



REPUBLIC OF KENYA  
NYANDARUA COUNTY ASSEMBLY  
1<sup>ST</sup> ASSEMBLY-4<sup>th</sup> SESSION  
OFFICIAL REPORT



(The Hansard)

Tuesday 23<sup>rd</sup> February, 2016

*The Assembly met at the Assembly Chambers at 2:30 P.M.*

*The Deputy Speaker, Hon. Wambugu King'ori, in the Chair*

Prayer

**QUORUM CALL AT THE COMMENCEMENT OF THE SITTING**

*The clerk-at-the-table confirms that there is quorum*

**Speaker:** There being quorum, Hon. Members, we can proceed to transact the business for today as appearing on the order paper. First order

**COMMUNICATION FROM THE CHAIR**

**Speaker:** Hon. Members, I wish to inform the House that we have visiting from four students from Sabugo secondary school chaperoned by their teachers. We have the HOD department of humanities, one Mr. Joseph Wangai Nderitu and the teachers in charge Mr. David Muchua and Eunice Mukuria. We would also like to recognize the school's area MCA, the Mirangine ward MCA, Hon. David Ndirangu. The school head boy is David Mwangi and the head girl is Joyce Njihia. Thank you.

**PAPER TO BE LAID**

REPORT OF THE COMMITTEE ON BUDGET AND APPROPRIATIONS ON THE  
NYANDARUA COUNTY ADP 2016/2017

**Speaker:** Yes member for Mirangine and the vice chairperson committee on budget and Appropriations, Hon. David Ndirangu

**Hon. David Ndirangu:** Thank you Mr. Speaker, I would like to take this opportunity to thank Sabugo School but I would like to add that I was not informed.

*Hon. Joyce Ng'ang'a on a point of order*

**Hon. Joyce Ng'ang'a:** I would like to know why the session was late with 10 minutes and I was hoping the chair would communicate on the same.

Hon. Members it is true the session was delayed for a while because the Speaker was waiting for a formal notification that the aforementioned school would be present during the session. Please bear with us, Hon. Members. Yes member for Kipipiri, Hon Michael Kirumba

**Hon. Michael Kirumba:** Thank you Mr. Speaker, the member from Magumu is trying to point out that there is need to adhere to the provisions of our standing orders. Our standing orders stipulate that afternoon sessions ought to commence at 2.30 pm but I also understand that the chair delayed because he was notified that he would be chairing this session quite late as the Speaker is caught up in a meeting with other dignitaries. I hope that the members of the House can bear with the House leadership.

**Speaker:** Very well, proceed member for Mirangine

**Hon. David Ndirangu:** Thank you Mr. Speaker, what I was saying is that we were not able to sit as a budget committee and we are therefore, asking for more time to go write a report. This order was erroneously places on the order paper. Thank you Mr. Speaker.

Speaker consults with the clerk at the table

**Speaker:** I am being reminded that the ADP is bound by a timeline which expires on Thursday this week. Therefore we may not be able to accord the committee any more time and because what we did in Nairobi was pretty conclusive, I believe the committee can move the report on Thursday. Yes member for Githioro

**Hon. Sylvester Kagiri:** Thank you Mr. Speaker, I thought we went to Nairobi by invitation of the budget committee to help in the scrutiny of the ADP. I do not understand their request to go again and write another report. I thought all they were required to do was compile a report. We must appreciate that we have timelines to adhere to. In my layman's understanding, if we do not meet these timelines, the ADP is effected as it was brought to the House originally without our input.

**Speaker:** Yes member for Kipipiri, Hon. Michael Kirumba

**Hon. Michael Kirumba:** Thank you Mr. Speaker. The House appreciates that the Budget committee was scheduled to compile the report on Friday but we had to go to Nyeri on the

same Friday and on Saturday we expected the President to visit our county. Consequently, the committee did not have time to sit and preview the report and therefore, I feel the committee should be given a one day window to convene and own that report before they table it here.

**Speaker:** Vice chairperson, are you able to bring the report here on Thursday?

**Hon. David Ndirangu:** Thank you Mr. Speaker, thank you for your indulgence. We promise to adhere to the timelines.

**Speaker:** Very well. Next order

### **PAPER LAID**

#### **THE MONETARY REPORT OF NYANDARUA COUNTY FROM THE OFFICE OF THE CONTROLLER OF BUDGET.**

**Speaker:** Yes deputy leader of the majority party, Hon. Michael Kirumba

**Hon. Michael Kirumba:** Thank you Mr. Speaker, I beg to table the Monetary Report of Nyandarua County from the Office of the Controller of Budget. I table

**Speaker:** Thank you, the report is duly tabled and stands committed to the PIC PAC.

**Chairperson,** Hon. Sylvester Kagiri, I am aware that there are several reports that the House is expecting from your committee.

**Hon. Sylvester Kagiri:** thank you Mr. Speaker, it is true that the committee has a lot of backlog but I believe 45 days is sufficient to report on this issue.

**Speaker:** did you say 5 days?

**Hon. Sylvester Kagiri:** 45 days Mr. Speaker

**Speaker:** Very well, next order.

### **NOTICE OF MOTION TO BE GIVEN**

#### **REPORT OF THE COMMITTEE ON BUDGET AND APPROPRIATIONS ON THE NYANDARUA COUNTY ADP 2016/2017**

**Speaker:** The notice has been overtaken by events. Next

## NOTICE OF MOTION

### REPORT OF THE COMMITTEE ON AGRICULTURE, LIVESTOCK DEVELOPMENT AND FISHERIES ON THE STATUS OF SHOMAP MARKETS IN NYANDARUA COUNTY

**Speaker:** Yes vice chairperson Committee on Agriculture, Livestock Development and Fisheries Report on the Status of SHOMAP Markets in Nyandarua County, Hon. Samuel Thuita.

**Hon. Samuel Thuita:** Thank you Mr. Speaker, I wish to give the following notice of motion: That this House does adopt the report of the Committee on Agriculture, Livestock Development and Fisheries Report on the Status of SHOMAP Markets in Nyandarua County, as a report of this House and the recommendations therein as resolutions of this House.

**Speaker:** Very well the notice is duly given. Next order

## MOTION

**Speaker:** Yes member for Kipipiri and the deputy leader of the majority party, Hon. Michael Kirumba

**Hon. Michael Kirumba:** Thank you Mr. Speaker, I beg to move THAT the thanks of the Assembly be recorded for the exposition of public policy contained in the Address of the Governor of 9<sup>th</sup> February 2016. The House was not able to react to the issues that the Governor raised in His address earlier due to the many activities that we were engaged in. This now is an opportune moment for the members to raise their concerns regarding His Excellency the Governor's address. I call Hon. Kamau Ngotho

**Hon. Kamau Ngotho:** I was not aware that I was the one to second this motion but I cannot lack something to say about it. The Governor touched on pertinent issues that affect our people, like the JM Memorial Hospital which was laudable but, Mr. Speaker, it is no longer time for empty rhetoric. What the county needs is the implementation of those projects not promises. If this is not done, we will all be shown the door. Last week but one, we passed a resolution that those young people that had been successful in the recruitment of enforcement officers, but had not been issued with appointment letters be issued the same in seven days. We are now in the second week and nothing has been done. Those charged with that responsibility have not even twitched. They sleep as soundly as they did before, passing gas at their pleasure and waking up at nine in the morning. They are not in the least bit bothered. Why should they anyway?

What authority do we, 41 honourable members and the Speaker have over them? Why should they be bothered when they are driving Porsche cars and living in luxurious maisonettes that are situated in the warm parts of the country? They do not even reside in a place as cold as Ol'Kalou or Kinangop so why should they be bothered? For us, it is different. We hardly sleep at night because people are constantly knocking on our doors as early as five in the morning seeking our assistance. No one respects our resolutions. The Governor must be told that we are tired. What we deliberate in this House does not hold any water, the fact that we are here day in day out, sitting on worn out chairs trying to better the lives of Wanjiku ends up being dismissed as child's play. I am very angry, Mr. Speaker. What kind of a sorry excuse will they give us this time? That since the president was coming all the pens had been taken away? That there were no vehicles to deliver the papers they were to write the appointment letters on? I do not even understand why we should be discussing rhetoric here. We need to be talking of tangible projects.

Why won't the executive do its job? Why should I, me, whose mandate is to represent, legislate and play oversight be the one inspecting the grading of my ward's roads when there are technical officers in the executive to do that? Now I hear that they are telling the Kiosk owners in Ol'Kalou not to renew their licences because they are planning to demolish them. Is this the way to go? I am very bitter and I, frankly, do not see why we should be registering our thanks to the Governor. Why did he not touch on the issues of corruption and redundancies in his government? The procurement process is about to kick off but I am sure, as is our habit, we will delay and, once again, we will hold the position that has become synonymous to our county, number 47 out of 47 counties in terms of development funds' absorption. For how long are we going to hold this position? We cannot continue to sit here and pass resolutions that are regarded as mere noise. The Governor must wake up from his slumber.

I listened to one of his opponents on Sunday and when I rose to speak after, I could not even defend the government. The opponent lamented that the government has not graded any significant road yet counties like Turkana and Pokot are doing over 100 kilometres of roads. We, Kikuyus, boast of being the blessed tribe and the people we look down upon as uncivilized men 'shukas' and no undergarments are doing way better than we are. It is a shame, Mr. Speaker. Some of our government officers do not even dine here. No Ol'Kalou is too rural for them. I hear they have to rush to Nyahururu every lunch time and come back in the afternoon. If we cannot be heard from here, maybe we need to consider moving our chambers to the governor's offices. The little that has been done in this county is chiefly

attributed to the Assembly. If his officers are letting him down, why doesn't he fire them? He holds these powers. Unfortunately, the officers he has hired personally have become his worst nightmares. They are busy looting and amassing as much wealth as they can with total disregard for the people of Nyandarua. They have bought themselves so much land that they are almost owning Nyandarua with only a gross salary of less than 40 thousand shillings.

The governor, conveniently, shied away from addressing the real issues. We have a billion shillings set aside for roads, how much has been done? Zero. The MCAs are very busy promising Wanjiku that such and such roads will be graded. I remember the member for Mirangine promising his people that two dispensaries will be constructed in his ward but not even one was constructed. The people of his ward are now accusing him of pocketing the money. Mr. Speaker, how do we tell our people that we do not even come into contact with these monies? Let the governor know that if he intends to come back, he must fire these people he has entrusted these duties to.

The committee on implementation must also step up and start summoning these people. Let us find out those who are beneficiaries of nepotism, those brothers, girlfriends and friends who are not even qualified. The governor failed to address the scathing issues of this county. That the governor and the deputy governor are always fighting. These squabbles are not serving us in any way. In any case, when the bulls fight, it is our people, on the grassroots that suffer. There are very many governor hopefuls out there, we have the likes of Kimemia and Kanyinge.

Time and tide waits for no man. We must borrow a leaf from the eagle that carries a snake into the skies so that it's able to kill it using the home ground advantage. We must change our tact, reinvent the wheel if we must. The governor has been telling us to hold our horses for too long now, the deputy governor is no better; he keeps saying that the plane is on take-off mode. Four years Mr. Speaker. Four years. I, however, do not blame them. These old men have no children in school so they have no much use for money. If you are sent home today, Mr. Speaker, what will your young family eat? The only thing you can do is go back to farming potatoes, the price of which the governor did not even address. We must tell it to their faces, no reservations. Let them complain that we are lecturing them, if they must. If they act as children, we must chide them as we do our children. We have sought all kinds of intervention from priests, traditional kikuyu leaders and even Muslim sheikhs. It is not working.

The officers are not indispensable. They feel they have reached their comfort zones and it is about time we let them go. If they have nothing to offer, let others take up this role

just like we do. The Hon. Member for Magumu, Hon. Githinji Ngumba was also a councillor and he was re-elected as an MCA because he had something to offer. We are not stopping anyone from campaigning Mr. Speaker. This is a free country. As I second, I would urge the speaker to give a directive that the chairperson summons the secretary of the public service board so that he can explain why the enforcement officers have not been issued with the appointment letters.

*Hon. Kirumba on a point of information*

**Speaker:** Member for Karau, do you require the information?

**Hon. Kamau Ngotho:** Yes Mr. Speaker

**Speaker:** Proceed member for Kipipiri

**Hon. Michael Kirumba:** Thank you Mr. Speaker. Hon. Ngotho's concerns regarding the enforcement officers are well founded. I tried to find out, informally, more information about the issue and I found out that the letter from the clerk was directed to the county secretary without copying it to the board in line with the resolutions. The board was, therefore, unable to act on the letter. Before we summon anybody, the office of the clerk ought to ensure that the letter is addressed to the right person.

The letter was addressed to the county secretary, rather than the board as directed by the Speaker. I do not know if the error was intentional or not but it certainly has put a bottleneck on the process.

**Speaker:** I understand that every correspondence from the Assembly to the board has to go through the county secretary.

**Hon. Michael Kirumba:** Mr. Speaker, the speaker of the day, in his directive, was very categorical about the route to be followed. He indicated that no consultation was required and, therefore the letter was to be addressed to the board, directly. The essence was to reduce the bureaucracies involved so as to fast track the process.

*Hon. Peter Kamoche rises on a point of information*

**Speaker:** Hon. Kamau Ngotho, do you require the information from Hon. Peter Kamoche?

**Hon. Kamau Ngotho:** Yes, I do.

**Speaker:** Proceed Hon. Peter Kamoche

**Hon. Peter Kamoche:** Thank you Mr. Speaker, today we had a meeting with Chief Officers and the Public Services Board and the Director of Human Resource indicated that there is a problem with the casual laborers. Everything, therefore, must be halted to first streamline this

matter including the case of the ninety two casual laborers who are recruited. It was therefore resolved that the Public Service Board holds a sitting with the Director of Human Resource and give us a clear report on the matter in fourteen days. I recall, Mr. Speaker, when the Chief Officer of Agriculture said he has fifteen casuals, the Public Service Board insisted that the casuals are illegally in the sector and all their documents should be submitted to the Board. Therefore, Mr. Speaker, unless this House gives a directive that they recruit these people the Board may not, because in fourteen days they are submitting the report.

*Consultations*

**Speaker:** Order Hon. Members. Hon. Members, the Hon. House cannot make any resolutions further from what they did. This is because Hon. Kamoche was giving the information to Hon. Ngotho and not the Hon. House. Hoping Hon. Ngotho you have the information now and you are well equipped.

**Hon. Kamau Ngotho:** Yes.

*Question proposed*

**Speaker:** Yes member from Leshau Pondo, Hon. Josphat Kamau.

**Hon. Josphat Kamau:** Thank you, Mr. Speaker, I rise to support the Governor's speech. I must admit that the speech contained a lot of critical issues affecting Nyandarua. To start with, Mr. Speaker, the Governor, in his speech, highlighted the perilous issue of alcoholism in Nyandarua. He reminded us that we enacted a law to replace the famous Mututho law in a bid to fight this menace. But, Mr. Speaker, I, frankly, feel that alcoholism during the Mututho laws' era was not as rife as it is today. This is chiefly because, after the law was passed in this Hon. House, the people we expected to take up the next step of implementation and administering it to the electorates of Nyandarua failed us.

It was not until His Excellency the President heard the public outcry and declared illicit brews a menace in Central Province that MPs began to fight the same that the proliferation of illicit brews fell significantly. Now, however, the brews are coming back. I think the way forward is to deal with the manufacturers rather than the distributors and the consumers. That way, we can monitor and control the entry points of these brews in our County, Mr. Speaker. The other thing the governor failed to include in his speech, is the issue



of casual laborers and more so in the Health Sector. Mr. Speaker, I want to bring to the attention of this Hon. House that there are those casual laborers that were enrolled about nine months ago and they have not received a penny since. I want you and the Hon. Members to get this clearly; These casuals were recruited 10 months ago each earning, I am not certain but, at most Kshs. 300 a day but they have not received their pay since then. To make matters worse, the Sub- Counties Administrators are demanding that they be transferred from one station to the other. These transfers calls for more expenditure because, for instance, a casual laborer may be needed to meet commuter's fee from where he/she lives to the work station. This is very unfair.

I remember when the Supplementary Budget was being scrutinized by the Committee in charge. I travelled all the way from my home-ward to Naivasha just to remind them that the budget had to capture the salaries of these casuals which had accumulated, then, to about Kshs. 4M. As I stand here, Mr. Speaker, I can say with certainty that they have not received any pay. I, therefore, feel that the governor ought to have addressed the issue to notify us why it has been so. Mr. Speaker, when we ask the Chief Officer in charge of Health his response is that the budget has not met their salaries. This begs the question; is it the casual laborers' fault or the budget makers?' This is the same government that expects to be voted back yet it is failing its electorates. This is very unfair, Mr. Speaker, bearing in mind how little these people earn at the end of the month and now they have worked for ten months without pay. How do we expect these people to educate their children?

Finally, Mr. Speaker, I would urge that the governor and his committee address this issue of the casual laborers urgently. In fact from today. Bad leaders are elected by good people. Nyandarua people elected either good or bad leaders. The wrangles between Nyandarua leaders have cost the people of Nyandarua a lot.

I pass through Nyahururu from my ward, which borders Laikipia County, and the government of Laikipia has developed the said town including even installing street lights. What can we boast of our headquarters? 50% of the erected floodlights in our county are not even functional. Hon. Mumba Gichini, for instance, has been complaining that the floodlight in his ward has been off for the longest time. The Executive seems not ready to rectify the situation. Surely Hon. Mumba Gichini cannot use his salary to pay Kenya Power.

There are people who sit in office in the Executive and they do not bother what happens in the wards. Most of these people would collapse should they be called to explain to

the people what the county government has been implementing in the wards. The Governor should tackle real issues affecting our people. The only thing I commend his administration for doing is ensuring issuance of bursary funds. The county government has also done well in the roads sector. But why is it that one person could hold Nyandarua County at ransom such that when they are not present tenders cannot be issued? Is it in order that we have to wait for this person to come from abroad and nurse their jetlag for him to commission affairs such as issuing of tenders? Such affairs should be delegated to Executive departments.

Why is it that county functions and affairs had to be centralised at the Governor's office yet we have sub county offices? For effective service to the people of Nyandarua decentralisation of county government functions and affairs is of essence. Remember the spirit of devolution was to bring services closer to the people. With those remarks I rest my case. Thank you Mr. Speaker.

**Speaker:** Yes Hon. Joyce Ng'ang'a

**Hon. Joyce Ng'ang'a:** Thank you Mr Speaker. My greatest concern is whether the Governor really knows what is in the budget. Some ECDE schools, for example, have no teachers yet no recruitment for the same is in the pipeline yet money for the same, which is recurrent, has been allocated. Where will that money go? We need to separate ourselves from the Governor because if we continue clinging on him we shall go home. All of us. We should drum him up in order for him to perform; he is sleeping on the job. He assures us that he has worked, yet he has not.

We have to do something, even if it is politically, without fear of the consequences. Thank you.

*Hon. Josphat Kamau rises on a point of information*

**Speaker:** Hon. Joyce Ng'ang'a, do you require the information from Hon. Josphat Kamau?

**Hon. Joyce Ng'ang'a:** No, I do not.

**Speaker:** Okay. Next

### **MOTION TO BE MOVED**

*Hon. Michael Njoroge Kirumba rises on behalf of Hon. Kimani Njiraini*

**Speaker:** Before Hon. Michael Kirumba proceeds, I wish to state that the reason I have called for the next order is that the motion on the elucidation of the Governor's speech is supposed to be debated in four sittings. Today's sitting was only the first and for those members who have not contributed on the motion, let them rest assured that the motion will still be open for debate during tomorrow's two sittings.

Proceed Hon. Michael Kirumba

**Hon. Michael Kirumba:** Mr. Speaker, the Chairman of the Agriculture committee, Hon. Kimani Njiraini was supposed to move a motion but he could not be here as he is hosting the Cabinet Secretary, Hon. Cecile Kariuki, in his ward. In view of this, I, the deputy Leader of Majority and a member of the Committee on Agriculture, Livestock and Fisheries, hereby seek leave, on his behalf, that the motion be slotted in for another time.

**Speaker:** Will the said chairperson and his committee be ready to move the motion Hon. Michael Kirumba?

**Hon. Michael Kirumba:** Yes, Mr. Speaker; in fact, the only reason the motion could not be moved today is because the chairperson of the committee, who should move the motion, was hosting the said Cabinet Secretary. So the motion can be slotted in the order paper for tomorrow.

**Speaker:** Well; that motion will be slotted in as the first one to be moved in tomorrow's afternoon session at 2:30p.m that is, before the continuation of the debate on the Governor's speech. Next order

## ADJOURNMENT

**Speaker:** Hon. Members, having exhausted the business for this sitting, this House will now adjourn to the next sitting, which is tomorrow the 24<sup>th</sup> day of February, 2016 at 9:00 am.

*The House rose at 3:36p.m.*