

REPUBLIC OF KENYA
NYANDARUA COUNTY ASSEMBLY
1ST ASSEMBLY - 5TH SESSION
OFFICIAL REPORT

Wednesday 12th April, 2017

The Assembly met at the Assembly Chamber at 9.00am.

[The Speaker (Hon. Ndegwa Wahome) in the Chair]

Prayer

QUORUM CALL AT THE COMMENCEMENT OF THE SITTING

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

Speaker: There being no quorum, I invoke the provisions of Article 34(1) of our Standing Orders and direct that the quorum bell be rung for an initial ten minutes, or until such a time within those ten minutes that quorum will have been achieved.

*(Quorum bell is rung for ten minutes but quorum is not achieved
as confirmed by the clerk-at-the-table)*

Speaker: Hon. Members, quorum having not been recognized at the expiry of the initial ten minutes, I direct that, pursuant to Standing Order No. 34 (2), the quorum bell be rung for a further five minutes, or until such time within the five minutes that quorum will have been achieved.

*(Quorum bell is rung for four minutes and quorum is
achieved as confirmed by the clerk-at-the-table)*

Speaker: Very well, quorum having been achieved, we can now proceed with the business for this sitting.

PAPERS

PETITION ON REMOVAL OF THE SECRETARY TO THE C.P.S.B

Speaker: Yes, Member for Central and the chairperson Committee on Justice Legal Affairs and Public Services Committee, Hon. Peter Maina Mwangi.

(Hon. Peter Maina rises in his place but does not move to the dispatch table)

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

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

Hon. Dorcas Kihara: Thank you Mr Speaker, Sir. I believe that the Chairperson, when laying the paper, should use the dispatch table, not lay the paper just in front of him. Thank you Mr Speaker Sir.

Speaker: Very well, the point of order has been upheld. In fact, I was about to point out to the Member for Central that that is not recognized as a table of the House.
Proceed Member for Central.

Hon. Peter Maina: Thank you Mr Speaker, Sir; I wish to lay on the table the Report on the Petition on the Removal of the Secretary to the County Public Service Board by the Committee on Justice Legal Affairs and Public Services. Thank you Mr Speaker.

NOTICE OF MOTION

PETITION ON REMOVAL OF THE SECRETARY TO THE CPSB

Speaker: Yes, Member for Central and the chairperson Committee on Justice Legal Affairs and Public Services Committee, Hon. Peter Maina Mwangi

Hon. Peter Maina: Thank you Mr Speaker, Sir; I wish to give notice of the following motion: That this House does adopt the Report on the Petition on the Removal of the Secretary to the County Public Service Board by the Committee on Justice Legal Affairs and Public Services as a report of this House.

Speaker: Very well, the notice is duly given. Hon. Members, I wish to give some few guidelines regarding this petition which was brought to this House on the 30th day of March, 2017 in which representatives of the county's workers' union sought for the removal of the secretary to the County Public Service Board on several grounds. They had cited article 200 of the Standing Orders, Section 58 of the County Government's Act and Article 251 of the Constitution. However, the sections applicable to their case were: Article 58 of the County Government's Act, Article 251 of the Constitution and the Standing orders of the National assembly. As you are aware, for the removal of any member of the County Public Service Board in a petition, 75 percent of the members of the county assembly should support it and once that support is established, the Speaker should communicate to the Governor who should then send the affected person on leave and form a tribunal to deliberate on the validity of his removal. Consequently, unlike the petitions under article 200 of our Standing Orders, this petition would attract fully fledged debate. Most importantly, Hon. Members is that if the report recommends the dismissal of the petition, all we require is a simple majority but if the report recommends the dismissal of the petition but the House is opposed to the report, then the Assembly must raise the 75 percent threshold to reject the report so that the person is removed from office. I hope that is understood.

I was also approached with the request that I allow a procedural motion to allow for the motion on this report to be debated now and, members, you are aware that we have a notice clearly outlining that this report will be debated in the afternoon and if we interfere with it, it is easy for people to read mischief especially on an issue like this that has attracted so much interest. Let us follow the schedule as provided for in our notice paper.
Next order.

ADJOURNMENT

Speaker: Having exhausted the business for this sitting, this House stands adjourned to later today, the 12th day of April 2017 at 2.30pm.

(The House rose at 9.25 am)