



REPUBLIC OF KENYA
NYANDARUA COUNTY ASSEMBLY
1ST ASSEMBLY-4th SESSION
OFFICIAL REPORT



(Hansard)

Thursday 27th April, 2016

The Assembly met at the Assembly Chambers 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: There being quorum, let us proceed with the business for this afternoon session. First order.

COMMUNICATION FROM THE CHAIR

COUNTY LEGISLATION COMMITTEE INVITATION TO SENATE

Speaker: Hon. Members, I have a communication to make regarding a letter that is addressed to me, Hon. Ndegwa Wahome, the Speaker of Nyandarua County Assembly, and dated March 29th 2016. The letter is from a person by the name S.N. Njuguna who has signed for the Clerk to the Senate. The reference of the letter, is meeting a with the Senate's Sectional Committee on Delegated Legislation. It reads:

The Senate's Sectional Committee on Delegated Legislation is established pursuant to Standing Order number 214 of the Senate's Standing Orders. The committee is mandated to scrutinize statutory instruments laid before the House to ensure that they are consistent with the provisions of Statutory Instruments Act, 2013.

The Senate has a constitutional role to play to protect interests of the Counties and their Governments. The committee in exercise of this role and as stipulated in its work plan continuously monitors counties.

The committee will visit Nyandarua County on Monday, the 9th day May of 2016 and proposes to meet members of its counterpart committee of Nyandarua County Assembly at 12 noon. The specific objectives of the meeting will be to build the capacity of the committee members and to receive submissions on the challenges faced and the achievements made so far in the execution of their mandate.

Attached is a tentative program of the meeting for your information.

Besides, we have been given the contact person and the letter is signed by the said S.N. Njuguna. We have already directed the Office of the Clerk to ensure that all the requisite infrastructure to allow smooth meeting between the two committees is put in place and the same will be communicated to the committee. Obviously and as is the tradition of parliaments, any member of this House who would wish to attend the meeting is free to do so. Next order.

PAPER LAID

LETTER: NYA/CNT/GOVT/CECMFIN/CA/3/1

Speaker: Yes, Deputy Leader of Majority Party and Member for Kipipiri, Hon. Michael Kirumba.

Hon. Michael Kirumba: Thank you Mr. Speaker. I rise on behalf of Hon. Kariuki Muchiri but before I go ahead, I wish to move an amendment on the order paper. You will notice that the order paper indicates that Hon. Kariuki Muchiri is the Leader of Majority and Member for Magumu Ward. I think that is not the correct position and the Office of the Clerk should take cognizance of such a commission or omission. The same mistake has been repeated in order number 6...

Speaker: Since this is an order paper, I think you can just highlight and change appropriately to read that hon. Kariuki Muchiri is from Murungaru Ward. And I think there are several occasions in which the mistake has been repeated.

Hon. Michael Kirumba: That is correct Mr. Speaker and that is what I was alluding to before you gave guidance. All these errors ought to be corrected so that we can be accurate. That having been said, on behalf of Leader of Majority Party, Hon. Kariuki Muchiri, I beg to table this letter dated 8th April, 2016 and referenced as NYA/CNT/GOVT/CECMFIN/CA/3/1 from the CECM for Finance and Economic Planning.

Thank you Mr. Speaker, I beg to table.

Speaker: Very well, that letter is duly tabled. What is the purpose of the letter, Deputy Leader of Majority Party?

Hon. Michael Kirumba: Mr. Speaker, the reference of this letter as indicated is, ‘Allocation of Funds’. Actually, the letter is about how funds should be allocated.

In accordance with section 154 of the PFMA, the County Assembly is hereby invited to reallocate funds meant for construction of the Bus Park Kshs. 1,500,000 to Ndunyu Njeru drainage system. The need for a proper drainage system within the township has become a pertinent one and has raised substantial public concern. Please find the enclosed said letter from the respective MCA.

Mr. Speaker, this is a form of a virement whereby the public feels that the drainage is a priority as opposed to the bus park. Thank you.

Speaker: Very well. I don’t know whether this is the right moment to mention something because I have found that there is a motion on the issues. There was an issue that was raised by the Member for Karau ward, Hon. Kamau Ngotho on whether County Fiscal strategy Paper was based on a reality or things that might not be realized in the end. I think I had promised to give a communication on the issue and I have done so but I hope to deliver the communication on that issue before we resume from the short recess.

On the issue of reallocation of funds, I think this is the last time but with the House’s approval, we are going to do it. I would also like to address that issue on whether budgetary allocation can be allocated through a motion or in the supplementary budget. We shall look at this issue because it needs to be addressed appropriately.

Next order.

PAPER TO BE LAID

Speaker: Yes the Vice Chair, Committee on Justice, Legal Affairs and Public Service and County Member from Charagita, Hon. Miriam Wahura.

Hon. Miriam Wahura: Thank you Mr. Speaker sir. I rise to seek leave on behalf of the Chairman so that we can have time to go through the entire report after the recess...

Speaker: Is the report ready?

Hon. Miriam Wahura: The report is ready Mr. Speaker but we have some issues we need to consult about with the relevant departments.

Speaker: I think the matter can be procrastinated to the new part of session but I am also of the view that if a report is not ready, it is important that a committee brings us the progress report. The progress report usually explains the reason why the report is not ready, and is tabled for the purposes of records. Next order.

NOTICE OF MOTION

Speaker: Yes, Leader of Majority and Member for Murungaru, hon. Kariuki Muchiri.

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

Aware that there is an urgent need to address the functional drainage system in Ndunyu Njeru town which also requires County Budgetary allocation;

Noting that the said activity can be undertaken if the money in the County Approved Budget and which is likely to be unspent is pre-allocated thereto, particularly, Kshs. 1.5 Million which is allocated to Ndunyu Njeru bus park,

The Assembly does now resolve that pursuant to section 154 of PFMA, Kshs. 1.5 Million earmarked and approved for the construction of Ndunyu Njeru Bus Park be reallocated to various works to be undertaken in improving Ndunyu Njeru drainage system.

Thank you Mr. Speaker, I beg to give notice.

Speaker: Very well, the notice is duly given and time will be allocated by the House Business Committee for the moving of the said motion. Next order.

STATEMENT SOUGHT

Speaker: Yes, Member for Charagita, Hon. Kiruka Mburu.

Hon. Kiruka Mburu: Thank you Mr. Speaker. I beg to request for a statement from the Chairperson, Committee on Lands, Housing and Physical Planning on the ownership dispute of the Land Title Number: NYANDARUA/OL JOROROK WEST/4487.

Aware that Ngano Polytechnic has been in occupation of the parcel of land aforementioned,

Further aware that OIJoro-orok West Farmers' Cooperative Society Limited has claimed ownership to the said parcel of land and given a demand and threat to the polytechnic to vacate the said parcel of land;

I beg to request for a statement from the Chairperson of the Committee on Lands, Housing and Physical Planning addressing the following:

1. What is the present status of ownership of the parcel of land title number NYANDARUA/OLJOROROK WEST/4487;
2. What plans are in place to ensure that Ngano Polytechnic and other polytechnics in the County have possession and title to the land on which they occupy?

Mr. Speaker, I know you have heard about this contentious piece of land and the interest it has elicited particularly among the young people. We have county funds dedicated for polytechnics but the young people in this institution cannot enjoy the funds because of the dispute. I therefore would like to request the committee to address the issue urgently and probably within two weeks so that we can have a solution.

Thank you Mr. Speaker.

Speaker: This is a much contested issue. I believe that your committee should move to the Settlement and Physical Planning Office in Nyahururu and work on this issue urgently. Actually, I have seen in the social media that the young people have expressed a lot of interest about this issue. They even think that the Member for Charagita is not protecting their polytechnic. So, what time would your committee require Mr. Chairman?

Hon. Kariuki Muchiri: Bearing in mind that we are headed for recess Mr. Speaker and we have a Rating Bill which is not yet finalized, I think the committee will require at least one month to address this issue.

Speaker: I think that is agreeable. Therefore for this issue to move smoothly because I have their intimate details, I think the clerk should write the letters to the relevant authorities so that every department is made aware of what is required in terms of documents. The matter will be given priority immediately we resume. Next order.

STATEMENT

Speaker: Yes, Member for Magumu and Leader of Minority Party, Hon. Githinji Ngumba.

Hon. Githinji Ngumba: Thank you Mr. Speaker. I beg to request for a statement from the Chairperson of the Committee on Lands, Housing and Physical Planning on alleged irregular allocation of plot number NYA/S.KINANGOP/927.

The fact of the matter is that adjudication of the settlement scheme was completed immediately after and that the government did not allocate the plot in question to any particular individual since the area was in a steep, rocky area. Further, stand guided Mr. Speaker, Sir, that

as a result of the nature of the plot in issue, all the plot owners adjacent to the plot were allowed to utilize it. Further, the residents of Muchorui village have developed the said plot being NYA/S.KINANGOP/927 for close to 50 years.

Concerned that the *bona fide* beneficiaries of the plot NYA/S.KINANGOP/927 have unrightfully been disinherited off their entitlement for reason being:

1. The community and residents of Muchorui village, Gitwe are in the dark as to the period in which the allocation was done;
2. The community and residents of Muchorui village, Gitwe were not involved in the allocation process;
3. That the dispute purported to exist was not reported to the village elders as no record exist to show the same; and
4. That if indeed the allocation was to take place, the residents of Muchorui village would have been given priority.

Mr. Speaker Sir, it is on the premise of the above that I hereby request for a statement from the Chairman of the Committee on Lands, Housing and Physical Planning and addressing the issue on the alleged irregular allocation of the said plot.

Thank you Mr. Speaker Sir.

Speaker: Very well. I think the concerns of the people in occupation of the land must be heard and determined first before an allocation can be done. Secondly, you also need to advise the assembly on the issue of adverse possession given that the residents have occupied the land for over 50 years. Is it possible that the land could have been taken away from them? This will help the committee to have a clear and accurate determination on the matter. How much time would you require, Chairman of the Committee on Lands, Housing and Physical Planning and Member for Murungaru, Hon. Kariuki Muchiri?

Hon. Kariuki Muchiri: Thank you Mr. Speaker. Aware that there is another work we have just been given from Charagita ward and the pending Rating Bill, which will be taken to the public for their valuable input, I beg that we be given at least one and a half months. Thank you.

Speaker: Very well. Let us have the matter brought to the House in the third week of June 2016. Next order.

PROCEDURAL MOTION

Speaker: Yes, Leader of Majority and Member for Murungaru, Hon. Kariuki Muchiri

Hon. Kariuki Muchiri: Thank you Mr. Speaker, I beg to move the following motion:
THAT with the leave of the Assembly, article 46(5) (b) of the Standing Orders, requiring at least one day's notice before it appears on the Order Paper, be exempted to the following motion whose notice has during today's sitting of 28th of April, 2016 been given:

Aware that there is an urgent need to address the dysfunctional drainage system in Ndunyu Njeru town which also requires a county budgetary allocation;

Noting that the said activity can be undertaken if money in the county approved budget, and which is likely to be unspent, is reallocated thereto, particularly Kshs. 1,500,000 (one million and five hundred thousand shillings) which is allocated to Ndunyu Njeru Bus Park;

The Assembly does now resolve that, pursuant to Section 154 of the Public Finance Management Act (PFMA), the Kshs. 1,500,000 (one million and five hundred thousand shillings) earmarked and approved for the construction of Ndunyu Njeru Bus Park, be reallocated to the various works to be undertaken in improving of Ndunyu Njeru drainage system.

Mr. Speaker, this is a provision in the Standing Orders to exempt the one day notice that is supposed to be given so that this issue can be expedited. Since there is no objection on this, I beg that this motion be allowed to go through and I now call upon Hon. Edinald Wambugu King'ori, Member for North Kinangop to come and second. Thank you.

Speaker: Yes the Deputy Speaker and Member for North Kinangop, Hon. Edinald Wambugu King'ori.

Hon. Wambugu King'ori: Thank you Mr. Speaker, I wish to second this procedural motion given that this is the last day before we go for the recess. This is a matter of urgency and it's the main reason why we are proposing that the funds initially allocated to Ndunyu Njeru Bus Park be reallocated to Ndunyu Njeru drainage system. I second, thank you.

(Question proposed)

(Question put and agreed to)

MOTION

Speaker: You can proceed Leader of Majority and Member for Murungaru, Hon. Kariuki Muchiri.

Hon. Kariuki Muchiri: Thank you Mr. Speaker, I beg to move the following motion:

Aware that there is an urgent need to address the dysfunctional drainage system in Ndunyu Njeru town which also requires a county budgetary allocation;

Noting that the said activity can be undertaken if money in the county approved budget, and which is likely to be unspent, is reallocated thereto, particularly Ksh.1,500,000 (one million and five hundred thousand shillings) which is allocated to Ndunyu Njeru Bus Park;

The Assembly does now resolve that, pursuant to Section 154 of the Public Finance Management Act (PFMA), the Ksh.1,500,000 (one million and five hundred thousand shillings) earmarked and approved for the construction of Ndunyu Njeru Bus Park, be reallocated to the various works to be undertaken in improving of Ndunyu Njeru drainage system.

Mr. Speaker, there comes a time when we have to seriously prioritize certain issues. A time comes when money needs to be reallocated due to the prevailing special and unique circumstances on the ground. It is on this premise, therefore, that the member for North Kinangop, Hon. Wambugu King'ori, thought it wise that he requests the Assembly to consider the reallocation of The Ksh.1, 500,000 initially set aside for Ndunyu Njeru Bus Park, in order to address the issue of drainage system in the town.

Mr. Speaker, I come from that area since it is my immediate neighborhood and since most of my residents, particularly from Mikaro and Mikungi sub location use Ndunyu Njeru as their major town. In most instances, I also go there because of various activities.

If any member of this House has had an opportunity to go to Ndunyu Njeru, you will realize that there is a drainage that extends for almost 700 meters covering the entire town. This drainage line was excavated using a backhoe such that it is too deep and it has now become like a pool of water. It is like the dysfunctional drainage system has created a small lake within the town. This calls for an immediate action to address this problem of drainage in Ndunyu Njeru.

Mr. Speaker, the cost of doing this work should not be misconstrued to imply that it is only Ksh.1, 500,000. It is more because I come from the area and I know the amount of work

that is needed to have the drainage system operate effectively. Ndunyu Njeru is a plain area and this has resulted to the stagnation of water especially during the rainy season. Therefore, the system needs to be done impeccably so that the water can be drained in the lower side of the town.

I am requesting the members, knowing very well that they will encounter such situations in their localities, which will require reallocation of funds. Besides, this is not the first we have had such a scenario where we reallocate funds and I know we will do such a thing in the future. My humble request therefore is for the members to allocate this town more funds even if it is about Ksh.500, 000 during the next budget. This will ensure that the works are completed because I believe that this amount we have reallocated will not be sufficient to complete the rehabilitation of Ndunyu Njeru drainage system.

With those very brief remarks, I wish to call upon the member for North Kinangop, Hon. Wambugu King'ori to second this motion and expound further on this issue.

Speaker: Yes, the Deputy Speaker and Member for North Kinangop, hon. Wambugu King'ori.

Hon. Wambugu King'ori: Thank you Mr. Speaker. I rise to second this substantive motion. The motion touches on my ward and particularly the major town, Ndunyu Njeru. As the Leader of Majority has mentioned, Ndunyu Njeru's drainage system requires special attention. Since the development of Ndunyu Njeru town in the early 1950s, it has never been given any attention in regard to drainage system. I request this House to consider other major towns such as Ndunyu Njeru, Engineer, Njabini and Ol'kalou, just mention but a few.

Mr. Speaker, we are going to the last year of our term whereby we need to consider the drainage systems of the aforementioned towns. Ksh.1, 500,000 is not enough even for the bus park alone. Apparently, the town requires a lot of money.

Mr. Speaker, after lengthy consultations with the residents, we all agreed that we give priority to the drainage system. Particularly, the trench that Hon. Kariuki Muchiri has mentioned of about 700 metres. Without much ado, I beg to second. Thank you.

(Question proposed)

Speaker: Yes Member for Mirangine, Hon. David Ndirangu.

Hon. David Ndirangu (Mirangine): Thank you Mr. Speaker. I rise to support this motion. The issue of Ndunyu Njeru came way back when the County Government was not in

place. I therefore know the problem affecting the locals of this area. The county government should therefore move in swiftly and address this issue.

In the same tune, I would also request the same be done in Mirangine...

Laughter

Mr. Speaker, nothing has happened in Mirangine in as far as drainage is concerned. Therefore, the ward and others, will be considered because they also earn revenue for this county and the people deserve to have such services. Our people should do their businesses in a conducive environment. I support this motion without much ado. Thank you.

Speaker: Yes, Deputy Majority Leader and Member for Kipipiri, Hon. Michael Kirumba.

Hon. Michael Kirumba: Thank you Mr. Speaker. I also want to support this motion. Particularly, I am concerned about the safety of the residents of Ndunyu Njeru. When you hear of a trench of about 700 metres, you can only imagine the risk it predisposes to our children. This is a health hazard. In case of an accident, the litigation that would befall this County would be insurmountable.

The trench was dug in an effort to drain stagnant water in Ndunyu Njeru. Despite the good intentions that the diggers of the trench had, it is important to point out that the trench has now become a health hazard. We therefore need to do something urgently about this town given that the town lies in a plain area - a major reason for the incessant drainage problems.

Mr. Speaker, this problem is not unique to Ndunyu Njeru. Just the other day, we were talking about Wanjohi town which is located some few metres from Wanjohi River. All the drain and sewage from the town join the river and is later deposited to Lake Naivasha. This might lead to conflicts with NEMA officials, implying that we need to act urgently.

The major towns and especially the Sub-county headquarters require more funding because they are major contributors of revenue within the county. It is important therefore to reallocate funds because we still have such situations in future where situations emerge and we need to act swiftly. With those few remarks, I support. Thank you.

Speaker: Yes Majority Whip and Member for Shamata, Hon. Kinyanjui Gachari.

Hon. Kinyanjui Gachari: Thank you very much. I stand to support this motion. Ndunyu Njeru is a big town and an old town in our county. In fact, it is one of our most important towns given its high growth rate. The defunct local authorities were responsible for fixing the drainage

system in the town. They dug these terraces using backhoes. I wonder whether they knew what they were doing because it was as though they were excavating a very deep river. This is a health hazard for our people and particularly our children. Therefore, in case of the availability of funds, it is important that we consider the town. We need to allocate it more funds.

Mr. Speaker, the problem is not unique to Ndunyu Njeru but in many towns across the county. For instance, Leshau town in Ndaragwa faces the same problem. Shamata is also affected. Toilets in Shamata town are leaking to the drainage system making it a health hazard. Sometimes back I talked with the public health officers and I was enquiring about the problem of the smell within the town. They seem not to realize the problems poor drainage system poses to the community. Let Nyandarua County revisit these big towns so that they can understand the ones with such problems so that money can be allocated funds as we do to the roads in order to end this problem.

Mr. Speaker, drainage is a problem in our county. It is a disaster. Sometimes back, roads were a nightmare and we did all that we could as a government to ensure that the roads are repaired and maintained. Now that we have addressed most of the roads, it is about time we moved to drainage system in our county. I am glad and thankful to the Leader of Majority Party for shedding light on how to divert money from one project to another.

This is a good idea because a lot of funds are going unspent. The monies go back to the treasury yet we have problems in our areas that require urgent attention. I therefore congratulate the Leader of Majority for giving us that idea because I also think there is some money meant for my ward that I want reallocated. This concerns buying a piece of land. By then, it was a priority but after much delays, the citizens want the money to be reallocated to more urgent projects. And now that we have a loophole...

(Laughter)

We can use that 'kahole' to reallocate the funds.

(Hon. David Ndirangu (Mirangine) rises on a point of order)

Speaker: What is it Member for Mirangine?

Hon. David Ndirangu (Mirangine): Thank you Mr. Speaker. I wish to know from the member what he means by a 'kahole'. You might not have heard it because you were consulting with the Leader of the Majority Party. So I would like the member to elaborate what he actually means. Thank you.

Speaker: I think that was uncalled because from my point of view the member just translated directly from mother tongue.

(Laughter)

Proceed Hon. Member.

Hon. Kinyanjui Gachari: Mr. Speaker, that was very true because it was a direct language from Kikuyu. But what I was saying is that I support this motion because it will provide us with an alternative route to reallocate funds to another projects that are urgent instead of returning some money to the treasury. Thank you.

Speaker: Yes, Member for Wanjohi, Hon. Mumba Gichini.

Hon. Mumba Gichini: Thank you Mr. Speaker. I rise to support this motion. We are all aware of the problem that the residents of Ndunyu Njeru are facing. We should allocate money that helps the residents and not do it just for the sake of doing it. We may have allocated money to go to Ndunyu Njeru Bus Park but the issue of drainage is more pertinent to the residents. Mr. Speaker, it is clear that the problem of drainage is not distinct to Ndunyu Njeru. It is all over the county and Wanjohi town is a perfect example. This shows the need to allocate or reallocate money to where it is needed most by the residents. In some counties...

(Loud consultations)

Please protect me Mr. Speaker.

Speaker: Order Members!

Hon. Mumba Gichini: Thank you Mr. Speaker. We have always allocated money for various uses and projects but the moment you go to the people, you realize that the people have different priorities. I therefore support this motion. Thank you.

Speaker: Yes Member for Engineer, Hon. Mwangi Gichuki.

Hon. Mwangi Gichuki: Thank you Mr. Speaker. I rise to support the motion but with caution. The main reason is that I want to caution the member for Ndunyu Njeru. The member has constantly explained to the residents of Ndunyu Njeru on why it has taken sometime to repair the drainage system. For benefit of record, Gathaara and Engineer wards have poor drainage because there is no conclusive decision on the status of roads. However, in his case, there is all indication that tarmacking of the road which comes along with drainage will be done. You will therefore be assured that the drainage systems that will be put in place now will be affected when the tarmacking of the road is done. Therefore, I am supporting him because of the pressure he is

getting from his constituents but for the purposes of record, it is important that the residents should have understood that tarmacking of the road is almost being done and effective drainage will come with it.

The House should allow the member to have the funds reallocated because of the pressure but let it be known that he should advised the residents that the funds might go to waste once the road is tarmacked in the foreseeable future. This is the caution I wanted to raise just in case someone raises the issue in 2017, during the campaigns. Thank you.

Speaker: Yes County Member from Weru, Hon. David Ngige Ndirangu

Hon. David Ndirangu: Thank you Mr. Speaker. Drainage is a pertinent issue in the county and I congratulate hon. Member for coming up with the idea of thinking how the place can be fixed. When there is stagnant water, you expect that waterborne diseases might come up and they are very expensive to treat and cure.

The only issue I want to emphasize is that he has consulted his people extensively and have agreed that drainage system should be prioritized in the area. I want to reiterate that this problem is not only in Ndunyu but in the entire county. Most of the times when we talk about development, we refer to roads and other issues and tend forget the importance of drainage. We should take this issue very importantly since we need cleanliness in the county. I support. Thank you.

Speaker: Yes Member for Gathaara, hon. Daniel Kibebo.

Hon. Daniel Kibebo: Thank you Mr. Speaker. I rise to support this motion. Most of the towns within the county require to have effective drainage systems because they are growing fast because of the population growth. I agree with the member for North Kinangop. However he needs to pull up his socks so that he can lobby for allocation of money to complete the bus park. I know it is of importance to the people of the area.

Mr. Speaker, I request the whole House to ensure that more money is allocated for the towns that need drainage system. In my ward, the amount that was allocated was not enough to construct an effective drainage system. Therefore, more money should be in the next budget so that we can finish the ongoing works. I will raise this issue during the budget making process so that more money can be allocated to the drainage system in my ward to completion.

With those remarks, I support. Thank you.

Speaker: Yes Member for Kaimbaga, hon. Kimani Njiraini.

Hon. Kimani Njiraini: Thank you Mr. Speaker. I would like to thank hon. Wambugu King'ori for coming up with this issue that has been affecting his people. This is a problem in the entire county. We understand we are located in the county headquarters where there is a lot of politics.

Mr. Speaker, I remember that we had proposed that drainage works to begin in major towns. We started in Engineer and went to Kasuku. Such areas as Huruma, Kariamu, Captain and Jua Kali were left behind. I think it is about time we considered these areas because people are now buying land in Kaimbaga. Major estates are coming up in Kiganjo and therefore we need to consider proper planning that includes drainage system.

We should now allocate money to fix drainage systems in consideration of the size of a town. The people responsible for BQs can go to all towns and know the amount needed in every town for drainage systems. I think this is the time, as an Assembly, to ensure that we come up with the best BQs for this purpose. With those remarks, I support and call upon the mover to respond. Thank you.

Speaker: Yes, the mover and the Leader of Majority Party, Hon. Kariuki Muchiri.

Hon. Kariuki Muchiri: Thank you Mr. Speaker. I wish to thank the Hon. Members for their contributions. Their input is very important and I concur with them that this is a crosscutting issues because most of our trading centers lack proper drainage systems.

Mr. Speaker, I don't want to forget an incident that occurred in Murungaru whereby there was a heavy downpour. Since the sewer goes to a certain seasonal river, the water passes through settlement and therefore it is hazardous to people's health. When members are therefore considering allocations for drainage systems in various trading centers, I pray that they consider Murungaru.

Mr. Speaker, without much ado, I once again thank the hon. Members and beg to move. Thank you.

(Question put and agreed to)

MOTION

REPORT OF THE HOUSE BUSINESS COMMITTEE ON COMMITTEES' MEMBERSHIP
HARMONIZATION, DATED 24TH FEBRUARY 2016 BE WITHDRAWN WITH THE LEAVE OF
THIS HOUSE.

Speaker: Yes Vice Chairman, House Business Committee and Deputy Speaker Hon. Wambugu King'ori.

Hon. Edinald Wambugu: Thank you Mr. Speaker. Before I move this motion, I need clarification from the chair because this motion was moved by Hon. James Mwangi Gichuki, who was then the leader of majority, on the first day of March, on behalf of the House Business committee then the mover of the motion withdrew the motion with leave from the then Speaker, Hon. Edinald Wambugu King'ori, with directions that the House Business committee reconsiders the report.

Speaker: Hon. Members, it seems there is an issue that I had not considered was that if the motion was withdrawn, did it have mean that the report was also withdrawn or is it just the motion that was withdrawn, thereby not affecting the report in any way? If the first position obtains, that the withdrawal of the motion impacted on the report, meaning that the report was withdrawn with the motion, then the procedure would be that the report that was prepared thereafter ought to be tabled, notice of its motion given, then seek leave for the one day notice requirement and then move the substantive motion.

If the withdrawal of the motion did not impact on the report, meaning that the report is still on record, the vice chair will have to first withdraw the report that was on record and file the report that the committee has freshly prepared, I am privy to information that a new report has been prepared and then give notice of its motion, move a motion to dispense of the one day notice requirement and if the leave is granted, move a substantive motion on the same.

The main issue then is, is the report still on record? My view is it is still on record so I would advise the vice chairperson to first withdraw the report with the leave of the House because I do not think the withdrawal of the motion impacted on the report, then table the report, give a notice of motion and move for the dispensation of the one day notice before moving the substantive motion for its adoption. I am not sure how procedural that is and maybe we should give the vice-chairperson a chance to put the House in order and resume after 10 minutes. The Sergeant-at-arms understands what it means to suspend the House, simply lower the mace.

(The mace is lowered)

(The House suspends for ten minutes)

RESUMPTION OF INTERRUPTED BUSINESS

QUORUM CALL

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

Speaker: Hon Members, I am sorry I have to revoke the directions I had given as I have just received new (material) information that affects the very fundamentals on which I gave the communication that already the report prepared by the House Business committee had been tabled in this house and a notice of its motion given on the same day and therefore, the old report of the committee is irregularly on record.

The directions I would wish to give the vice chairperson of the House Business Committee is that he moves a motion to withdraw that report with the leave of the House and then move a substantive motion for the adoption of the report that has already been tabled and notice of its motion given. Proceed vice chairperson.

Hon. Edinald Wambugu: Thank you Mr. Speaker for that Solomonic ruling. I would wish to withdraw the report of the House Business committee as tabled and moved by the Hon. Mwangi Gichuki on 1st March, 2015 and seek to move the motion for the adoption of the newly prepared report. Thank you Mr. Speaker sir.

Speaker: Hon. Members, the reason for my inaction is that we must confine ourselves to the procedure and I am waiting to confirm the date of the report because we cannot withdraw a motion whose date is not clear.

(Speaker consults with the clerk at the table)

Speaker: Proceed member for North Kinangop and vice chairperson committee on House Business.

Hon. Wambugu King'ori: Thank you Mr. Speaker. I beg to move the motion that the report of the House Business committee on Committees' membership harmonization dated 24th February, 2016 be withdrawn with the leave of this House. Mr. Speaker, this is the second edition of the reports that have emanated from this committee and after a long consultation, the members found it necessary to have the report withdrawn and have the concerned committee reconsider this reports. I call the leader of majority to second this motion.

Speaker: Yes member for Murungaru and the leader of majority, Hon. Kariuki Muchiri

Hon. Kariuki Muchiri: Thank you Mr. Speaker, I do second.

(Question proposed)

(Question put and agreed to)

Speaker: Now we only have one report of the House Business committee. Proceed member for North Kinangop and vice chairperson House Business committee.

SUBSTANTIVE MOTION

REPORT OF THE HOUSE BUSINESS COMMITTEE ON COMMITTEES' MEMBERSHIP HARMONIZATION

Hon. Wambugu King'ori: Thank you Mr. Speaker. I beg to move the motion that this House does adopt the report of the House Business committee, on Committees' Membership Harmonization as a report of this House and the recommendations therein as resolutions of this House.

Mr. Speaker, this report is long overdue and this issue has been discussed in this House for quite some time now. On the 30th day of July, 2015, the County Assembly of Nyandarua amended its Standing Orders for various reasons majorly, being the need to align its committees with the departmental establishment of the executive arm of the County Government.

Indeed, the amendments culminated into the establishment of four new committees, each one of them with a defined scope of mandate. The four committees include:

- a. Members' Welfare, Catering and Library Service Committee ;
- b. Finance and Economic Planning Committee;
- c. Youth Affairs, Sports, Tourism and Wildlife Committee; and
- d. Intergovernmental Relations and Coordination; Information Communication Technology (ICT) and e-Government Committee.

The amended Standing Orders also abolished, by way of merger, two committees that had been established in the previous Standing Orders. These two committees are;

- a. Information , Communication and Technology and e-Government Committee ; and

b. Intergovernmental Relations and Co-ordination Committee.

The establishment of four new Committees and subsequent abolishment of two Committees necessitated the harmonization of the membership of the Assembly's Committees, in line with the new structure. Accordingly, while approving the amendments the Assembly resolved that the House Business Committee does, in accordance with its powers as contained in the Standing Orders, present to the Assembly, within thirty (30) days of the resolution, a report on the harmonized Committees' membership.

The House Business Committee on 24th February, 2016 tabled a report on the harmonization of Committees' membership and subsequently moved a motion for its adoption on 1st March, 2016. However, the mover sought leave to withdraw the report with directions that the harmonization process be reconsidered.

On 1st March, 2016 Hon. James Mwangi Gichuki, the then Majority Leader and a member of the House Business Committee, moved a motion for adoption of the Report of the House Business Committee on Harmonization of Committees' Membership. He later however, sought leave to withdraw the motion to allow for further consultations. The Speaker granted the leave with directions that the committee does reconsider the report.

On 12th April, 2016 the entire Assembly membership held a consultative meeting at Ranges View Hotel with a view of resolving the stalemate around appointing members to the newly constituted committees and, to a larger extent, harmonizing membership in the other committees. The Harmonization process involved the removal and appointment of some members from certain committees that were not affected by the amendments to the Standing Orders. The following is the outcome of the process:

Removal of members from various Committees that were not affected by the amendment of the Standing Orders.

Implementation Committee

- i. Hon. Kariuki Muchiri
- ii. Hon. Jane Muthoni Mwathe

Agriculture, Livestock Development and Fisheries Committee

- i. Hon. Sylvester Mwangi Kagiri

Health Services Committee

i. Hon. Teresia Njoki Kimani.

Speaker: Member for North Kinangop, unless the member for Magumu has changed her marital status, I thought she was Kamau, please move an amendment to correct that.

Hon. Wambugu King'ori: Thank you Mr. Speaker; can I move the amendment once I am through?

Speaker: You could move the amendment even at this point because it is simply a matter of deleting one word and inserting another.

Hon. Wambugu King'ori: Thank you Mr. Speaker; I wish to move an amendment that we delete the name 'Kimani' after 'Njoki' and insert the name 'Kamau'. I call Hon. Kirumba to second.

Hon. Michael Kirumba: Thank you Mr. Speaker, I second the amendment.

(Question on amendment proposed)

(Question on amendment put and agreed to)

Speaker: The amendment has been effected. Proceed vice chairperson.

Hon. Wambugu King'ori: Thank you Mr. Speaker; I heard some members say nay so maybe...on a lighter note, however.

On Roads, Public works and Transport Committee

i. Hon. Ann Waithera Kionero

Intergovernmental Relations and Co-ordination Committee

i. Hon. Margaret Wamuyu Wambugu.

On appointment of members to the various Committees that were not affected by the amendment of the Standing Orders.

Committee on Implementation

- i. Hon. James Mwangi Gichuki
- ii. Hon. Miriam Wahura Ng'ang'a

Agriculture, Livestock Development and Fisheries Committee

i. Hon. David Mwangi Ndirangu

Health Services Committee

i. Hon. Dorcas Nyambura Kihara

Roads, Public works and Transport Committee

i. Hon. Edinald Wambugu King'ori

Intergovernmental Relations and Coordination, Information, Communication and Technology (ICT) and e-Government Committee

- i. Hon. Peter Githinji Ngumba

In relation to the Members recommended for appointment to the new committees created following the amendment of the Standing Orders, On Finance and Economic Planning Committee, we have;

- i. Hon. James Mwangi Gichuki
- ii. Hon. Joseph Mumba Gichini
- iii. Hon. David Mwangi Ndirangu
- iv. Hon. Rahab Wanjihia
- v. Hon. Paul Maina Nderitu

Members' Welfare, Catering and Library Services Committee we have:

- i. Hon. David Mwangi Ndirangu
- ii. Hon. Margret Wamuyu Wambugu
- iii. Hon. Nancy Wambui Ng'ang'a
- iv. Hon. Monica Wamuyu Kariuki
- v. Hon. Jane Muthoni Mwathe
- vi. Hon. Rebecca Nyangati Weru and lastly we had;
- vii. Hon. David Ndirangu Ngigi

Hon. Tiziana Wanjiru Mwangi had been proposed for nomination to the **Members' Welfare, Catering and Library Committee**, but was not seconded. The House Business Committee resolved that **Hon. Monica Wamuyu Kariuki** who had been proposed and seconded by majority of the members takes membership into the Committee. Members unanimously resolved that those members who initially belonged to the **ICT and E-Government Committee** do automatically become members of the newly established Committee on **Youth Affairs, Sports, Tourism and Wildlife**.

They also agreed that **Hon. David Mwangi Ndirangu** and **Hon. James Mwangi Gichuki** be added to the committee. It was also agreed that Members of the **Intergovernmental Relations and Coordination Committee** automatically become members of the newly established **Intergovernmental Relations and Coordination, Information, Communication and**

Technology (ICT) and e-Government Committee. The Committees, hence, were constituted as follows;

Intergovernmental Relations and Coordination, Information, Communication Technology (ICT) and e-Government

- Hon. John Kieru Wambui Chairperson
- Hon. Joseph Mumba Gichini Vice- Chairperson
- Hon. James Wahome Ndegwa
- Hon. John Kinyanjui Gachari
- Hon. James Kiiru Gachomba
- Hon. Peter Njoroge Kairu
- Hon. Joshua Muriithi Muigai
- Hon. Peter Githinji Ngumba
- Hon Rahab Wanjehia

Youth affairs, Sports, Tourism and Wildlife

- Hon. Sammy D Kamau Ngotho Chairperson
- Hon. Rebecca Nyangati Weru Vice- Chairperson
- Hon. Samuel Kimani Gachuhi
- Hon. Josphat Kamau Njoroge
- Hon. Beth Wahito Njoroge
- Hon. John Kieru Wambui
- Hon. Moses Mwachigi Kahuhu
- Hon David Mwangi Ndirangu
- Hon James Mwangi Gichuki

Speaker: Vice Chair, I don't know why these issues are recurring because we had corrected the name of Hon. Moses Mwachigi that should be Kahuhu not Kahugu. Kindly move an amendment to have the right name inserted.

Hon. Wambugu King'ori: Maybe Mr. Speaker if you could allow we could treat this as a case of a typing error rather than have to move an amendment.

Speaker: Yes you can but indicate explicitly that this is a typographical error.

Hon. Wambugu King'ori: Thank you Mr. Speaker, the name of Moses Mwachigi is erroneously typed as Kahugu but should be Kahuhu. On the recommendations, the House Business Committee, guided by the principles and factors relevant to the harmonization process and outcome of the meeting with the entire Assembly membership presents to the Assembly, the following recommendations shall be adopted as the resolutions of the House.

1. That members of the County Budget and Appropriations Committee; and the County Public Accounts and Investments Committee as currently constituted, do continue serving as such until the end of the term of the first Assembly, notwithstanding the provisions of article 184(5) and 185 (4) of the Standing Order adopted by the Assembly on 29th July 2015.

The membership of the aforementioned two committees does remain as follows;

County Budget and Appropriations Committee

- i. Hon. James Kiiru Gachomba; - Chairperson
- ii. Hon. David Ndirangu Ngigi; - Vice - Chairperson
- iii. Hon. Patriciah Wanjugu Njoroge;
- iv. Hon. Samuel Mwangi Thuita;
- v. Hon. Beth Wahito Njoroge;
- vi. Hon. John Githinji Mwaniki;
- vii. Hon. Joshua Muriithi Muigai;
- viii. Hon. Margaret Wamuyu; and
- ix. Hon. Ann Waithera Kionero.

County Public Accounts and Investments Committee

- i. Hon. Sylvester Kagiri Mwangi; - Chairperson
- ii. Hon. Suleiman Kihika Kimani; - Vice - Chairperson
- iii. Hon. Dorcas Nyambura Kihara;
- iv. Hon. Tiziana Wanjiru Mwangi;
- v. Hon. John Kinyanjui Gachari;
- vi. Hon. Nancy Wambui Ng'ang'a;
- vii. Hon. Teresiah Njoki Kamau;
- viii. Hon. Michael Njoroge Kirumba; and

ix. Hon. Peter Njoroge Kairu.

2. That the Assembly does approve by way of resolution the House Business Committees recommendations on the harmonization process as follows;

a. Members be removed from the indicated committees -

Implementation Committee

- i. Hon. Kariuki Muchiri
- ii. Hon. Jane Muthoni Mwathe

Agriculture, Livestock Development and Fisheries Committee

- i. Hon. Sylvester Mwangi Kagiri.

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

Speaker: What is it County Member from Githioro?

Hon. Dorcas Kihara: I rise, Mr. Speaker, because we do not have a member in this House known as Hon. Sylvester Mwangi Kagiri. We only have Hon. Sylvester Kagiri Mwangi.

Speaker: Vice Chair, I also thought we corrected this too; even in places where I see members with only two names. We agreed as a committee that every member should be referred to by their official three names except off course for Rahab Wanjehia who officially has two names. Vice Chairperson, maybe you can indicate the correct order of the member for Githioro's name so that wherever they appear, they can be corrected appropriately. Yes Leader of majority

Hon. Kariuki Muchiri: Thank you Mr. Speaker, maybe for the purposes of HANSARD, I also have two names.

Speaker: Yes and maybe that is why the leader of majority and Hon. Wanjehia attract because they are the only ones with two names. Yes member for Kipipiri and deputy leader of majority, Hon. Michael Njoroge Kirumba.

Hon. Michael Kirumba: Thank you Mr. Speaker, it is three years since we came here but I still see the office of the clerk make mistakes in regard to our names and titles. In the order paper, for example, the majority leader is indicated as the member for Magumu. Maybe it is good to correct that for the purposes of record.

Speaker: Those things that we may dismiss are not as minor as we think when it comes to parliamentary reports. The committee travelled all the way to Naivasha on a Sunday and we proof

read the report and corrected these issues. I am not amused that there are still issues. Yes county member from Weru.

Hon. David Ndirangu: I am also drawing the attention of the House to page eight where they refer to Hon. David Ndirangu Mwangi and not David Mwangi Ndirangu as is the correct name.

Speaker: Vice chairperson, please note these corrections as we go along and everywhere the names appear.

Hon. Wambugu King'ori: Thank you Mr. Speaker, on Members being removed from the Health Services Committee we have

- i. Hon. Teresia Njoki Kamau

Roads, Public works and Transport Committee

- i. Hon. Ann Waithera Kionero

Intergovernmental Relations and Co-ordination Committee

- i. Hon. Margaret Wamuyu Wambugu

Members be appointed to the indicated committees –

Committee on Implementation

- i. Hon. James Mwangi Gichuki
- ii. Hon. Miriam Wahura Ng'ang'a

Agriculture, Livestock Development and Fisheries Committee

- i. Hon. David Mwangi Ndirangu

Health Services Committee

- i. Hon. Dorcas Nyambura Kihara

Roads, Public works and Transport Committee

- i. Hon. Edinald Wambugu King'ori

Intergovernmental Relations and Coordination, Information, Communication and Technology (ICT) and e-Government Committee

- I i. Hon. Peter Githinji Ngumba

3. **That** the following members be appointed into the indicated newly established committees;

Finance and Economic Planning Committee

- i. Hon. James Mwangi Gichuki

- ii. Hon. Joseph Mumba Gichini
- iii. Hon. David Mwangi Ndirangu
- iv. Hon. Rahab Wanjihia
- v. Hon. Paul Maina Nderitu

Members' Welfare, Catering and Library Services Committee

- i. Hon. David Mwangi Ndirangu
- ii. Hon. Margret Wamuyu Wambugu
- iii. Hon. Nancy Wambui Ng'ang'a
- iv. Hon. Monica Wamuyu Kariuki
- v. Hon. Jane Muthoni Mwathe
- vi. Hon. Rebecca Nyangati Weru
- vii. Hon. David Ndirangu Ngigi

Speaker: Just a minute, Vice Chairperson, I think we had agreed that in the Members' Welfare, Catering and Library Services Committee, we add Hon. James Mwangi Gichuki and Hon. David Mwangi Ndirangu. Look at page 9, Members unanimously resolved that those members who initially belonged to the ICT and E-Government Committee do automatically become members of the newly established Committee on Youth Affairs, Sports, Tourism and Wildlife.

We also agreed that Hon. David Mwangi Ndirangu and Hon. James Mwangi Gichuki be added to the committee. It was also agreed that Members of the Intergovernmental Relations and Coordination Committee automatically become members of the newly established Intergovernmental Relations and Coordination, Information, Communication and Technology (ICT) and e-Government Committee. Sorry, I see now it was for the ICT.

Hon. Wambugu King'ori: Thank you Mr. Speaker on the Intergovernmental Relations and Coordination, Information, Communication Technology (ICT) and e-Government.

- Hon. John Kieru Wambui Chairperson
- Hon. Joseph Mumba Gichini Vice- Chairperson
- Hon. James Wahome Ndegwa
- Hon. John Kinyanjui Gachari
- Hon. James Kiiru Gachomba
- Hon. Peter Njoroge Kairu

- Hon. Joshua Muriithi Muigai
- Hon. Peter Githinji Ngumba
- Hon Rahab Wanjehia

(Hon. David Ndirangu (Mirangine) rises on a point of order)

Speaker: What is it member for Mirangine Hon. David Ndirangu Ngigi? Vice Chairperson please resume your seat.

Hon. David Ndirangu (Mirangine): Mr. Speaker, on page 9, it is indicated that Members unanimously resolved that those members who initially belonged to the ICT and E-Government Committee do automatically become members of the newly established Committee on Youth Affairs, Sports, Tourism and Wildlife. They also agreed that Hon. David Mwangi Ndirangu and Hon. James Mwangi Gichuki be added to the committee.

It was also agreed that Members of the Intergovernmental Relations and Coordination Committee automatically become members of the newly established Intergovernmental Relations and Coordination, Information, Communication and Technology (ICT) and e-Government Committee. However, my name does not appear yet I was a member of the ICT and E-Government Committee.

Speaker: Member for Mirangine, it seems you are already a member of three committees and therefore could not be listed as a member of another committee as we had agreed. Those that had more than three committees were made to give up some.

Hon. David Ndirangu (Mirangine): Okay; thank you Mr. Speaker.

Speaker: Proceed Vice Chairperson.

Hon. Edinald King'ori: Thank you Mr. Speaker.

Youth affairs, Sports, Tourism and Wildlife

- Hon. Sammy D Kamau Ngotho Chairperson
- Hon. Rebecca Nyangati Weru Vice- Chairperson
- Hon. Samuel Kimani Gachuhi
- Hon. Josphat Kamau Njoroge
- Hon. Beth Wahito Njoroge
- Hon. John Kieru Wambui
- Hon. Moses Mwachigi Kahuhu

- Hon David Mwangi Ndirangu
- Hon James Mwangi Gichuki

4. **That** the Clerk to the Assembly does appoint a place, date and time within seven days of adoption for the first meeting of the newly constituted committees for elections of the Chairperson and Vice-chairperson pursuant to Standing Order 159.

5. **That**, within 14 days, the Liaison Committee does prepare a matrix outlining the days, time and places where every committee will hold its meetings in a bid to meet the quorum threshold pursuant to Standing Order number 34. (1)

6. **That** this House does resolve to amend the Standing Orders to include the position of a Vice chairperson for the Liaison Committee who will be elected from amongst the members of the Chairperson's panel.

7. **That**, pursuant to Standing Order 189 (2) (c), the Liaison Committee considers the weekly programmes of all Committees, including their need to travel and sit away from the precincts of Assembly. It is on the basis of the programmes that Committees shall make their respective requests to the Office of the Speaker. In conclusion and pursuant to the provisions of Article 152 of the Standing Orders the House Business Committee recommends, THAT:

This House does adopt the Report of the House Business Committee on the harmonization of Committee membership". Without further ado, I call the leader of majority to second.

Speaker: Yes, Majority Leader, and member for Murungaru, Hon. Kariuki Muchiri.

Hon. Kariuki Muchiri: Thank you Mr. Speaker. This issue has taken the assembly and the House Business committee quite a long time to harmonize and we are grateful that it has finally been done. Now those that were initially disappointed can now settle and get to work. I second.

(Question proposed)

Speaker: Yes member for Kipipiri and the deputy leader of the majority, Hon. Michael Kirumba. Member for Shamata you do not look very sure.

Hon. Michael Kirumba: Thank you Mr. Speaker, I rise to support this report, appreciating that this issue has taken quite a long time in its harmonization. It was especially

important for one of our members, Hon. David Mwangi Ndirangu that was not a member of any committee and this could and maybe did attract some queries. Thank you Mr. Speaker, I support.

Speaker: Yes Majority whip.

Hon. Kinyanjui Gachari: Thank you Mr. Speaker. I stand to support this motion. I am happy that this exercise was concluded successfully because there were a lot of issues surrounding the committees' membership and Members were finding it hard to agree. Everyone has taken part in this exercise and I am sure the members that were disadvantaged like Hon. Mumba and Hon. Dorcas now have a reason to smile. For Hon. David Mwangi Ndirangu who was attending all the committees, we will now tame him and he will learn to concentrate on his committees. He will not be coming late anymore...

(Hon. David Mwangi Ndirangu rises on a point of information)

Speaker: What is it Member from Weru, Hon. David Ndirangu?

Hon. David Ndirangu: Thank you Mr. Speaker, I wish to inform the member that I was not coming late maybe he is the one who was coming late but not me.

Speaker: Member for Shamata, a point of order was raised but the county member for Weru became argumentative. Please proceed.

Hon. Kinyanjui Gachari: Thank you Mr. Speaker. You know I am the eyes of the party and I know that he was always coming late...

Speaker: Member for Shamata, please proceed with the debate at hand.

Hon. Kinyanjui Gachari: In essence, I was saying that I support this motion. Thank you.

Speaker: Yes Member for Wanjohi, Hon. Mumba Gichini.

Hon. Mumba Gichini: I rise to support the motion and congratulate the House Business Committee for their splendid work. If there were members in this House who were disadvantaged, I was one of them. It is always good to consider your colleague wherever you are going. It is pointless to be selfish. I therefore want to say that the House Business has done a good job and considered some disadvantaged members and may God bless them. Thank you Mr. Speaker, I support.

Speaker: Very well Member for Wanjohi. Yes, County Member from Weru, Hon. David Ndirangu.

Hon. David Ndirangu (County member): Thank you Mr. Speaker for giving me this chance. I will no longer hop from one committee to the other and I therefore support this report sincerely. I would also like to appreciate and highlight that I was given the leeway by the Speaker to go and learn from various committees as my induction course. I have now learned and will now concentrate on the committees that I have been assigned.

Mr. Speaker, there was a case in Court and it was dropped on Tuesday and therefore all of us are free to dispense their mandates peacefully. As Hon. Kirumba would say, it should be captured in the HANSARD that you gave me a letter and allowing to be moving from one committee to another.

This is very important because you might not know what will happen tomorrow. I am very happy you gave the letter to me and I have it in my archives for future reference. In case anyone asks why I was moving from one committee to the other, I will definitely show with that letter document that the Assembly allowed me. Thank you very much.

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

Hon. Nancy Ng'ang'a: Thank you Mr. Speaker. With your permission, I would like to register my gratitude especially to you and the elected members of this House. This is on behalf of the nominated members because of the support that you have given us all through. For the three years, we have had a very rough time because we were working under fear and anxiety and at no one time did we feel intimidated by the elected members. You, Mr. Speaker has always treated all of us equally. In fact, nobody could have noticed that some of us were living in anxiety.

Mr. Speaker, I could refer to these nominated ladies as 'iron ladies' because they have worked without any sign of weariness despite the fact that they had this matter in their minds. The elected members are witnesses that the nominated members have worked tirelessly. Therefore, we are very happy and may God bless your kind gestures and moral support for the whole three years. The case now being behind us, we will work even more and extra harder because we have peace in our minds. The support the elected members showed us was unwavering and it was evident after the ruling because even Hon. Kairu hugged warmly.

(Laughter)

Mr. Speaker, I was saying that the...

Excessive consultations

Speaker: Order Members! The attention should be on the County Member from Kipipiri and not Member for Githabai.

Laughter

Proceed.

Hon. Nancy Ng'ang'a: Mr. Speaker, on the issue of the report, I wish to congratulate the House Business Committee for finalizing on this report. It has taken over seven months for this report to be in this House. Although the report has come severally, we have not been able to agree on it and consequently, the report was withdrawn.

I wish to congratulate you Mr. Speaker because it only took you two hours to iron out the contentious issues. Everything you did took only two hours and I salute you quite literally because you are my hero...

(Hon. Mwangi Gichuki rises)

Speaker: What is it Member for Engineer, Hon. Mwangi Gichuki?

Hon. Mwangi Gichuki: Thank you Mr. Speaker. I would like to understand from the member whether she is insinuating that there was any level of incompetence from the House Business Committee that led to the delay of the report for almost seven months. If so, the member should withdraw because she is doubting the competence of the HBC.

Speaker: I think the county member from Kipipiri is saying that you had a slow pace and the speaker was faster. There was no insinuations or innuendos. Proceed member for Kipipiri.

Hon. Nancy Ng'ang'a: Thank you Mr. Speaker. My point was that it took a very short time for you to ensure that then harmonization was agreeable and delighted everyone. Given the magnitude of this report, I once thank you for your wisdom and counsel throughout the process. To that end, I support the report and beg to sit. Thank you.

Speaker: Yes Member for Mirangine, Hon. David Ndirangu (Mirangine).

Hon. David Ndirangu (Mirangine): Thank you Mr. Speaker, I rise to support this motion. My only concern is that in the Welfare Committee, there are only two 'young men' and I feel that we are endangered...

(Laughter)

Mr. Speaker, I support. Now that we are all comfortable with the committees that each one of has been selected to join, I would like to inform the members that there is no committees

that are active than the others. It depends on how vibrant the members are in pursuing the development agenda of the county.

I would like some clarity on recommendation no. 4 because, it says that within seven days, the Clerk to County Assembly does appoint place, time and date. Is it from the time the harmonization took place or after adoption of the report? In addition, recommendation no. 6, it is not clear when the amendment will happen to avoid confusion? Thank you Mr. Speaker and I now call upon the mover to respond.

Speaker: Yes mover.

Hon. Wambugu King'ori: I would like to clarify that the seven days stipulated in the amendment 4 will take effect after the adoption of the report. On recommendation no. 6, that the House does resolve to amend the standing orders to include the position of the Vice Chair in the Liaison Committee, who will come from the panel of chairpersons of various committees, after the approval, the Office of the Clerk will be in a position to take the appropriate action including bringing the amendments to the House Business Committee, which will later bring the amendments to the House for eventual approval.

Mr. Speaker, now that the harmonization has been agreed upon, it is now the duty of the Hon. Members to ensure that they exercise their mandate at the committee level, with the spirit of assisting the people of this County after approval of the report.

Mr. Speaker, on the pending work, we hope that the committees will go for public participation forums and come up with the reports.

We expect the chairpersons to give us some directions because as you can recall, as a committee, we made several recommendations. Such committees as Budget and Appropriations has two pending bills and already we have another report to be brought by the end of the month because it is a part of the budget cycle and thus, it has some timelines. We were of the view that the pending bills be taken to other committees that have less work. Therefore, we are hoping that you will give us directions on how to go ahead with the bills. With those few remarks, I beg to move. Thank you.

(Question put and agreed to)

Speaker: The report on the harmonization of the committees' membership is now adopted as a report of this House and will take effect from midnight tonight but we have already

approved some business for the committees as previously constituted and I believe that will still go on because the approvals had already been made before the resolutions of the House.

I think that there are issues that need to be discussed, especially on whether there will be any further approvals because members, we might need to first agree that we are able to move a supplementary budget. Otherwise, we cannot be in a position to move without it and we had discussed with members why that would be the case. The biggest problem we have right now is funds. The county assembly and senate legislative conference will be held between 16th and 20th of May, 2016 in Mombasa. If we exhaust what we have now, we might not be in a position to attend. This should be very serious because it is what concerns us, not even the Meru conference. All the County legislatures in the country will attend the conference in Mombasa between 16th and 20th May. If we continue going out the way we are, we better forget about it because it is not possible. Therefore, we shall continuously communicate to you about what is possible and what is not. By tomorrow, the Leader of Majority will be communicating to you after we are briefed on when the supplementary budget will be ready.

We are supposed to be briefed on that and it is the major reason board is meeting tomorrow. We need to know what is possible and by when so that we can know what to and not to allow. By 16th and 20th May, we should have a budget. The failure to do this implies that we might not be able to release any member to go out.

Hon. Members, I would also like to comment on the issue of the harmonization report. It had taken a lot of time but we are learning about these things. Some of the situations where members are directly affected should call for dialogue where we sit together and come up with better decisions. We have learnt that and we shall be coming to you very regularly every time the need arises.

Next order!

ADJOURNMENT MOTION

Speaker: Yes the Majority Party Leader and Member for Murungaru, hon. Kariuki Muchiri.

Hon. Kariuki Muchiri: Thank you Mr. Speaker. I beg to move the following motion:
That this House adjourns its sittings from 29th April 2016 to 30th May 2016 for long recess as per its adopted Assembly Legislative Calendar.

Mr. Speaker, this House has a legislative calendar that guides the business of the Assembly. This recess is very important for the members of this County Assembly because it will enable the Hon. Members to go to their respective wards to be with their electorates and their families. They also need to continue to play their oversight roles especially on projects that are still going on. We are all aware that work has not started in some wards. This is therefore an opportune moment for the members of this House to go to their wards and actually, know what is happening.

Mr. Speaker, because of the many hours that the members have been engaged in this House, they might not always get ample time to attend to the issues of their residents. This is a good chance to go and interact with the people and try to solve some of the issues the people have and give them hope that some of the works that have not been done will be done in the next financial year. This is because everything cannot be done in one fiscal year.

Mr. Speaker, the issue of family is also important to us because we are family people. Each one of these members are family members and they require time to be with their families. More so, they also need to prepare children who will be going back to school next week. For those without school going children, they have relatives they are supporting. Therefore, this is a very good time for these Hon. Members to go and spend time with their families.

Mr. Speaker, various committees have pending businesses that require completion. Let the hon. Members take the opportunity to go and look into the bills during this recess. They should look into ways of compiling the reports and probably this supplementary budget will be fast-tracked. In addition, the recess is important so that the hon. Members can do the reports that will generate business for this House.

(The Speaker, Hon. Ndegwa Wahome, leaves the chair)

(The Deputy Speaker, Hon. Wambugu King'ori, assumes the chair)

Finally, I would like to mention something about the political temperature that is rising in the wards. The Hon. Members need to go to their respective wards so that they can put out these 'fires' that have been lit by our competitors. I know and I am sure that the members will do just that. With those few remarks, I wish to call upon the Majority Whip to come and second this motion. Thank you.

Speaker: Yes, Majority Whip and Member for Shamata, Hon. Kinyanjui Gachari.

Hon. Kinyanjui Gachari: Thank you Mr. Speaker. I rise to second to the motion. As stated by the Leader of Majority Party, there is a lot of work to be done on the ground. If we concentrate so much on the House business, we can even lose a lot in the grassroots.

Mr. Speaker, we are just a few months away from the elections. This is therefore an important time that requires concentration so that we can come back here after political competition. As much as the business that we are transacting in this House is important, it is equally important for us to keep in touch with the electorate.

Mr. Speaker, I support this motion of adjournment so that I can go and do businesses of the ward. We also need to go and oversight the work that the executive is doing in our wards. Some of these works are very important to the people and are among the key factors that will determine our re-election. To that end, I second. Thank you Mr. Speaker.

(Question proposed)

Speaker: Yes, Member for Kaimbaga, hon. Kimani Njiraini.

Hon. Kimani Njiraini: Thank you Mr. Speaker. I rise to support this motion. I know that various members travel long distances to get home. Hon. Members from Magumu and Murungaru are specific examples. However, for me and *mheshimiwa* Ngotho, we leave within the environs of the Assembly.

(The Deputy Speaker, Hon. Wambugu King'ori, leaves the chair)

(The Speaker, Hon. Ndegwa Wahome assumes the chair)

As the Leader of Majority has said, the political temperatures are rising but like President Kenyatta, I am used to politics because they started immediately I came into office. God willing, I know all of us will come back to this House and I know we pray for each other. With those remarks, I support. Thank you.

Speaker: Yes, Member for Karau, Hon. Kamau Ngotho.

Hon. Kamau Ngotho: Thank you Mr. Speaker. I rise to support the adjournment motion. In the national assembly, you find that that there are no limitations to sittings. On recess, we give the members only four sittings because one of the essence of recess is catching up on the committees' work. Should we be paid for attending four or eight committees? We had asked this question sometimes last year and we did not get a clarification. I am hoping therefore that we could get a clarification.

All in all, we are glad that we are headed for a one month recess so that we can catch up with the issues affecting our wards. As I had said earlier, in one month, we will be able to catch up with the committees' works and address such issues as the pending bills like the Kiosk Bill that is really affecting our people. We hope that the Hon. Members will now have the time to engage the public during public participation so that we can move on. With that having been said, I support Mr. Speaker.

Speaker: Yes, Member for Charagita, Hon. Kiruka Mburu.

Hon. Kiruka Mburu: Thank you Mr. Speaker. I rise to support this adjournment motion. This is an opportune time to go and visit my electorate and spend some time with my family. We also need to concentrate on the role of oversight at this time so that we can know how the Executive is implementing some projects. In my ward, there is an issue of signboards. Some of them are made of offcuts and some costs associated with them do not add up. It is unfair. We agreed that the signboards are not going to be erected but this has persisted making my people to take to the streets in protest.

It is about time I also joined them in their demonstrations because I am their representative and need to support them anytime they require my support. The signboards have now become an avenue for wasting funds. Therefore, it is important that we take this important break so that we can address some of these issues. Thank you Mr. Speaker, I support.

Speaker: Yes Member for Githioro, Hon. Silvester Kagiri.

Hon. Silvester Kagiri: Thank you Mr. Speaker. I rise to support the adjournment motion. Apparently, the political temperatures in our wards have risen and we need to cool them by going to meet the electorate and give our position on some issues. Many lies have been peddled by our political opponents and we need to set the records straight.

Secondly, the recess is very important for the committees. For PIC/PAC, we have a lot of pending reports and we need time to focus on them and we are hoping that by the time we resume from recess, we shall have several reports ready for tabling in the House. The only thing is to urge the members to be vibrant. Even if the political temperatures are very high, let us do what we are mandated to do. Thank you Mr. Speaker, I support.

Speaker: Yes Deputy Speaker and Member for North Kinangop, hon. Wambugu King'ori.

Hon. Wambugu King'ori: Thank you Mr. Speaker, I rise to support the adjournment motion. The people who came up with the idea of the short and a long recess had a clue of the role of people's representatives. We are now going to play our role of oversight. It is our task to ensure that whatever the Executive has implemented has been done in accordance with the law and aspirations of our people. Now that we are headed to another financial year, it is important that we go for public participation so that we can incorporate the views of the public in the process. Thank Mr. Speaker, I support.

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

Hon. Samuel Thuita: Thank you Mr. Speaker. I rise to support this motion. This recess is important because members will get an opportunity to collect information about the issues affecting the people. As we break, I wish to register that the Budget Estimates ought to be passed by 30th April. Up to now the Executive is yet to submit them to the House. It is unfortunate but I don't know whether we will now have to have a special sitting before then. They have had all the time to come up with the Estimates but they have failed. With those remarks, I support. Thank you.

Speaker: Yes, County Member from Magumu Hon. Joyce Ng'ang'a.

Hon. Joyce Ng'ang'a: Thank you Mr. Speaker. I want to air my support for the motion. Initially, many of us did not understand the importance of the recess. But now we do and we shall continue piling pressure on the elected members of this House to deliver services to the people. I would feel very well being referred to as Hon. Joyce Ng'ang'a, member for Karau...

(Applause)

This is because we are capable of working for *Wanjiku*. With those remarks, I wish to call the mover to respond.

Speaker: Yes, the Mover and Leader of Majority Party, hon. Kariuki Muchiri.

Hon. Kariuki Muchiri: Thank you Mr. Speaker. I wish to thank the hon. Members for the support they have accorded this motion so that they can go for the long recess. As I had said earlier, there is a lot of work that the hon. Members need to go and carry out. This is in their wards, their families and in other spheres of their lives.

As the Leader of Majority therefore, I wish everyone, right from the Hon. Speaker to the staff, a nice recess and may everyone enjoy the Labour Day. Thank you.

(Question put and agreed to)

Speaker: The House will be adjourning today as per the legislative calendar, Thursday the 29th day of April 2016 to 30th May 2016. As we have always said, we have been let down by the other arm of government. The left hand seems not to be triggered by the needs of the right hand. There appears to be a little disconnect and that is why this House, despite being focused and clear in its vision of where it wants to go, there are some drawbacks.

I still think that we have done enough to keep us busy for 30 days especially explaining to the people why we have done whatever we have done and the reasons we have been unable to do some things particularly, budgetary allocation. I think those of you who saw me on *Inooro TV* can attest that there is a perception that we were given Kshs. 12 billion. We should let our people know that we have a workforce that consumes about Kshs. 2 billion. We did not employ these people but we found them there. They are their children and we would not be happy if we sack them. These things therefore should be made very clear to *Wanjiku* and ultimately they will understand because they are interested in service delivery and not any other shenanigan kind of things.

Hon. Members, I know you are good ambassadors when you go out there because we are receiving the reports and it means a lot to us as we move closer to the next elections. I know that the Leaders of Majority and Minority will be talking to you very regularly especially when we meet the Senate because there are so many things that we will require to do so that we put our books in order.

This will ensure that there is security for you and your future. In areas we need your cooperation and support please do so. We had agreed with the leadership of the County Assembly that we might pick four to five members of the Assembly so that when we appear before the Senate, because there is no limitation, one of you can come and explain to the rest the happenings at the Senate. I wish also to assure you that we are doing well as an assembly.

Hon. Ngotho raised the issue of the sittings and actually you know that you were being paid for 8 sessions initially. Then, I think Taita Taveta County Assembly wrote to SRC for clarification and I think the commission clarified that 8 sittings include four sittings for the plenary and 4 sittings for the committee. Consequently, our hands are tied. The communication was from SRC, and we can do little about it. Even after seeking an exemption because of the back log, I think the SRC might agree with some of the issues we might raise. Because, this is a legislative arm of the

government and we cannot be treated separately from the National Assembly or Senate whose sittings are limitless.

This is a big problem because we would wish that whenever there is no plenary, we can have 8 sittings for the committee so that we can create work for the plenary. I think this is a thing we shall pursue with CASB, I hope the Office of the Clerk is noting that, so that we can see whether there is an intervention. I therefore think that this is a problem that was brought about by Taita Taveta County Assembly. Why would you want a clarification when nobody has asked you a question?

Hon. Members, I would like to give clarification on some issue that member for Gathanji has raised. This is on Budget Estimates. Actually, the Act does not say that the estimates must be filed in the Assembly by 30th April. It says they must be submitted to the Assembly with all the supporting documents by 30th April. However, in an ideal situation, we should have had the estimates by today so that we can table them and delegate to the Committee on Budget and Appropriations. Without that, we shall have a special gazette, so that we can have a special sitting where we shall table the estimates and refer them to appropriate committee for processing.

To that end Hon. Members, I wish you well as you touch base with *Wanjiku* and hope everyone comes back here in better shape in order to be able to work effectively for our people, who are the citizens of this country. We are now adjourn until Tuesday, 30th day of May 2016.

The House rose at 5.46 p.m.