

REPUBLIC OF KENYA

NYANDARUA COUNTY ASSEMBLY

2ND ASSEMBLY- 2ND SESSION

OFFICIAL REPORT

Wednesday 2nd May, 2018

The Assembly met at the Assembly Chamber at 9.00 a.m.

[The Deputy Speaker (Hon. Zachary Njeru) in the Chair]

Prayer

QUORUM CALL AT THE COMMENCEMENT OF THE SITTING

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

Speaker: Hon. Members, quorum having been recognized we can proceed with the business of the sitting.

First order.

NOTICES OF MOTION

1. ESTABLISHMENT OF A COUNTY ELECTRICITY AND GAS RETICULATION AUTHORITY

Yes the Member for Gatimu, Hon. Kieru Wambui.

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

Aware that the function and power of electricity and gas reticulation and energy regulation is vested in county governments pursuant to the Second Part, Fourth Schedule of the Constitution of Kenya, 2010.

Concerned that a majority of homesteads in Nyandarua County are not connected to the national electricity grid due to the high costs charged by the Kenya power & lighting company which is a monopoly in the industry.

Further concerned of the lack of suitable county entity or institution to specifically deal with matters of electricity reticulation including collaborating with the national government in programmes aimed at massive connection such as one-mile programme.

Appreciating that establishing a county entity/agency to deal with matter of electricity reticulation as a function would be a suitable strategy to confront the challenge of low electricity reticulation in the county.

Now therefore, this house resolves;

- a. That there be established a county government entity /agency vested with the duty to deal with the function of electricity reticulation and connected purposes; and
- b. That the committee on transport, energy and public works does report to the house within sixty days (60), on the most appropriate approach towards the matter.

Thank you Mr. Speaker, Sir.

Speaker: That notice of motion is duly given and the House Business Committee shall give directions on how the same will be processed.

Next order.

2. INFRASTRUCTURAL DEVELOPMENT IN PRIMARY SCHOOLS

Yes the Member for Githioro, Hon. Sambigi Mukuriah.

Hon. Sambigi Mukuria: Thank you Mr Speaker. I beg to be given a few minutes because I have not received the notice of motion from the Office of the Clerk.

(A commissionaire hands over a copy of the notice of motion to the Member)

Mr Speaker, I beg to give notice of the following motion;

Aware that pursuant to article 187 of the constitution of Kenya, 2010 a function or power of government at one level may be transferred to a government at the other level by agreement between the government if :-

- a. The function or power would be more effectively performed or exercised by the receiving government;
- b. The transfer of the function or power is not prohibited by the legislation which it is to be performed or exercised.

Concerned of the deplorable conditions or in some cases the lack of physical facilities in the primary schools in the county such as class rooms, toilets, dormitories, libraries, etc. Appreciating that improving the facilities or constructing such facilities, where appropriate, would be performed more effectively by the county government thus generally improving service delivery.

Noting that the basic education act no. 14 2013 does not prohibit the transfer of such function from the national government to the county government;

Further noting the said act in fact anticipates under section 26, the transfer by the national government to county government, the function of infrastructural development for primary and secondary schools.

Now therefore this House does resolve –

- a. That the nyandarua county government does, pursuant to article 187 of the constitution; Section 26 of the Basic Education Act and all other applicable laws, petition the national government for a transfer to itself, the function of

infrastructural development in primary schools situated within its boundaries;
and

- b. That the said petition/request be undertaken within thirty (30) days of this resolution.

Thank You Mr. Speaker, Sir.

Speaker: The notice of motion is duly given and the House Business Committee shall give directions on how the same will be processed.

3. COUNTY STATISTICAL AGENCY

Yes, the Member for Wanjohi, Hon. Isaac Kung'u.

Hon. Isaac Kung'u: Thank you Mr Speaker. Let me take this chance to welcome my colleagues from the short recess. It is my sincere believe that they enjoyed the just concluded devolution conference. And now I beg to give notice of the following motion;

Aware that the county government is vested with power of county planning and development including statistics pursuant to the second part, fourth schedule of the Constitution of Kenya, 2010.

Noting that statistics are critical and fundamental to informed planning; resource mobilization and allocation for other government use.

Concerned that the nyandarua county government lacks both institutional and human capacity to derive statistics for its planning and use;

Further noting that there is already established by the national government, Kenya Bureau of Statistics which has personnel capacity to conduct statistical studies on matters useful to the county government.

Now therefore, this assembly does resolve that :-

- a) That nyandarua county government does partner with Kenya Bureau of Statistics with a view of appointing the said agency and also the county statistical agency thereby establishing the appropriate infrastructure in that regard; and
- b) That the committee on lands, housing, physical planning and urban development does, within sixty days, report progress on this matter to assembly.

Thank you Mr. Speaker, Sir.

Speaker: That notice of motion is duly given; the House Business Committee shall do the necessary.

Next order.

(The remaining orders are read)

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

Yes the Member for Leshau Pondo and the Leader of the Majority, Hon. Gathungu Kamau.

Hon. Gathungu Kamau: Thank you Mr Speaker. I take this opportunity to welcome my fellow Members back, after attending the devolution conference. I hope all is well. I appreciated

that the Members assembled for dinner with His Excellency the Governor at the conference following a short notice. I believe it was a fruitful...

(Hon. Paul Ngeche rises on a point of order)

Speaker: What is it the Member for Kipipiri, hon. Paul Ngeche?

Hon. Paul Ngeche: Mr Speaker, is it in order for the Leader of the Majority to just rise and start addressing the House when all the orders have been read?

Speaker: The Member for Kipipiri, I was waiting for that. I thought that the Leader of the Majority would first indicate that he wished to issue a statement. Despite this, he is in order. So, proceed the Leader of the Majority and indicate that you want to issue a statement.

Hon. Gathungu Kamau: Thank you Mr Speaker. I wanted to welcome my fellow Members from the short recess before I could issue the statement. Due to the nature of business the House Committee had before we broke for the short recess, we were unable to table the notice paper for the business of 2nd and 3rd May, 2018. Now I wish to read and table the notice paper for the said business. I will not read the business for this morning session, considering that the same has already been transacted. The three notices of motion scheduled for this morning sitting have been read by Hon. Kieru Wambui, Hon. Sambigi Mukuriah and Hon. Isaac Kung'u.

NOTICE PAPER (2ND – 3RD MAY, 2018)

| DATE | BUSINESS | MOVER |
|---|--|---|
| Wednesday 2 nd May, 2018, 2.30 p.m. | | |
| | Papers Notices of Motion Statements Motions and Bills <u>Motions</u> <u>Procedural Motion</u> 1. Motion to exempt “the Motion on the establishment of a County electricity and gas reticulation authority” from the requirement of Standing Order 48 (5) (b) that requires a notice of motion to be given at least one (1) before the motion appears on the order paper. <u>Substantive motions</u> | Hon. John Kieru Wambui (M.C.A. Gatimu Ward) |

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| DATE | BUSINESS | MOVER |
|--|--|---|
| | <ol style="list-style-type: none"> 1. Motion on the establishment of a County electricity and gas reticulation authority 2. Motion under Standing order 31 (3) (b) that the House does resolve to meet at 5.30pm on Thursday the 3rd day of May 2018 instead of 2.30pm (<i>to allow the CEC member for Finance make fiscal and budgetary pronouncements in the Committee on General Oversight at 2.30pm.</i>) | <p>Hon. John Kieru Wambui (M.C.A. Gatimu Ward)</p> <p>Hon. Peter Gathungu Kamau (Leader of the Majority Party)</p> |
| Thursday 3 rd May, 2018, 5.30 p.m. | | |
| | <p>Papers</p> <ol style="list-style-type: none"> 1. The Nyandarua County Second Supplementary Budget Estimates(2017-2018) 2. The Nyandarua County Annual Development Plan (2018-2019) 3. The Nyandarua County Budget Review and Outlook Paper 4. The Nyandarua County Fiscal Strategy Paper (2018-2019) <p>Notices of Motion</p> <p>Statements</p> <p>Motions and Bills</p> | <p>Hon. Peter Gathungu Kamau (Leader of the Majority Party)</p> <p>Hon. Peter Gathungu Kamau (Leader of the Majority Party)</p> <p>Hon. Peter Gathungu Kamau (Leader of the Majority Party)</p> <p>Hon. Peter Gathungu Kamau (Leader of the Majority Party)</p> |

Hon. Members, when the CEC Member for Finance comes to the House, we will be expected to listen to her in silence. The House Business Committee has resolved that a Member who will have a question or concern to raise on the CEC Member's submissions will be expected

to do so in writing. As you are aware Hon. Members, the political atmosphere on the ground is threatening to be hostile because of the delay in implementation of projects.

Next week will be a busy one since we will be discussing the documents indicated in the notice paper. The documents were supposed to be tabled in February; so we are behind schedule. For things to run smoothly, we have to pass the documents before we break for long recess. I therefore urge my fellow Members to avail themselves during the debates on the said documents. Thank you Mr Speaker.

Speaker: Thank you the Leader of the Majority for that information. Hon. Members, it is good that we be in the House tomorrow at 2.30 p.m. to listen to the CEC Member for Finance making her submissions. Following the said submissions, the House will convene for its normal sitting at 5.30 p.m. During the sitting, the four documents, that is, the Nyandarua County Second Supplementary Budget Estimates (2017-2018), the Nyandarua County Annual Development Plan (2018-2019), the Nyandarua County Budget Review and Outlook Paper, and the Nyandarua County Fiscal Strategy Paper (2018-2019), will be tabled. I direct the Office of the Clerk to issue Hon. Members with copies of the said documents. The latter should also be posted on the official WhatsApp page for information purposes.

ADJOURNMENT

Now Hon. Members, having exhausted the business for the sitting, this House adjourns to today Wednesday, the 2nd day of May, 2018 at 2.30 p.m.

(The House rose at 9.17 am)