rule of *sub judice* has come into play. Still, there are some findings by the Committee that might be erroneous because in terms of the Alcoholic Drinks Control Act, it is clearly indicated that where there is conflict, the local laws prevails. It is only concerning alcoholic drinks that the National Legislation does take precedence. Our law takes precedence over the *Mututho Law*. However, we are going to give clear and concise directions on the whole issue come Thursday and we shall also indicate what steps we will be taking to ensure that those orders that have been granted *ex parte* by the court. The implications are that we cannot collect revenue from

those people still trading on our soil so that we can have requisite interventions from the court. This is that at the very least, the *status quo* granted by the court to the business people who deal with alcohol before this order was issued. As the case may be, I think that is a comprehensive progress report and we shall give comprehensive directions as earlier stated on the forward by the Committee and by the County Government in fear of the case that is in the court now.

Next.

2. REPORT OF THE AUDITED REPORT OF THE OL'KALOU WATER AND SANITATION COMPANY FOR THE FY 2014/15

Yes, Member for Githioro and the Chairperson of the Public Accounts and Investment Committee, Hon. Silvester Kagiri.

Hon. Silvester Kagiri: Thank you Mr Speaker. I wish to on the table, the Report of the Public Accounts and Investment Committee on the Audited Report of the Ol'kalou Water and Sanitation Company for the FY 2014/15.

Thank you.

Speaker: The report is duly tabled and the House Business Committee shall give directions on how the same shall be processed.

Next.

NOTICE(S) OF MOTION

1. ADOPTION OF THE REPORT OF THE AUDITED REPORT OF THE OL'KALOU WATER AND SANITATION COMPANY FOR THE FY 2014/15

Yes, Member for Githioro and the Chairperson of the Public Accounts and Investment Committee, Hon. Silvester Kagiri.

Hon. Silvester Kagiri: Thank you Mr Speaker. I beg to give notice of the following motion:

That this House adopts the Report of the Public Accounts and Investment Committee on the Audited Report of the Ol'kalou Water and Sanitation Company for the FY 2014/15 as a report of this House and the recommendations therein as a resolution of this House.

Speaker: Very well, the House Business Committee shall give further directions on the issue.

Next order.

STATEMENT

1. NOTICE PAPER

What is it Member for Kipipiri and the Deputy Leader of Majority Party, Hon. Michael Njoroge Kirumba?

Hon. Michael Kirumba: Mr Speaker, I wish that you could give me a chance to do what the Leader of Majority Party ought to have done. This is under Standing Order No. 44 (2) a. With your discretion, I can proceed because it says that Leader of Majority ought to have done this on Thursday.

Speaker: I do not think I have any other options other than to be pleased by that request for the reason that you were supposed to do this on Thursday but the House was not sitting and I think this is the opportune time for you to do so.

You can proceed.

Hon. Michael Kirumba: Thank you. I now have the courage to proceed. As I had stated earlier on, the Leader of Majority Party should give notice of the business that is to come on the floor of the House in the coming week. As you have correctly cited, this House was engaged in a very serious business of the budget for the Financial Year 2017/18. Therefore, this didn't happen. Therefore, I take this opportune time to read the notice paper as following:

DATE	BUSINESS	MOVER
Tuesday 23 rd May 2017 2.30 p.m.	<p>Papers</p> <ol style="list-style-type: none"> 1. Progress Report of the Committee on Education, Labour and Social Services on the amendment to the Nyandarua County Alcoholic Drinks Control Act, 2014 2. The report of the Public Accounts and Investments Committee on the Audited Report of Ol'kalou Water and Sanitation Company for the FY 2014/2015 <p>Notices of Motion</p> <ol style="list-style-type: none"> 1. Notice of Motion on adoption of the report of the Public Accounts and Investments Committee on the Audited Report of Ol'kalou Water and Sanitation Company for the FY 2014/2015 <p>Motions and Bills</p>	<p>Hon. Josphat Kamau Njoroge (Chairperson, Committee on Education, Labour and Social Services)</p> <p>Hon. Sylvester Kagiri Mwangi (Chairperson, Public Accounts and Investments Committee)</p> <p>Hon. Sylvester Kagiri Mwangi (Chairperson, Public Accounts and Investments Committee)</p>
Wednesday 24 th May 2017 9.00 a.m.		
	<p>Papers</p> <ol style="list-style-type: none"> 1. Report of the Budget and Appropriations Committee on the County Government Annual Estimates for the Financial Year 2017/2018. 	<p>Hon. James Kiiru Gachomba, (Chairperson, Budget and Appropriations Committee)</p>

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DATE	BUSINESS	MOVER
	<p>Notices of Motion</p> <p>1. Notice of Motion of adoption of the Report of the Budget and Appropriations Committee on the County Government Budget Estimates for the Financial Year 2017/2018</p> <p>Motions and Bills</p> <p><u>Motion</u></p> <p>1. Motion on adoption of the report of the Public Accounts and Investments Committee on the Audited Report of Ol'kalou Water and Sanitation Company for the FY 2014/2015</p>	<p>Hon. James Kiiru Gachomba, (Chairperson, Budget and Appropriations Committee)</p> <p>Hon. Sylvester Kagiri Mwangi (Chairperson, Public Accounts and Investments Committee)</p>
<p>Wednesday 24th May 2017 2.30 p.m.</p>		
	<p>Papers</p> <p>1. The report of the Public Accounts and Investments Committee on the Audited Report of Nyandarua Water and Sanitation Company Limited for the year ended 30th June 2015</p> <p>2. The Progress Report of the Committee on ICT, Intergovernmental Relations and Communication on the Status of Revenue Automation in Nyandarua County</p> <p>Notices of Motion</p> <p>1. Notice of Motion of adoption of the report of the Public Accounts and Investments Committee on the Audited Report of Nyandarua Water and Sanitation Company Limited for the year ended 30th June 2015</p> <p>Motions and Bills</p>	<p>Hon. Sylvester Kagiri Mwangi (Chairperson, Public Accounts and Investments Committee)</p> <p>Hon. John Kieru Wambui (Chairperson, Committee on ICT, Intergovernmental Relations and Communication)</p> <p>Hon. Sylvester Kagiri Mwangi (Chairperson, Public Accounts and Investments Committee)</p>

DATE	BUSINESS	MOVER
Thursday 25 th May 2017 2.30 p.m.	<p>Papers</p> <p>Notices of Motion</p> <p>Statements</p> <ol style="list-style-type: none"> 1. Statement under Standing Order 44 (2) (a) 2. Report by the Chairperson, Land Housing and Physical Planning Committee on the Statement sought by Hon. Joshua Muriithi Muigai in reference to alleged grabbed land parcels in Nyakio Ward 3. Report by the Chairperson, Water, Irrigation, Environment, Energy and Natural Resources Committee on the Statement sought by Hon. Samuel Kimani Njiraini on the Status of Mahinga dumpsite <p>Motions and Bills</p> <p><u>Motion</u></p> <ol style="list-style-type: none"> 1. Motion of adoption of the Report of the Budget and Appropriations Committee on the County Government Budget Estimates for the Financial Year 2017/2018 <p><u>COMMITTEE OF SUPPLY</u></p> <ol style="list-style-type: none"> 1. The Nyandarua County Government Budget Estimates for the Financial Year 2017/2018 	<p>Hon. Kariuki Muchiri (Leader of the Majority Party)</p> <p>Hon. John Githinji Mwaniki (Chairperson, Land Housing and Physical Planning Committee)</p> <p>Hon. Paul Kiruka Mburu (Chairperson, Water, Irrigation, Environment, Energy and Natural Resources Committee)</p> <p>Hon. James Kiiru Gachomba, (Chairperson, Budget and Appropriations Committee)</p> <p>Hon. James Kiiru Gachomba, (Chairperson, Budget and Appropriations Committee)</p>

This statement is laid on the table of the House pursuant to Standing Order 44 (2) (a). Thank you Mr Speaker. That is it.

Speaker: Very well, Deputy Leader of the Majority Party, on the statement by the Chairperson of the Committee on Lands, Housing and Physical Planning, I noted in the House Business Committee that we do not have the provision for tabling of the report. Although we had agreed that the statement may not necessarily have to come through the way of a motion, I think we can leave it at that. We know what informed the Clerk's Office not to put a provision for tabling and for the notice of motion.

Hon. Michael Kirumba: This was supposed to leave a window in the event they would have finished because by the time we were doing this one, the Committee had not contacted the Committee Clerk of the House Business Committee. We were making a provision in the event it will be ready at the time. Thank you.

Speaker: Very well.

(Hon. David Ndirangu Ngigi rises)

What is it Member for Mirangine?

Hon. David Ndirangu (Mirangine): Thank you Mr Speaker. On the matters of statements, I wish to revisit a statement I requested in this House about roads in my ward. I can see that the Chairperson seated next to me.

Mr Speaker, I would like to inform the House that nothing has happened. The issues I raised in the statement that I requested have never been addressed. I am now seeking your directions Mr Speaker. Thank you.

Speaker: I do not know what the Chairperson of the Committee on Roads, Public Works and Transport has to say. This is an issue I think the Member for Mirangine has raised I think for the fifth time. It has never been addressed and we are approaching the sunset of this Assembly. Would you be very kind to assure the Member for Mirangine as to when to expect the report in this House?

Hon. Kimani Gachuhi: Thank you Mr Speaker. If my memory serves me well, I think the member had raised this issue about three weeks or a month ago. I also believe that he understands the program of the Assembly. The schedule we were operating with was very tight and I therefore think that the member needs to be patient.

Speaker: Can you inform the House when to expect the report?

Hon. Kimani Gachuhi: The Committee has around five reports of which we had discussed with you. Therefore, it will depend on your office and the program of this Assembly as well as how often we are given an opportunity to go and do double reports. It will be ready before we adjourn the House.

Speaker: I know the member Githabai, Hon. Peter Njoroge Kairu wants to raise the issue of the road cutting through Nyakio, Magumu and Githabai. He has been asking about that report. I also think the Chairperson, even without reference to my office because this is an issue I have raised in the House Business Committee, we might not be in a position to go out any longer. So, working from our committee rooms here, when will be able to deliver the report for Mirangine?

Hon. Kimani Gachuhi: Today being a Tuesday, we expect all the reports to be ready by Tuesday next week.

Speaker: Okay, very well. I think that the Member for Mirangine will be satisfied with that. It is very commendable.

Hon. David Ndirangu (Mirangine): Thank you Mr Speaker. I am satisfied but the Chairperson should be a little bit serious.

Speaker: The chair can never be more serious than that especially when he promises five reports in seven days. I think he will be overworking himself. Do you want to comment on something member for Githabai?

Hon. Peter Kairu: Yes Mr Speaker. The reason is that this is an issue of Karate-Nyakio-Githabai-Joma Road. The budget for this road was allocated in the financial year 2015/2016. Since then, nothing has been done. The person who was given the contract always keeps promising that he will start the work. I would like to ask the Chairperson of the Committee on Roads to look into this matter because the residents believe that the money has already been embezzled by the Governor. This matter be addressed as soon as possible probably in a week or two so that the committee can give a report and tell us what is happening.

Thank you.

Speaker: Is it one of the five reports you mentioned?

Hon. Kimani Gachuhi: Mr Speaker, the issue that the Hon. Member has raised ought to be handled by the Committee on implementation and not my committee because the issue is in the implementation.

Speaker: Actually, the overall audit responsibility is on the Committee of Roads, Public Works and Transport. However, what I would like to understand is whether the statement was formally brought into the House on the road if the matter has been referred to the Committee on Roads. If it was referred to that committee, we expect a report. If the matter was referred to the Committee on Implementation, then we would expect a report from that committee. However, the primary information we require is whether there has been a formal statement on that road brought to this House. Yes, Member for Githabai.

Hon. Peter Kairu: Thank you Mr Speaker. I did a statement before we adjourned for recess and it was directed that the committee should come up with a report within 14 days and by the time we went for recess, the 14 days had elapsed and yet no report had been brought. Actually, the matter was referred to the Committee on Roads, Public Works and Transport. Thank you.

Speaker: Therefore, the matter was referred to your Committee Chairperson, and I think that it was the Vice Chair of the Committee who was in the House. Therefore, if you need to make a site visit if you have not done so already, you do so. We are kindly requesting that as you bring the other five reports, you also bring this one. This is a road whereby 10 kilometres were supposed to be done and we understand that only 2 kilometres were done. Culverts were also supposed to be installed but that did not happen in addition to many other works that were supposed to have been done. It is therefore a very critical issue and please consider to all what it takes within your power and that of the committee because this matter was referred to your committee so that we can have a report on Tuesday alongside the rest. That is, by next week. I think Member for Githabai you are satisfied by that directive.

(Hon. Kamau Ngotho rises)

Speaker: What is Member for Karau, Hon. Sammy Kamau Ngotho?

Hon. Kamau Ngotho: Thank you. I think there is something amiss maybe with the Office of the Clerk on the issue of trackers. This is because I also have a statement that I had requested from the Committee on Water on the issue of Ol'kalou Water Service Company and if we do not

have a tracker, some of these things might not have been dealt with by the time we adjourn. Thank you.

Speaker: On that issue of the Department of Water, I think the statement has come to this House twice. Was it ever read in the House? I think it was last week but one.

(Hon. Dorcas Kihara rises on a point of information)

What is it County Member from Githioro, Hon. Dorcas Nyambura Kihara?

Hon. Dorcas Kihara: On a point of information, I remember that I was the one who read the statement on behalf of Hon. Kamau Ngotho and the Vice Chairperson of the Committee promised that they would bring a report to this House after the recess. Thank you.

Speaker: I remember it was two weeks ago. We have a tracker for all statements and actually the program tracks all the motions, statements and bills. If you want any information on statements, you shall find it. Like now, the statement for Member for Mirangine is indicated as pending in the tracker. So, we have all information from the Office of the Clerk.

Yes Member for Charagita and the Chairperson Committee on Water, Environment, Energy and Natural Resources, Hon. Paul Kiruka Mburu.

Hon. Kiruka Mburu: Mr Speaker Sir, we are waiting for facilitation from the Office of the Clerk to go out and compile the report. We will do it the soonest possible. Thank you.

(Laughter)

Speaker: Hon. Members, I am going to get a report on my ability to send any committee out today. By close of business, I will get the report but in the meantime, I want the Chairpersons to address the House knowing that they will be working from the committee rooms here. That is the situation we are in. Chairpersons please make your commitments knowing that our committee rooms are free...

(Laughter)

In addition, you can work from morning to evening. Therefore, Chairperson, what date do we expect the report?

Hon. Kiruka Mburu: Thank you Mr. Speaker. I think I need at least 14 days to come up with a comprehensive report on the same.

Speaker: Chairman I think that we can have your report on 6th day of June at 2.30 pm.

Hon. Kiruka Mburu: Okay, there is no problem.

Speaker: I think that will be better, Member for Karau.

Yes, Member for Kipipiri and Deputy Leader of Majority, Hon. Michael Njoroge Kirumba.

Hon. Michael Kirumba: I wish you could give further directions on the window you have opened. We are on the homestretch implying that by the time the Assembly adjourns *sine die* we could have issues that will not have been addressed. Maybe some roads in various wards will not have been done. Therefore, it will be good practice to track these statements so that even if an MCA does not come back, he will be able to point out that a certain road was not made. You can remember back in 2013 that we encountered numerous problems.

Mr Speaker, we would wish that you allow the secretariat from your office to compile a list of roads that have not been done in every ward. This will help us say that we left this place

better than we found it. We shall these are the roads that were done and these are the other ones which are incomplete or were never done. In event that there was a person was paid and never worked on the roads our oversight role will be enhanced. Since we know that the computers can crash, we can use the list as our tracking option. This for the purpose of the second Assembly who will have somewhere to start and those of us who will be lucky to come back. I think this will be the right direction. Thank you Mr Speaker.

Speaker: Very well. What is it Member for Gatimu, Hon. John Kieru Wambui?

Hon. Kieru Wambui: Thank you Mr Speaker. I will agree with Hon. Kirumba that there is a problem with the Executive. Earlier on, they were lazy but now they are lazier.

(Laughter)

You will realize that very important things are not being done. I happened to visit the Governor's office sometime last week. I asked him some various questions. I asked him, since the budget provides money for an ECD called Kianjata and provides money for renovation of another ECD in ward which is at a Chief's camp, why has this not been implemented? He answered, 'I don't know'. He explained that he has been telling them to implement some of those things and they are not responding and therefore, he don't know what to do. It is therefore the responsibility of this Assembly because some of these people have become very bossy. In fact, the Chief Officer involved, Ms Charity Maina, has sworn that it will not be done. The CECM wants it done but the accounting cannot issue documents for the construction to go ahead. I don't know the reason because the budget is clear and it has allocated funds for this works.

In as much as Hon. Kirumba has highlighted some of those things, we need to know whether they have eaten that money or taken the money to other quarters. This is so that my people may not think I made promises for projects that will never kick off. We shall fight with that department even if is calling the media until the classrooms are done. Since you have opened up that window because you have seen it important, please give us directions.

Speaker: Yes County Member from Njabini/Kiburu, Hon. Rebecca Nyangati Weru.

Hon. Rebecca Nyangati: Thank you Mr Speaker. I wish to support the sentiments of Hon. Kieru because the issue of employing and paying ECD teachers has never been resolved. We hear that a letter was sent from the Executive and the Committee on Education is supposed to be working on that because as you know, there is a budgetary provision for the ECD teachers to be paid. Therefore, as a committee we require the letter for the committee to start working on it. Thank you.

Speaker: Very well. Yes the Member for Gathaara, Hon. Daniel Kibebo Ruara.

Hon. Daniel Kibebo: Thank you Mr Speaker, sir. I am also of the same view with Hon. Kirumba. By 28th day of this month, the campaigns will have started in earnest as per the program. Since all of us would wish to come back, we will also go for the campaigns. I also have experienced this problem raised by various Hon. Members. Some money had been allocated for flagship projects for example in Engineer Hospital had been allocated Kshs.39 million. Since the allocation nothing has been done and remember that our term is coming to an end. I don't know what is happening because the money was factored in the budget. We have a problem. Also, some ECD classes are incomplete. Whose responsibility will it be? I think some of these questions will be raised and some members will have to carry the burden which is not theirs. Thank you Mr Speaker.

Speaker: Yes, Member for Gathanji Hon. Samuel Mwangi Thuita.

Hon. Samuel Thuita: Thank you Mr Speaker. I wish to echo the sentiments of the members. If we go through the budget of the financial year 2016/2017 and analyse the projects and relevant for implementation, you shall realize that over 30 percent of the projects have not been implemented. If you go to the department of Roads, there are some roads in Gathanji ward whose LSOs have not been provided in addition to other departments. In the department of water, there are some projects which have not been awarded to the contractors.

As the members are complaining, you can see the problems that we had in the financial year 2013/2014. You can see that the County Government inherited a system which had so many things that were brought forward. I remember that some members were complaining that the County Councils had allocated their wards some projects and up to now those projects are yet to be implemented. We are heading to the same situation whereby money was allocated but nothing was implemented. Therefore, it is upon your office to give us guidelines on where and how we will ensure that these are projects are completed.

Some of these projects cost some members during the party primaries. Two months to the end of the financial year, they remain untouched. Mr Speaker, we need your guidelines on this issue. Thank you.

Speaker: Hon. Kairu, do you want to speak on the same issue? Although this is not a motion but an issue on implementation, I would prefer that members will get only one chance but because I have given the direction, you will benefit from that. Proceed Member for Githabai Hon. Peter Njoroge Kairu.

Hon. Peter Kairu: Thank you Mr Speaker sir. I believe this as a calculated move because if at all a CEC Member has the budget and cannot implement it. It's something they want. They want the members to leave the House during the *sine die* period so that they can enjoy that amount of money because there will be nobody who will be over sighting them.

Mr Speaker something serious needs to be done particularly in the department of roads because somebody somewhere is hiding. When you go to the office, you don't find them. And on top of these, the *wanjiku* in Githabai cannot see any tangible work. Where is this money going to? In fact, when they do a project, they do it hurriedly and in a shoddy way. This is no doubt a calculated move. If possible Mr Speaker, they should come here and inform us on what they intend to do for the incomplete projects.

Mr Speaker, this is a cartel and something needs to be done urgently. EACC should come here because the money of the people of Nyandarua is going to the pockets of a few greedy individuals. Thank you Mr Speaker.

Speaker: Yes Member for Shamata Hon. John Kinyanjui Gachari.

Hon. Kinyanjui Gachari: Thank you Mr Speaker. There is a problem in my area too i.e. Youth Polytechnic in Ol'bolosat. It was allocated Ksh.1 million and it was further added another one million but up to this time it is half way done. I do not know how we are going to handle this because we shall leave 'ghost projects' which shall be a shame to us when we go to visit these places.

The C.O for Education needs to come out clear and explain why she is not implementing the projects. It is a shame to the government, which has all facilities and able people to implement, yet she has failed to do her work. May your office intervene even if it will be through writing on what we have commented about this in this House. Thank you very much Mr Speaker sir.

Speaker: Member for Njabini/Kiburu Hon James Kiiru Gachomba

Hon. Kiiru Gachomba: Thank you Mr Speaker for this opportunity. I also wish to air my sentiments. All Hon. Members have already said about the implementation of projects in the whole

county. You are aware that budgets are made so that people can benefit through them. This Assembly has the mandate of making the budget. So after the budget has been appropriated to every department within the law, they are supposed to go immediately to the *Wanjiku* so that they benefit.

You are aware that there are projects for financial year 2015/16 that have not been done; for instance those in Wanjohi Ward. Particularly, Bladder Bridge was allocated Kshs.6 million that has even cost Mumba to lose the nomination. Therefore, it has affected a member of this Assembly.

This is the high time although we are closing you give us the way forward on what to do as an assembly so that those budgets that were made and not appropriated in order for our people to benefit for we are not in the eras of the kickbacks. Because it is very saddening for a certain Chief Officer not to pick phones. The ECDs, floodlights and other projects have not taken off. We have a cartel that wants kickbacks. It is upon your office and the office of the Clerk to see to it that those projects take off. Thank you Mr Speaker.

Speaker: Member for Weru Hon Samuel Kimani Gachuhi

Hon Kimani Gachuhi: I have risen only for record for sometimes we blame the executive members instead of ourselves. This is because from the word go we don't work in unity i.e. working within the laws and powers that we have been given to control them.

The reasons why these people 'have grown horns' is because they know that this House is divided. We go there on ourselves...

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

Speaker: Okay let us hear what he is out of order about. Whether it is debate not on a motion or a bill but the laws and regulations and rules of the house must be observed. Let us know how member for Weru out of order Member for Njabini/Kiburu

Hon. James Gachomba: Mr Speaker, although I was not rising on a point of order, we may call it point of information. This House makes the budget and everyone in this government knows what is expected of them. We should not compromise. If we have done a report and a budget and we burn our midnight oil to ensure that happens, then the same have people to implement. How can a Member therefore say that we are to blame and that we are doing our work? Thank Mr Speaker.

Speaker: Member for Weru, I believe that that information was helpful.

Hon. Kimani Gachuhi: Mr Speaker, I would like to inform the Member through you that even if it is your duty, it has been a repetition of things that we could have corrected in the first or second year as a parliament. Therefore, it is something that needs to be on record

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

Speaker: What is it Member for Gatimu?

Hon. Kieru Wambui: Mr Speaker, let the Member not justify the executive because this Assembly has done what it is supposed to do. I remember that when we found that someone had 'grown the horns' he is talking about we sanctioned the then CECM for Finance and Economic Planning, Mr Nelson Ngaruiya. We did what we were supposed to do. You cannot therefore accuse this House for not expediting its mandate. We have done what we are supposed to. We have passed the budget and we have provided the vote heads in the budget and hence it is the responsibility of

the executive to identify what has been passed by the House and implement. If chasing the Governor and his CECMs is the solution that would be the best, then, you need to look at the counties that have tried to take that action. At this point in time, we cannot be told that we have not done what we are supposed to do. Impeaching the CECMs is not the solution. However, we did what we are supposed to do. Thank you.

Speaker: Proceed, Member for Weru.

Hon. Kimani Gachuhi: I would wish members to be patient with me because am not justifying the issues of the executive. Actually, I have been recorded in this house recommending even you to be the next governor. I have praised the staffs of the county assembly to be the best in terms of performance and executing their duties. I have been recorded saying that if it were not for this house, nothing would have been implemented. Am not contradicting myself but am saying if we would have worked as one united organ politically, we do not have to push or fire these people. So by this I want to send the signal to the next parliament to work in unity and as one organ because I will be there as an independent candidate.

(Laughter)

There are so many issues like OIjoro-orok Bus Park; that's why I said I will stand just to be in record that it was awarded to Nyonjoro construction limited and nothing was done. I want to know whether that project was paid. There were 25 floodlights in my ward but only like four are lighting and others, around sixteen, are not working. The other issue, in this financial year, I had budgeted for a generator to a tune of about half a million for Weru dispensary but unfortunately it was taken to Weru in Engineer so a reversal needs to be done because these things need to be deliberated within the parliament. Therefore, I may say the implementation of the vote head of water in Weru ward was also heading to Engineer only that I intervened and the same project was taken back to Weru ward.

With that, this parliament needs to do something and for the next three weeks to save Nyandarua. We need to have a way of having a smooth transition so that if there is any evil deeds that have been done within this government should be sued by the next government. We need to handover to Hon. Kagiri's Public Accounts and Investments Committee to investigate these people for they need to be summoned to come and account for all evil deeds they did in the first government. They should not be let free because these are public funds and each and every person including the governor needs to account.

(Hon. Kihika Kimani rises on a point of information)

Speaker: Yes Member for Kanjuri Hon. Kihika Kimani

Hon. Kihika Kimani: Thank you Mr Speaker; I want to inform Hon. Member for Weru that I being the vice chair for PIC/PAC, we have brought so many reports in this house recommending what to be done and the bodies which we request for reaction don't react on them. Thank you.

Speaker: Okay Member for Weru, please conclude.

Hon. Kimani Gachuhi: As I conclude, that is another issue, which keeps going around. I was saying that this parliament has own powers, it has done resolutions and nobody is implementing them because they see us as cartoons. They see just as people who just do puppets and they think that they cannot be taken anywhere. Moreover, I like the way Hon. Kieru did to Mr Ngaruiya; bring the motion and fire him. At least it brought harmony and implementation but just the way us as Africans forget very easily, they forgot the law. For example, the way now the IEBEC is bringing

many laws e.g. there is no campaign but in the next two weeks they forget there is law and everything goes back to normal. So we need to start from ourselves to see that something is done.

Look at nominations; who were the leaders elected according to their performance in central province starting with Nyandarua? People were swept just because of jealousy and not because of their performance like *harambees* they attended. I like the law that bars people from attending *harambees*. Let these issues be personal that is if I want to help, I do it for God to bless me but not because of politics. People are using this process to pretend and that is why we should show our children the way to go and stand with what we believe in and deliver central. People should be elected because of performance and not due to other issues. Therefore, Mr Speaker something needs to be done. Thank you.

(Hon. Michael Kirumba rises on a point of information)

Speaker: He is already through. Member for Githioro Hon. Silvester Kagiri Mwangi

Hon. Silvester Kagiri: Thank you Mr Speaker, I felt as the chairperson of the PIC/PAC I need to say something. First, I do not want to contradict my vice chair on what he commented but I know some of the constitutional bodies we recommend calls me later or bring back some of the document in the clerks' office for re-signing so I know they do something.

Being a leader to this committee of nine members, on the issue of roads without blaming the chairperson, there is more than meets the eye. We are talking of the money that comes to the wards. What of that labelled fuel levy? There is a rumour though we do not go with rumours that some of these roads have been done with General Road Works. Fuel levies have been paid even before they are done on the ground. Sometimes back, we wanted to know, what an amount of a hundred million was used for. It was general road works. The report is still on our desk and if you have it, you will be shocked. Some of the roads alleged to have been done were done way back in 2013 but it say, some Kshs.6.8 million was put there. It is very unfortunate that we did not conclude that report. However, I believe that some of these spirits will come to haunt some of these people in the office.

I think though we have three weeks to go to adjourn this House *sine die*, not all is lost. Let us recommend something since we thought the delay to do this work on the ground was a deliberate move so that when the members go out there looking for votes, according to them, they will not come back and the office will embezzle the money. So with our authority we need to invite the EACC. It is a man for himself and God for us all. If we do not do this, our children will blame us for we are their forefathers in Nyandarua yet we let it. There is a lot of money there. We have the fuel levies, the general road works and with the money awarded to the wards. We can do something and I know it's possible with the three weeks remaining if they request for that report. We know they delay but can we give them a timeline? What are they doing with the money? If we feel that we are not satisfied then we can recommend to the EACC to take up the matter since I know a lot has been happening in this county. Thank you Mr Speaker.

Speaker: Yes County Member for Leshau Pondo Hon. Margret Wamuyu Wambugu

Hon. Margret Wamuyu: Thank you Mr Speaker. I am surprised to hear that some members are saying that the executive has not done anything since they have passed everything in this assembly. We need to blame ourselves because, like yesterday, we were in the committee on Budget and Appropriations. The chairperson was asking the committee clerk whether there is any law for that one percent we were talking about yet there is a day he was so violent to an extent of quarrelling us that we have to go away with the funds. Therefore, you wonder whether the same person is asking about one percent. You have our answer there.

Dear members you said that you have powers to fight with CECMs and the governor but the time is over. It is not possible to fight when you are running as independent candidate.

(Laughter)

I am a catholic and nobody can give me a holy communion with a 'kirembe' on his head...

(Laughter)

(Hon. Kamau Ngotho rises on a point of order)

Speaker: What is it Member for Karau, Hon. Douglas Kamau Ngotho?

Hon. Kamau Ngotho: Thank you Mr Speaker sir, I would wish the Hon. Member to elaborate what she means for the term she has used is not in the dictionary please. We need to know what a *kirembe* is. I believe it is not an English word.

Speaker: Okay, Hon. Member you have used a strange language in the house so kindly correct yourself.

Hon. Margret Wamuyu: Am sorry my teacher told me the term I have used is very correct. So with all due respect, I tend to think that we are stressing ourselves members because for example yesterday we were with the CEC Member for roads. We have been asking questions about things like pending bills in the committee. I just request that we be given the list of those contractors with pending bills. The committee members, if you recall well, we were told it is impossible at this juncture yet you are claiming we have a strong assembly.

My fellow Hon. Members we need to pray to God for we have been here being very friendly with our speaker and so for those who will be back, learn the lesson that "Unity is Power". The big mistake we have been doing is something we call 'I and myself'. This is because when we deliberate on something some members run to the CECMs to backbite others. I think the time for fighting is over now even if they say that the last minute can save a man. So let us see an improvement for we have failed as Hon. Kimani is trying to say though some are seeing as if we have done our best as Hon. Kieru said. We need to take the blame because we had enough time to summon those people and exercise our power instead of blaming others. Thank you.

Speaker: Very well. Yes County Member from Kipipiri, Hon. Nancy Wambui Ng'ang'a

Hon. Nancy Ng'ang'a: Thank you Mr Speaker sir. I am also concerned as the vice chair of the Committee on Education because according to Hon. Macharia, the CEC Member for Education, when the question rose on the employment of the ECD teachers he said that there is a letter that was sent from his office which was supposed to be handled by this committee. The letter has never reached the committee to the contrary. So I wonder if there has been some laxity if it's true that the letter was sent, I wish to know if there has been laxity from the office of the clerk. Thus, I suspect foul play. As a committee vice chair, am really concerned because this is an issue that has disturbed this committee for quite some time. There is a time we had summoned the director who also said he fears to talk about the employment issue.

If the CEC Member sent that letter, and is a concerned person, was supposed to make a follow up to check because it is the work of his department to know teachers who were to be employed. We only have three weeks before we leave. There is a time we had asked about the money that was supposed to be paid to those teachers. We tried to follow up and we were assured that the

money was there and intact. I thus beg as a committee to demand for a statement from your office to know whether it is still there because when we leave it will be said that it was the committee that was reluctant. The money will be embezzled because nobody will follow up. Therefore, I am asking your office to demand to know the status of the money. Thank you.

Speaker: I believe you will be the last one. Yes Member for Wanjohi Hon Joseph Mumba Gichini.

Hon. Mumba Gichini: Thank you Mr Speaker, Sir. I just want to echo what my colleagues have said. We heard from Hon. Gachomba that even the bridge, which was allocated money on the year 2015/2016, has not been done. Up to date, they are saying that they are still doing evaluation, which I do not know how long it takes to complete. So it is very serious. In Wanjohi, you can see from last financial budget that there are various undone roads, which are there, yet they were allocated money but nothing has been done. When asked what is happening; they say that they have awarded to various contractors. When you ask for contacts, they usually say, "We shall give you". To be sincere, nothing has been done in Wanjohi. That's why we are requesting that this matter be taken seriously. Thank you.

Speaker: From what has transpired I think I will make brief remarks on them. First of all, is to say that this House is supposed to be working until 7th of August 2017. I have commissioned our legal departments to tell us what will happen because we have never had such a tradition in this country this is a new constitutional dispensation where parliament is on job until the next election so the House will not have been dissolved. We shall just have gone *sine die* so that we know whether we shall be calling the assembly when need be until that date. In Kenya, parliament has always been dissolved three months before elections until the new constitution. So, that is an area we are looking at so that even when June 15 comes, we still can be able to come together and discuss matters of county importance or any emerging issues because if there is hunger definitely we are supposed to convene. Furthermore, that is why parliament, in its own wisdom, and the people of Kenya found that the way there is no vacuum on the executive arm, there will be none on the legislative arm and also in the judiciary. It is only legislative arm, which was creating a vacuum, and it was sealed by the new constitutional order. So we want to get a comprehensive report from other traditions on what we should be doing between 15th of June and 7th of August. The bottom line is that we are on pay and so we are supposed to be doing something. So our oversight and representation obviously will be there and we need to know what we can do on legislation because we shall have adjourned *sine die*.

Secondly, it is good we do a transitional committee of this House, which will collect all the data, or even if we do not do it because I know the members are busy either campaigning for themselves or other people and therefore it might not work. However, on the transitional committee, the clerk will be mandated to form it with senior officer of the county assembly who can receive all information. If it is the Deputy Leader of Majority and Member for Kipipiri, you know the roads that were supposed to be done and the ones that have not been done, contracts that have not been awarded so that we can have those comprehensive list. Like the Senate did, we can sit as a Committee of the Whole House and invite the governor and that team to come here and explain to us why those contracts have not been implemented. If they fail to come, we shall send the same report to E.A.C.C, showing we have not been able to get information on these contracts for them to take up the matter. We are going to do these things because at the end of the day, I know what members are going through - being mistreated by the chief officers. A Chief Officer disappearing from the office for a month and you are supposed to be dealing with critical component of this government that is may be roads, water and agriculture yet you cannot get him at all. At the end of

the day, whether a Member in this House is running on a Jubilee, Independent, D.P or whichever party you belong to, this assembly until 7th of August and your mandate remains. That is why you are still earning a salary. Until a member will write to me that you have resigned, I will not be able to see anything else that is in the papers or elsewhere. So I will be waiting for those who will resign then we do not expect them to do much but for the rest of us we shall be receiving that thing.

For the education committee, I cannot understand what kind of a letter was being done by the executive. I know they sat with the executive and agreed even on the formula and how many teachers were to be employed and we provided a budget for 200 teachers so any other letter that might have been written is secondary and definitely, it was a digression from the real issues. Although I have told the clerk that I would like to see the letter, I believe that with whatever was done between the committee and the executive, they should have been able to employ these E.C.D teachers.

We know of other issues like the Bladder Bridge, money was allocated, nothing was done, and there is now a pending bill. A pending bill means that there must be somebody waiting to be paid that money but the bridge has not been done and no LSO has been issued but it is there as a pending bill. We do not know whether it has been paid. The same case applies to the Blanco - Yang'aa Bridge in Njabini and Nyakio. Money was allocated and it is now a pending bill but no contractor has even been awarded the contract even without a scratch on the ground. These are the kind of things we are dealing with.

Moreover, Hon. Members, somebody mentioned that we are the mothers and fathers of this county in terms of the constitutional dispensation and history will treat us very harshly if we don't stand firm. But I can assure you that those who think that because out term is coming to an end and therefore they will benefit from thievery, they will not. Actually, my technical team in the assembly are working on every issue you bring and we are going to prepare a very comprehensive transitional report, which will go to all the government agencies from the Auditor General to the EACC and to everybody. So, when you are stealing people's money, there is no way you will get away with it because there is an impunity, which has developed in this county that you can do anything? We are learning that those bridges that have not been done and nothing is being done about it but Kshs.130 million is requisitioned for development in this county and paid out in four days. Those are the kind of affairs that we are seeing. Such an amount of money being paid to people we don't know, yet implementation has not been done since the last two months but Kshs.130 million is released within four days to some people. Hon. Members, these are the issues we want to know from your wards, what projects have been implemented and not. This is so that we list them, have those people with the Governor come here and tell us exactly what they have done.

We do not have any apologies to make to anybody because we are discharging a constitutional duty and as I said; we are the members of the county assembly and representatives of Nyandarua County until 7th august 2017 midnight so anybody in the executive who thinks otherwise we are going to catch up with them at least before that time. We are going to be very firm. We are going to use the administration led by the Clerk, to ensure proper documenting of all our concerns even outside this assembly so that at the end of the day, the transitional report that we shall prepare here will be a reflection of the true reality obtained within our county. Because whether we do it or not, history is sitting and is watching and it does not forgive and that is why we want to be on the right side of history. For the projects that have not been implemented for the year 2016/2017 I have instructed the clerk to ensure that we have a list by the end of this week so that whether we are going to summon the governor, the constitution allow us for it allow us to summon anyone even the president. Therefore, the governor is just across the road and we can summon him with his team to

tell us why they have not implemented those particular programs. Actually, it will be expected from the clerk by Thursday.

We have the list of those programs in the budget of 2016/2017 including the ECD teachers, why it has not been implemented and then as a House, we take the expected steps. Otherwise, members, whatever happens tomorrow, let us do what we require to do today and by the closure of this term, I believe that history will treat us kindly.

Next order.

ADJOURNMENT

Having exhausted the business for the sitting, we shall now adjourn to tomorrow Wednesday 24th day of May 2017 at 9.00 a.m.

(The House rose at 4.10 pm)