

REPUBLIC OF KENYA
NYANDARUA COUNTY ASSEMBLY

2ND ASSEMBLY- 1ST SESSION

OFFICIAL REPORT

Tuesday 5th September, 2017

[Convened by notification vide Legal Notice No. 1 (Nyandarua County Legislative Supplement No. 1) of 2017]

*(The Assembly met at the Assembly Chambers, Ol'Kalou, at 2.30 pm,
it being the first sitting of the Assembly)*

*[The proceedings were opened with a prayer read by the
Clerk of the County Assembly (Hon. Nderi Ndiani)]*

QUORUM CALL AT THE COMMENCEMENT OF THE SITTING

(There is no quorum as confirmed by the clerk-at-the-table)

The Clerk of the Assembly: Quorum having not been recognized, I invoke the provisions of Standing Order No. 35 (2) and direct that the bell be rung for an initial ten minutes or until such time within the ten minutes that quorum will have been achieved.

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

Quorum having been achieved we can proceed with the business of the sitting.
First order.

COMMUNICATION FROM THE CLERK OF THE ASSEMBLY

Allow me at the very onset, on behalf of the entire County Assembly staff and on my own behalf, to congratulate you on your election as members of this august House and in a special way welcome those Hon. Members who are joining the County Assembly for the first time. I appreciate the fact that winning an election or being nominated to this House is not only draining but also requires unyielding determination to win the minds, the hearts, the souls and the psyche of the electorate. I congratulate you for having won that privilege and honour to serve the great people of Nyandarua.

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The burden and the responsibilities placed on your shoulders is not only humongous but may also seem at times indomitable. We offer our assurance as the administrative arm of this Assembly that we shall give you our unwavering support to ensure that you successfully discharge your constitutional mandate of representation, legislation and oversight. We should endeavour to pull together, confront boldly the challenges that face our people and take responsibility for our future and posterity.

Hon Members, as Barrack Hussein Obama the 45th president of the United States of America and the first black president of the United States once stated and I quote:

“Change will not come if we wait for some other person or some other time. We are the ones we have been waiting for. We are the change that we seek.”

It is my sincere hope that we shall endeavour to bring change that we all desire for the greater good of the great people of our beloved county.

Hon. Members, pursuant to Standing Order No. 4 (1) of the Nyandarua County Assembly Standing Orders, His Excellency the Governor of Nyandarua County, notified vide Legal Notice No 1 dated 4th September, 2017 and I wish to read the notice:

“Pursuant to Standing Order No. 4 (1) of the County Assembly of Nyandarua Standing Orders, it is notified for the information of the elected and nominated Members of the County Assembly and the general public that, I, Francis Thuita Kimemia, the Governor of Nyandarua County, appoint that the first Sitting of the Second County Assembly shall be held at the County Assembly Chambers, Ol Kalou – near Huduma Center, on Tuesday 5th September, 2017 at 9.00 a.m.”

Having read the said Notice, I now therefore table the Gazette Notice in the House.

(The Clerk of the Assembly tables the Gazette Notice)

Hon. Members, Standing Order No.4 (2) (b) requires that the Clerk of the County Assembly shall lay a list of names of persons elected as Members to the County Assembly on the Table of the House. Accordingly, and in compliance with the said Standing Orders, I wish to table on the floor of the House;

1. Gazette Notice No. 8239 dated 22nd August 2017 containing the names of the members elected to represent the 25 wards in Nyandarua County Members.
2. Gazette Notice No 8378 dated 25th August 2017 containing the corrigenda on the name of the validly elected member for Kiriita Ward, one Hon. Wagura Justus Gaita.
3. Gazette Notice No 8380 dated 28th August 2017 containing the list of nominated members representing political parties.

(The Clerk of the Assembly tables the Gazette Notices)

Next order!

ADMINISTRATION OF OATH

COMMUNICATION FROM THE CLERK OF THE ASSEMBLY ON THE PROCEDURE TO BE FOLLOWED IN ADMINISTRATION OF OATH OR AFFIRMATION OF OFFICE

The Clerk of the Assembly: Hon. Members, Standing Order No.4 (3) provides that the Clerk shall administer the Oath or Affirmation of Office provided for in the First Schedule to the County Governments Act No. 12 of 2017 to Members of the Assembly in alphabetical order using the following order of precedence-

- a. Members with the longest cumulative period of service in the Assembly;
- b. In alphabetical order, Members with the longest cumulative period of service in the Assembly and any local authority existing prior to the final announcement of all the results of Assembly as contemplated under section 2 of the Sixth Schedule to the Constitution;
- c. Members in the order of sequence of names as published in the gazette by the Independent Electoral and Boundaries Commission after an election.

Hon. Members, it is important to observe that Standing Order No. 4 (4) provides that pursuant to Article 74 of the Constitution, no person shall assume or perform any functions of a State Office before taking or subscribing to the oath or affirmation of office.

Standing Order No.4 (5) further provides that and I quote:

“When the Clerk is administering the Oath or Affirmation of Office to Members and before the Clerk has administered the Oath or Affirmation of Office to the Speaker, any question arising in the Assembly shall be determined by the Clerk who shall, during that period, exercise the powers of the Speaker”

Pursuant to Standing Order No. 4 (2) (c), I shall now proceed to administer the Oath or Affirmation of Office to all Members here present in the order of precedence that is set out in Standing Order No. 4 (3). In order to facilitate this process, the name of each Member shall be called out. The Member once called out shall proceed to the podium on my right and thereupon shall have the option to take the Oath or Affirmation of Office as they may choose and in accordance with their respective religious persuasion.

After taking the Oath or Affirmation of Office, the Member shall proceed to subscribe to the Oath or Affirmation of Office at the table on my left by signing the Oath Book.

In exercise of the powers conferred to me by the Standing Orders, I now direct that the names of the Honourable Members be called out in the order prescribed in the Standing Orders.

{The Oath of Allegiance was administered to the following Members of the County Assembly}

Hon. Gachomba James Kiiru	Njabini/Kiburu Ward
Hon. Kariuki Muchiri	Murungaru Ward
Hon. Kihika Suleiman Kimani	Kanjuri-Ridge Ward
Hon. King’ori Edinald Wambugu	North Kinangop Ward
Hon. Mwaniki John Githinji	Geta Ward

Hon. John Kieru Wambui	Gatimu Ward
Hon. Njatha Samuel Kinyanjui	Engineer Ward
Hon. Kariuki Andrew Kamau	Gathaara Ward
Hon. Kaiyani Samuel Rimui	Githabai Ward
Hon. Isaac Kung'u Wanjiru	Wanjohi Ward
Hon. Wambaire Paul Ngeche	Kipipiri Ward
Hon. Mahianyu Kenneth Mukira	Karau Ward
Hon. Wambui Gabriel Gathure	Kaimbaga Ward
Hon. Githinji John Mburu	Rurii Ward
Hon. Ngamau Sammy Ngumo	Gathanji Ward
Hon. Mburu Simon Mbogo	Weru Ward
Hon. Njane Catherine Wairimu	Charagita Ward
Hon. Gathungu Peter Kamau	Leshau Pondo Ward
Hon. Maitai David Mwangi	Ndaragwa Central Ward
Hon. Karanja Rueben Gitau	Shamata Ward
Hon. Wagura Justus Gaita	Kiriita Ward
Hon. Ileri Margaret Wanjiru	Nominated
Hon. Kariuki Geoffrey Ngaruiya	Nominated
Hon. Muhoho Esther Wanjiku	Nominated
Hon. Waithira Joseph Kariuki	Nominated
Hon. Kamau Salome Gathoni	Nominated
Hon. Wanjau Mary Njeri	Nominated
Hon. Githae Jecinta Wangari	Nominated
Hon. Ndungu Margaret Wanjiru	Nominated
Hon. Waweru Jane Nyambura	Nominated
Hon. Mwangi Esther Nyambura	Nominated
Hon. Waweru Mary Waithera	Nominated
Hon. Methu Lucy Wangari	Nominated
Hon. Njatha Samuel Kinyanjui	Engineer Ward
Hon. Njeru Zachary Mwangi	Nyakio Ward
Hon. Kassana Hussein Ndung'u	Magumu Ward
Hon. Mukuria Simon Sambigi	Kipipiri Ward
Hon. Wainaina Samuel Mathu	Mirangine Ward
Hon. Karanja Reuben Gitau	Shamata Ward

Thank you Hon. Members. We have gone through the tabled list of Members of the House and I can confirm that all Members present have subscribed to the Oath or Affirmation of Office. Allow me to congratulate you on your ascension to the office of the County Assembly in accordance with Article 74 of the Constitution.

Next order.

ELECTION OF THE SPEAKER

Hon. Members, Standing order number 5(1) provides that:

A Speaker shall be elected when the Assembly first meets after a General Election and before the assembly proceeds with the dispatch of any other business, except the administration of Oath or Affirmation of Office to Members present.

Members having taken the Oath or Affirmation of Office, we can now proceed to the election of the Speaker in accordance with Standing Order 6(1)

Upon the Governor notifying the place and date for the first sitting of a new Assembly pursuant to Standing Order 4 (Proceedings on a new Assembly), the Clerk shall by notice in the Gazette notify that fact and invite interested persons to submit their nomination papers for election to the office of Speaker.

Hon. Members, vide a Gazette Notice number 8750 dated 4th September, 2017 the Clerk of the Assembly declared vacancy in the Office of the Speaker inviting qualified persons interested in the position to submit their papers. Further, a newspaper advertisement on the Saturday Nation dated 26th August 2017 and Sunday Nation dated 27th August 2017, the Clerk invited persons to submit their nomination papers to the Office of the Speaker in anticipation of the vacancy that has arisen today. I hereby table the said Gazette notice and the newspaper advertisements.

(Gazette Notice and the newspaper advertisements are duly tabled)

Hon. Members, Standing Order 6(4) provides that:

The Clerk shall maintain a register in which shall be shown the date and time when each candidate's nomination papers were received and shall ascertain that every such candidate for election to the office of Speaker is qualified to be elected as such under Article 193 of the Constitution.

I hereby confirm that a register has been maintained in accordance with the requirements of this Standing Order. The following persons applied for the position of the Speaker of the County Assembly of Nyandarua.

No.	Name	I.D. Number	Time and Date of Collection of Nomination Papers	Time and Date of Submission of Papers
1	Mr Gatore Joseph Shadrack	9810821	28/08/2017 12.55 PM	1/09/2017 4.50 PM
2	Mr Joseph Muhia Kariuki	27521865	28/08/2017 2.23 PM	31/08/2017 3.28 PM
3	Mr Charles Gakuhi Chege	9811356	30/08/2017 1.16 PM	1/09/2017 4.00 PM
4	Eng. Mary Wambui Kinuthia	32131404	29/08/2017 5.20 PM	4/09/2017 6.50 PM
5	Eng. Venencio Mbataru Kariuki	0500261	29/08/2017 3.06 PM	30/08/2017 4.45 PM

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6	Mr Stephen Wachira Waiganjo	23423863	30/08/2017 5.00 PM	1/09/2017 3.20 PM
7	Hon. James Wahome Ndegwa	1079255	30/08/2017 5.00 PM	1/09/2017 4.00 PM
8	Mr Julius Kamau Muthanwa	9199377	1/09/2017 2.53 PM	1/09/2017 4.30 PM
9	Mr Eric Geoffrey Waweru Muthendu	Not Indicated	28/ 08/2017 1.50 PM	Not returned

Hon. Members, Standing Order 6(5) requires that:

Immediately upon the close of the nomination period provided for in paragraph (2), the Clerk shall-

- (a) Publicize and make available to all Members, a list showing all qualified candidates; and
- (b) Make available to all members copies of the curriculum vitae of the qualified candidates

Accordingly, my office communicated to all Hon. Members that a list of the qualified candidates and their curriculum vitae were available for their perusal. I also hereby confirm that a list of all qualified candidates was made available to all Members and further confirm that I made available to all Members copies of the candidates' curriculum vitae.

Hon. Members, for the position of the Speaker to the County Assembly, the following candidates were validly nominated as at the close of the nomination period.

No.	Candidate	I.D. Number
1	Mr Gatore Joseph Shadrack	9810821
2	Mr Joseph Muhia Kariuki	27521865
3	Mr Charles Gakuhi Chege	9811356
4	Eng. Venencio Mbataru Kariuki	0500261
5	Mr Stephen Wachira Waiganjo	23423863
6	Hon. James Wahome Ndegwa	1079255
8	Mr Julius Kamau Muthanwa	9199377

The following candidates did not meet the set-out threshold and therefore were disqualified the elective position of the Speaker, namely;

Mr Eric Geoffrey Waweru Muthendu, who collected the nomination papers but by the close of the period for submission, he had not submitted his documents. The second candidate is Eng. Mary Wangui Kinuthia who did not meet the requirements of Chapter six of the Constitution by failing to avail the Certificate of Good Conduct and the Curriculum vitae as provided for by the Standing Orders. Pursuant to Standing Order No. 9;

A candidate may, by written notice and personally delivered to the Clerk, withdraw his or her name two hours before a ballot is started , and in the event of such withdrawal, the Clerk

shall cross-out the name of that candidate off any ballot papers issued for that or any subsequent ballot.

Hon. Members, I wish to communicate that my office has received notices of withdrawal from two candidates; One from Stephen Wachira Waiganjo and I wish to table his notice.

He says: I hereby wish to officially withdraw my candidature as an aspirant of the position Speaker of the County Assembly of Nyandarua. Your consideration of my application shall be highly appreciated. I wish to confirm that we have considered the application and have accepted it. I wish to table the same.

The other person who has communicated his withdrawal is one Julius Kamau Muthanwa and I wish to read his withdrawal:

“Further to my application to be the Speaker of Nyandarua County Assembly dated 1st September 2017 I hereby, unconditionally, withdraw my candidature,” and he has signed the same.

I wish to communicate that we have accepted the withdrawal and I also wish to table the same.

Hon Members, in view of the two withdrawals, I wish to communicate that in accordance with order No.9, the clerk can then use his discretion to order that the names of the candidates be crossed out in any ballot paper that has already been prepared.

Hon. members, standing order No.7 provides that the election of the Speaker shall be by secret ballot, we shall now proceed to the ballot for the election of the Speaker.

Standing order No.7 (2) states:-

The Clerk shall, at the commencement of each ballot, cause the ballot box, empty and unlocked, to be displayed to the assembly and shall, in the presence of the Assembly, lock the box, which shall thereafter be kept in the full view of the Assembly until the conclusion of the ballot.

I now direct the Sergeant-at-Arms to display the ballot box, empty and unlocked, to the Assembly.

(The Sergeant- at -Arms displayed the ballot box, empty and unlocked)

The box having been displayed as empty, I now order that the Sergeant-at-Arms closes the box and seal the same.

(The Sergeant- at- Arms closed and sealed the ballot box)

(Consultations)

I also order the Sergeant at Arms to draw the bar and lock all doors for the exercise.

Hon. Members, Standing Order No.7 (3) requires that:-

The Clerk shall issue not more than one ballot paper to each Member who comes to the Table to obtain it and each Member who wishes to vote shall proceed to a booth or designated area provided by the Clerk for that purpose and located next to and within reasonable distance of the ballot box and shall, while there, mark the ballot paper by placing a mark in the space opposite the name of the candidate for whom the Member wishes to vote, fold the marked ballot paper before leaving the booth or area and shall remain folded until placed immediately in the box.

Hon. Members, The polling booths are on my right and left sides as displayed.

Pursuant to this Standing Order, I now direct that a ballot paper be issued to each Member who comes to the Table to obtain it. To facilitate this process, the name of each Member shall be called out, after which the Member shall come to the Clerk's Table and obtain a ballot paper. Each Member shall then proceed to either of the two polling booths which are clearly marked and while there, mark the ballot paper and fold it in accordance with the Standing Orders. The Member will then place the marked ballot paper in the ballot box. We are now ready and shall commence the voting process. I now therefore direct that the names of the members be called out in the order of precedence used to administer Oath or Affirmation of office.

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

The Clerk of the Assembly: Yes, Member for Geta.

Hon. Githinji Mwaniki: Thank you Mr Clerk as you have said it is a secret ballot and I wish you to give us guidance towards the CCTV cameras towards those booths they should be covered to contain the integrity of the House.

The Clerk of the Assembly: Thank you Member for Geta. I can confirm 100% that no camera is in view and that truly this is a secret ballot. I wish to confirm and I have been advised by the I.C.T Director that that is the position. Thank you.

(The ballot papers were issued to the MCAs and they proceeded to vote)

(The clerks-at-the-table opened the ballot box)

The Clerk of the Assembly: Hon. Members, from our records, every Member has collected a ballot paper and voted but so as not to take any chances I wish to avail a chance to a Member who has not voted to collect a ballot paper and vote.

(No Member rises)

Standing Order No. 7 (6) states that:

When it appears to the Clerk that all Members who are present and who wish to vote have placed their ballot papers in the ballot box, the Clerk shall unlock the box, examine the ballot papers and, having rejected those unmarked or spoilt, report the result of the ballot; and no Member who has not already recorded his or her vote shall be entitled to do so after the Clerk has unlocked the ballot box.

Pursuant to this standing order, it appears to me that every Member who is present and wished to vote has done so. If there is any Member, who would wishes to be an agent of any candidates, please proceed to the dispatch box.

(The following Members approached the dispatch box as agents: Hon. Kieru Wambui, Hon. Ken Mukira, Hon. James Gachomba, and Hon. Gabriel Gathure representing Mr. Chege Gakuhi, Mr. Gatore, Eng. Mbataru and Hon. James Ndegwa Wahome respectively)

There being no other agents, I now direct that the ballot box be opened and votes therein be verified, counted and tallied.

(The clerks-at-the-table proceeded to count the votes)

(The Clerk of the Assembly consults the agents concerning a vote)

In my opinion, the mark that has been put be the voter clearly identifies the candidate, one Hon. Ndegwa Wahome James.

I wish now to declare the results of the elections.

NAME

VOTES

Gatore Joseph Shadrack	-	0
Josphat Muhia Kariuki	-	0
Charles Gakuhi Chege	-	13
Venancio Mbaratu Kariuki	-	0
Hon. James Ndegwa Wahome	-	26
Spoilt vote(s)	-	0
Total votes cast	-	39

Hon. Members, Standing Order No. 8 (1) states that:

A person shall not be elected as Speaker unless supported in a ballot by the votes of two-thirds of all Members. Two-thirds of thirty-nine is twenty-six; therefore, having garnered 26 votes which satisfies the threshold of 2/3 of the membership and Pursuant to Standing Order No.8 (1), I now declare Hon. James Ndegwa Wahome duly elected as the Speaker of the County Assembly of Nyandarua.

I now direct the clerk-at-the-table to seal the ballots in the envelopes for safe custody. This is pursuant to Standing Order No. 11 that:

Immediately the results are declared, all the ballot papers used in the election of a Speaker shall be packed and sealed in the presence of the Assembly and kept in the custody of the Clerk for a period of six months and shall thereafter be destroyed.

(The ballot papers are sealed)

Hon. Members, we have now come to the close of that business. We can now move on to the next order.

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ADMINISTRATION OF OATH AND SWEARING IN OF THE SPEAKER

Hon. Members, having declared Hon. James Ndegwa Wahome as the Speaker-elect, I now direct that the person aforesaid be searched/ hunted/ sought and be brought to the House for the Swearing in and the administration of Oath. As is the tradition of parliaments, few Members should accompany the Speaker-elect to the administration of oath and swearing in.

(The Clerk accordingly directed the Sergeant-at-Arms to search for the said Hon. James Ndegwa Wahome and bring him to the Chamber)

(On arrival of Hon. James Ndegwa Wahome in the Chamber, he was escorted to the Chair by Hon. Sammy Ngumo Ngamau and Hon. Gabriel Gathure)

(On arrival at the Chair, the Clerk thereupon administered the Oath of Allegiance to the Speaker-elect, Hon. James Ndegwa Wahome)

(The Speaker, Hon. James Ndegwa Wahome, then took the Chair, and the Mace, which before lay under the Table, was placed upon the Table)

(Applause)

Speaker: Next order.

(Laughter)

(Applause)

COMMUNICATION FROM THE CHAIR

SUBMISSION OF THE SPEAKER TO THE WILL OF THE HOUSE

Hon. Members, let me have a breather; it has not been easy.

(Laughter)

I thank you Members of the second County Assembly of Nyandarua. I have no enough words to appreciate you. This is a humbling experience in my life. As a Speaker, I did my best but I was demonized. I have known that at your hearts you have that milk of human kindness that has delivered my victory today. I appreciate you for that.

I cannot see my wife. She had promised she would come. She abandoned me on the way! But she must be somewhere. I thank her. It has not been easy for her in the last two months, the time during which I was away from home and engaged on social media. Despite this, she was patient and more loving. I thank my three sons. The youngest who goes to school very early in the morning and rarely saw me during that time. The sons are Ndegwa 1, Ndegwa 2 and Ndegwa 3 and the young girl Gathoni. I thank my entire family for standing with me.

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I thank the Members of this Assembly. You should not worry for whom you cast your right; it was your democratic right, which I would defend to my death. You had a right to vote for my competitors. When you walk out, go with your heads high knowing that you did the right thing.

I thank the general community. Bishops came to pray for me in my office. Even Gikuyu elders did the same. Further, villagers have thanked me for what I have done. My gratitude to the people of Nyandarua is unconditional and invaluable; I will always appreciate you for the entire of my life.

I thank his Excellency the Governor because he is the leader of this County. I know many people would have views that Ndegwa Wahome is brazen. But Ndegwa Wahome builds bridges and not walls. Ndegwa Wahome goes to extreme lengths to ensure that there are bridges in this county. Even when there were walls in the Executive, for the great interest of this county. Ndegwa Wahome does not count enemies but friends; he converts enemies to friends. I always leave negative baggage to the devil to carry them. Expect to see impartiality at its best as well as equity at delivery of services to this Assembly, county and country. Nobody should fear; in any case you should find an umbrella in Ndegwa Wahome.

Hon. Members, today is probably the greatest day of my life. When I left my house this morning, I bid farewell to my family not certain that by the time I return, elected representatives of the people of Nyandarua will have bestowed a privileged capacity and new responsibilities on me.

Since they are not politicians like you, they promised to seek a higher intervention by way of prayers. To this end, I thank my family for their invaluable support on this journey.

I pray to the Almighty God to bestow strength on me so that I can live up to your expectations and fulfill your aspirations. In my opinion, victory is not meant to ridicule or belittle anyone but for the purpose of self-introspection.

Dear colleagues, I would like to pass sincere tribute to all the candidates who vied in this election. For purposes of record I would like to mention my worthy competitors: Mr Charles Gakuhi Chege and Mr. Gatore. When we were looking for votes I would find them already seated even in the weird hours of the night. All the time, I knew that they wanted to serve this county. I appreciate them and they remain my friends. Today I invited them to my office so that in case any one of them won, we could have just changed seats. The election was not a fight. I must confess that I have the highest regard for all of them. They were all worthy and valiant competitors.

Hon. Members, You are to be commended for the mature, peaceful and orderly manner in which you, once again, exercised your democratic franchise. The democratic credentials of our County Assembly have been further enhanced by your conduct.

I am, officially, the 2nd Speaker of this House in a line which runs back to nearly four and a half years ago. Nevertheless, I do contend that it is not the number of Speakers that matters or the date on which an institution can be said to have been founded that renders it worthy of respect, but the values that it embodies.

Allow me, Hon. Members, to convey my sincere congratulations to the entire membership of this House for your successful election. Elections can be bruising clashes of ideas and arguments and a lot of people who believe profoundly in public service have seen that service cut short.

To all of us, let us remember that we are, noticeably, the representatives of the great people of Nyandarua, notwithstanding, our political affiliations and that they have bestowed upon us the huge but noble responsibility to work for them.

Under the duty to be sensitive and to address the aspiration and expectation of our people, we must be pragmatic and learn from the past as the great British Prime Minister Winston Churchill asserted that:

The further back we look in the past, the further we see ahead in the future. To paraphrase, he is saying that to predict the future one must create the present. But we must avoid the temptation of living in the history because we must live today, tomorrow and in future.

To the Clerk of the County Assembly and his staff, I am humbled by the manner in which you have presided over this entire process. Your professionalism cannot be gainsaid. Hon. Members, especially those who have served in the House before will agree with me that over the years, the County Assembly staff have earned the trust and confidence of the 1st Assembly. We encourage them to continue that way.

As the Chairperson of the County Assembly Service Board, I commend you and urge you to continue facilitating Hon. Members to discharge their constitutional duties with that very high degree of impartiality and efficiency.

Hon. Members, looking around I can see many familiar faces: past and present colleagues. It is gratifying to see several familiar faces.

The list tabled by the Clerk indicates that only six Members will be serving their second term. Hon. Members, the 1st Assembly did their part. In the words of the William Shakespeare in the Speech 'All the World's a Stage,' this life is a stage. You do your act and leave the stage.

Allow me to particularly recognize and acknowledge the Hon. Member for Njabini Kiburu Ward, the Hon. Kiiru Gachomba, and the Hon. Member for Murungaru Ward, the Hon. Kariuki Muchiri, who now serve as the senior most Members in the House as they commence their second term in this House and having also served in the County Council.

To the others who were re-elected: Hon. Edinald King'ori, Hon. Suleiman Kihika, Hon. Kieru Wambui and the Hon. Githinji Mwaniki, congratulations! This House will certainly have the privilege of learning from their previous experience. On the same note, I congratulate all the Members of this House because, apart from experience, we are all equal. We serve the same purpose, mandates and functions under the constitution.

It gives me pleasure to note that the Hon. Member for Charagita Ward, Hon. Catherine Njane, makes history as the first female to be elected to this House. I say, Heko! Given the nature of our politics, you have earned more than our deepest respect.

I am, however, sad that despite gains made toward gender equality, women still lag behind in political engagement and in their quest for political leadership. Aware that we have three Hon. Members elected as Independent candidates, I shall endeavour to respect and protect their rights while making sure that the Majority have their way. I take cognizance of the fact that the essence of democracy is majority rule, however, constitutional democracy in our time requires majority rule with minority rights.

At this juncture, I wish to associate myself with the words of Thomas Jefferson, the 3rd President of the United States of America, expressed on the 4th day of March 1801 in his First Inaugural Address thus:

All too will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will to be rightful must be reasonable; that the minority possess their equal rights, which equal law must protect and to violate would be oppression.

It is with this realisation that I do undertake, at all times, to uphold and protect each and every Member's rights and privileges and above all, to enforce the rules and regulations in strict compliance with the Standing Orders and other parliamentary practices and conventions.

I will carry out my duties both in the House and in the larger Kenyan society with decorum, dignity, honesty, diligence and fortitude that will project and propel the image of the County Assembly to every corner of our beloved country, so that our people will hold this House with high esteem.

I want to assure this House that I will be dynamic, effective, efficient, proactive, competent, steadfast and a honest Speaker. Hon. Members, as you are aware, this will be a long but fulfilling journey for all of us in line with our core mandates of representation, legislation and oversight. Critical legislations will be enacted to address the desires and aspirations of our people.

Hundreds of statements and motions will be prosecuted in answering our people's concerns and in discharge of our mandate of representation. The impact of our oversight role, on the charge and application of public funds by the executive shall have to be exemplary. This House has to set such standards to ensure that each and every money allocated to our County is prudently and reasonably expended for the larger and general good of our County. I always add that the money that comes to the county from the national government must be expended in Nyandarua by the 'children' of the county — either contractors or service providers. It pains me to see billions being disbursed to Nyandarua yet they are used in Nairobi, Nakuru, Nyeri, Murang'a and other counties by people masquerading as contractors. So money disbursed to this county must be utilized towards growth of the economy of this county.

The manner in which this Honourable House and the other arm of the County Government – the County Executive, relate, shall undoubtedly shape the course of the devolved system and inform the success or otherwise of our County's growth.

Hon. Members, allow me to share with you the thoughtful words of the former Speaker of the National Assembly, the Hon. Francis Xavier ole Kaparo spoken during the 7th Parliament thus:

As is the case with most human affairs, a parliamentarian's career begins with great visions and hopes, but as times goes on, some of these visions are shattered by realities and success or failures depending on how one reacts to these realities, but it is important to bear in mind at all times that Kenya is one Country and hence all our deliberations should be for the good of all. I invite you to thoughtfully reflect on the same.

Hon. Members, as a House, we are called upon to uphold the Objects and Principles under Articles 174 and 175 of the Constitution as we play our role as required by section 7 and 8 of the County Government Act. So today, my solemn pledge to you is that I shall:

- 1) Ensure that this House gallantly defends and protects the Constitution – even when it is not politically convenient not to do so. And we have a history and tradition.
- 2) Assert the independence of the County Assembly. The County Assembly is not a department of the County Government. Under Article 176 of the Constitution, the crafters of the Constitution are very clear, that supremacy of the County Government is vested in the County Assembly. It states that a county government will constitute of an assembly (and that is not a mistake) and the Executive. The former overshadows the latter.

Hon. Members, before I conclude, allow me to thank the members of the public seated in the Public Gallery and the Speaker's Gallery for gracing this historic occasion. Ours will be a County Assembly of the people. Our doors remain open to the public.

In conclusion, allow me to retaliate that I will do my best to be worthy of the faith and confidence you have placed in me. Being an optimist, I believe that I shall have the unstinted service and cooperation of all the Members. I invite you to usefully reflect on the insightful words of William Shakespeare that I frequently seek counsel in that 'no legacy is so rich as honesty'.

Therefore, I call for your support and welcome all of you to work with me and the entire County Assembly leadership for the success of our great county's prosperity. Unity of and for our county cannot be gainsaid. We cannot afford to tread the same path again. I therefore reach out to the Governor, the Senator, the Members of Parliament, the Women Representative and the Members of the County Assembly to make it the first business in office to sit down and agree on how to move on for the interest of *Wanjiku*; we cannot suffer shenanigans. If anyone of us is serving *Wanjiku* we should coalesce around that person and their vision for the benefit of *Wanjiku* and the County.

That is as far as the first communication goes.

Next order.

ADJOURNMENT

Hon. Members, this is another communication from the Chair on adjournment and further directions. I wish to read the following provisions of our Standing Orders and the County Government Act:

Standing Order No. 14 on the Notification of the Opening of the Assembly states:

14. (1) immediately after taking and subscribing to the Oath or Affirmation of Office under.

Standing Order 13, (Swearing in of the Speaker), the Speaker shall notify the Members of the place, date and time of the opening of Assembly.

Further to the above, Standing Order No. 15(1) and 15(5) states that:

15. (1) as soon as practicable after the election of a Speaker following a General Election, a Deputy Speaker shall be elected.

Standing Order No. 15 (5) states that:

15. (5) the procedure for electing a Deputy Speaker shall, with necessary modifications, be the same as that prescribed for the election of the Speaker."

Also and in addition to the above, Hon. Members, Standing Order No. 155 states and I quote:

(1) There shall be a select committee, to be designated, the House Business Committee, consisting of-

- a) the Speaker who shall be the Chairperson;
- b) the Deputy Speaker as the Vice Chairperson;
- c) the Leader of the Majority Party;
- d) the Leader of the Minority Party; and

- e) not more than seven other members, who shall be nominated by Assembly parties and approved by the Assembly at the commencement of every Session, reflecting the relative majorities of the seats held by each of the Assembly parties in the Assembly and taking into consideration the interests of Independents.
- (2) The House Business Committee shall be appointed within seven days on assembly of a new Assembly.
- (3) In nominating the Members to the House Business Committee, each Assembly party shall include its Whip into the membership.
- (4) In the absence of the Speaker, the Deputy Speaker shall chair the meetings of the House Business Committee.
- (5) The House Business Committee shall –
- a) prepare and, if necessary, from time to time adjust the Assembly Calendar with the approval of the Assembly;
 - b) monitor and oversee the implementation of the Assembly Business and programmes;
 - c) implement the Standing Orders respecting the scheduling or programming of the business of the Assembly and the functioning of the Committees of the Assembly;
 - d) determine the order in which the reports of Committees shall be debated in the Assembly;
 - e) take decisions and issue directives and guidelines to prioritize or postpone any business of the Assembly acting with the concurrence of the Leader of the Majority Party or the Leader of the Minority Party, as the case may be;
 - f) nominate members to serve in Committees;
 - g) consider, for approval by the Assembly, appointments under Articles 179(2) of the Constitution (Members of County Executive Committee);
 - h) consider and report on all matters relating to these Standing Orders;
 - i) may propose amendments to these Standing Orders and any such amendments shall upon approval by the Assembly, take effect at the time appointed by the Assembly;
 - j) may propose rules for the orderly and effective conduct of committee business and any such rules, shall upon approval by the Assembly, continue in force until amended or repealed by the Assembly, and such rules shall be annexed to the Standing Orders and shall be binding upon Committees to the same extent as these Standing Orders,
 - k) consider such matters as may from time to time arise in connection with the business of the Assembly and shall have and perform such powers and functions as are conferred on and ascribed to it by these Standing Orders or from time to time by the Assembly, and
 - l) to address all matters pertaining to powers and privileges.

Hon Members, considering that His Excellency The Governor gazetted this first sitting yesterday the 4th of September 2017, it would not have been practically possible to conduct the election of the Deputy Speaker during this first sitting as the Office of the Clerk has not even declared a vacancy thereto for interested members to apply.

Secondly, in compliance with Standing Order No. 155, this Assembly has to consider and approve the membership of the House Business Committee within seven days from today.

This will enable the Assembly to transact its further business in accordance with the mandate bestowed upon the said Committee.

Thirdly, it is important that the leadership of the Assembly in the various positions available including the Leader of Majority Party, Whip of Majority Party and their respective deputies, be determined from the very onset of this Assembly before further proceedings.

This determination will of course settle to a large extent the membership of the House Business Committee.

Lastly, pursuant to section 47 of the County Assembly Services Act, 2017, and noting that the Assembly as constituted lacks a Minority Party, the Assembly's Majority Party, is required to nominate two members to the County Assembly Service Board.

Hon Members therefore and considering the said circumstances, I hereby give the following directions –

First, that the Office of the Clerk does immediately declare a vacancy in the Office of the Deputy Speaker.

Secondly, that the Assembly's Majority Party does present to the Office of the Clerk and the Office of the Speaker, its proposed membership to the House Business Committee; and the nominees for the various leadership positions that I have enumerated.

This is to be submitted at a time not later than Monday, the 11th day September 2017 at 5.00 pm. Hon. Members, you can get more details on this from the Office of the Clerk.

Accordingly therefore, I adjourn this sitting to Tuesday the 12th day of September 2017 at 2.30 p.m. (this is because we have to converge with seven days according to the Standing Orders and the County Government Act) for the Assembly to approve the membership of the House Business Committee in accordance with the Standing Orders.

During the same sitting, I shall also inform members on when His Excellency the Governor shall address the opening of the New Assembly in accordance with Standing Order 23.

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

Yes, Member for Gatimu, Hon. Kieru Wambui.

Hon. Kieru Wambui: Thank you Mr Speaker. You have made direction which in future may lead to a quagmire. You have directed that the House does meet to choose the membership of the House Business Committee. The Chief Whip should be the convener of the meeting according to the Standing Orders. The Chief Whip has not been elected and I would wish you give direction to that effect.

Speaker: Hon. Members, from now the office of the Clerk will be very busy. We agreed to proceed to induction immediately after adjournment. So we shall address these issues as we proceed to the induction. There was a concern that in the induction meeting we might not be able to deal with the issue of the Chief Whip but the Clerk is dealing with this. The first meeting will be to elect the Chief Whip who will take over from there. The issue is that we are not sure where it will be done but we can do it the usual informal way of convening a *kamukunji* and building consensus on when the Clerk can convene the meeting to elect the Chief Whip. It can even be in the afternoon; it does not require declaration. It requires the attendance of the Majority Party. After that the wheel will be set to motion of putting into place the infrastructure of the Assembly

leadership. So the Clerk should do the needful so that if the Chief Whip is elected, the other matters can be addressed at the induction meeting.

Now, as earlier directed, this House will adjourn to Tuesday the 12th day of September 2017 at 2.30 pm.

(The House rose at 12.00 pm)