



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



OFFICIAL REPORT

(The Hansard)

Wednesday 2nd March, 2016

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

The Speaker, Hon. Ndegwa Wahome, in the Chair

Prayer

COMMUNICATION FROM THE CHAIR

Speaker: Hon. Members, I do not have a written communication as per the tradition, but I have been forced to make a certain communication due emerging issues. The reason I did not manage to come up with a written communication is because I was not able to reach all the chairmen of the committee that had been allowed to be out of station over the weekend. New and urgent issues arose that demanded that we suspend every other business of the House to allow the House, that is all sectoral committees, to travel to a convenient venue in order to interrogate the Fiscal Strategy Paper so that a report on the same can be brought to this House on Tuesday next week for adoption before Thursday the same week. But so far I have been able to talk to the chairpersons of the following committees: Lands, Housing and Physical Planning, Roads, Public Works and Transport, Joint Agriculture, Livestock and Fisheries and Industrialisation, Trade, Tourism, Wildlife and Cooperatives and Water, Environment and Natural Resources. We agreed with the chairperson of the said committees that the House should suspend its businesses and first deal with the said emerging issues. So, report writing that was meant for the coming weekend has been postponed to next weekend but one. In view of this, the deputy Leader of Majority will be expected to move a motion of adjournment so that the House adjourns to Tuesday, the 8th day of March, 2016 at 2:30p.m.

Remember I have made this communication following the concurrence of the chairpersons of the committees that I have outlined and I hope that they will talk with their committees' members to make the latter understand the situation that has prompted the decision that this communication bears.

Next order

NOTICE OF MOTION

REPORT OF THE COMMITTEE ON LANDS, HOUSING AND PHYSICAL PLANNING ON GRABBED WANJOHI YOUTH POLYTECHNIC AT WANJOHI AND ENCROACHED ROAD AT NDUNYU NJERU TOWNSHIP

Speaker: I want members to know that the notice of motion that was supposed to be moved now has not been given; and you know a motion whose notice has not been given cannot be moved. In fact, according to the County Government Act and the Standing Orders a notice of motion should be given twenty four hours before the motion is moved.

Nonetheless, I direct the vice chair of the Committee on Lands, Housing and Physical Planning to give the notice of the motion that was supposed to be moved during this sitting.

Hon. Dorcas Kihara rises on a point of order

What is it County member from Githioro, Hon. Dorcas Kihara?

Hon. Dorcas Kihara: Mr. Speaker, I need your guidance on this: that you have directed the vice chair of the Committee on Lands, Housing and Physical Planning to give notice of the motion that was supposed to be moved during this sitting yet the report pertaining to the same has not been tabled in this House.

Speaker: The report was tabled. The issue was only that notice of motion on the report was not given. Having confirmed that notice of the said motion was not given, the member for Geta and the vice chair of the Committee on Lands, Housing and Physical Planning should now give the notice of motion, then time for moving the motion will be allocated. So instead of begging to move the motion you should beg to give notice of the motion.

Hon. Michael Kirumba rises on a point of order

Yes member for Kipipiri and the deputy Leader of Majority, Hon. Michael Kirumba

Hon. Michael Kirumba: Mr. Speaker, I seek your direction that the order paper for today's sitting be amended to include the said notice of motion for record purposes. Thank you Mr. Speaker.

Speaker: Actually that is a very valid concern. The table clerks are therefore directed to amend today's order paper appropriately to include the said notice of motion and exclude the

item on moving the motion. I therefore expect that the order papers in all the members' files will be withdrawn and replaced with the amended order papers.

Proceed member for Geta and the vice chair of the Committee on Lands, Housing and Physical Planning, Hon. Githinji Mwaniki

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

That this House does adopt the report of the Committee on Lands, Housing and Physical Planning on Grabbed Wanjohi Youth Polytechnic at Wanjohi and Encroached Road at Ndunyu Njeru Township.

Thank you Mr. Speaker.

Speaker: Is that the proper notice of motion?

The Speaker consults with the clerk-at-the-table

Well, that is the correct notice of motion. The body of the notice of motion will be amended appropriately in the order paper.

The House Business Committee shall allocate time on how the motion will be processed.

Next order

The clerk-at-the-table announces that there is a motion by Hon. Michael Kirumba

Speaker: Actually the motion by Hon. Michael Kirumba is not in the order paper; it was in the communication from the chair that I said that the motion of adjournment will be moved by Hon. Michael Kirumba.

So, clerk-at-table, under order no. 8 you should say that there are no Bills nor Motions, then we revisit the directions in the communication from the chair on the motion by Hon. Michael Kirumba.

The clerk-at-the-table announces that there are no Bills nor Motions and the order paper has been exhausted

Speaker: Hon. Members, pursuant to the communication given by the Speaker, I now call upon the member for Kipipiri and the deputy Leader of Majority, Hon. Michael Kirumba to move his Motion

PROCEDURAL MOTION

ADJOURNMENT OF THE HOUSE FROM WEDNESDAY, 2ND MARCH, 2016 TO TUESDAY, 8TH MARCH, 2016

Hon. Michael Kirumba: Mr. Speaker, I beg to move a motion of adjournment:

That due to the stipulated timelines in the budget making process and considering that the House Calendar does not incorporate the needs of this motion; and pursuant to Standing Order No. 51, this House does resolve to adjourn all its sittings until Tuesday, 8th day of March, 2016 in order for the House to do what you had communicated pertaining to the needs of this motion.

Mr. Speaker, your communication was very clear and I believe members do agree that there is need to meet at Nairobi to finalise the budget process.

Mr. Speaker, this being a procedural adjournment motion I call upon Hon. Kamau Ngotho to second.

Speaker: Yes member for Karau, Hon. Kamau Ngotho

Hon. Kamau Ngotho: Thank you Mr. Speaker. Pursuant to Standing Order No. 51 that has been cited by the mover, I wish to second the motion of adjournment which reads in part that this House does resolve to adjourn all its sittings until Tuesday, 8th day of March, 2016.

The budget-making process for the 2016/2017 financial year begun in August last year and I hope we will not experience the challenges that we faced during the tackling of the CFSP for the 2013/2014 financial year.

As I was telling the chairperson of PIC/PAC in consultation, if we had done a very good ADP it would have been very easy to deal with the CFSP especially on the ceilings.

I beg all members to appear in Nairobi to interrogate the CFSP.

Remember both the Executive and the County Assembly aspirations for the year 2016/2017 must all be achieved.

Issues pertaining to social and roads sectors must be addressed in the budget. It is also the high time we did ‘plug and play’ on the provision of water that we promised our people since there will be no other budget in this term to implement this.

Hon. Members must take the meeting for which the House is adjourning very seriously. The Committee on Budget and Appropriations must consider all the issues raised in the CIDP. There are issues incorporated in the CIDP that have not been addressed. With a budget of about 5 billion shillings, that is, including local revenue and CRA disbursements, we can implement the projects incorporated in the CIDP and this will make some of us be re-elected. We must leave a legacy.

Let us take the CFSP at hand with all the seriousness it deserves, since it is what has prompted your office to allow this House adjourn for the next few days until Tuesday, the 8th day of March, 2016.

However Mr. Speaker, the CFSP should be brought to this House on 28th of February and it is good that we insist to the Executive that it should be brought before so that we can be able to discuss it. We may not know what informed them to allocate Ksh. 600 million to the agriculture department. The discussion between the executive and the assembly is very crucial. Before the CFSP is passed by the cabinet there is always so much consultation and I would like to know the deliberations of the cabinet. It is good that we know what informed them so that they could make some decisions so that we do not make decisions that will overshadow the executive's power. If this was done we would not have the budget changes.

Question proposed

Speaker: Yes member for Mirangine Hon. David Ndirangu Ngigi

Hon. David Ndirangu (Mirangine): Thank you Mr. Speaker I rise to support the motion by the Deputy Leader of Majority. It is good that we go and discuss the CFSP so that we come up with a document that we all agree with and one that is all inclusive. I support the motion.

Speaker: Yes member for Githioro Hon. Silvester Kagiri Mwangi

Hon. Silvester Kagiri: Thank you Mr. Speaker, I rise to support the adjournment motion. This is an important business and that is why your office found that we need to agree. This is where some of us members go wrong because we put the ceilings without perusing the document and knowing the amount of money that has been allocated to various departments. With the time that we have been allocated by the House we shall peruse the document and have that information. We shall also be able to judge whether the departments need that amount of money or less or even more that allocated. It is therefore important for every member to appear for this crucial business so that all of us can give their input on this. This is

the last budget that we shall implement while in the office. The wise man said that the last minute can save a man and if we are keen on this we can save at least half of us so that they can come back to this House for another term. I support the motion.

Speaker: Mover

Hon. Kieru Wambui and the mover rise simultaneously on the Speaker's right.

Speaker: Hon. Kieru, there is obviously no seat against you where you are standing and so there is no indication that you are rising to catch the eye of the speaker. Member for Gatimu
Hon. John Kieru Wambui

Laughter

Hon. Kieru Wambui: Thank you Mr. Speaker, I rise to support this and appreciate the mover for understanding the importance of a fiscal strategy paper. We said sometimes back that these documents should not be brought in the last minute. This has happened again and it has come at the last minute. 14th March is two weeks after today. They made sure that it was received by the assembly...

Hon. Kamau Ngotho rises on a point of information

Speaker: Do you need the information from the member for Karau?

Hon. Kieru Wambui: Yes

Speaker: You look suspicious about the information you want to give.

Laughter

Hon. Kamau Ngotho: Mr. Speaker, it is probably because I stole it from you. Mr. Speaker this is a leap year and the deadline is not 14th but 13th March.

Speaker: That is very correct normally when the County Fiscal Strategy Paper is brought on 28th February it is normally the last day of February, but this February has 29 day so actually we have 13 days.

Member for Gatimu proceed.

Hon. Kieru Wambui: That shows that he was a good student and he still remembers how we counted years. It is actually 13th and I appreciate the information. We are adjourning because of this document but I would like your guidance because the document has not been put in our

files since it was tabled. This is a very important document. I do not know why it is not in our files. If we are going through the document tomorrow I thought that it was better if we read it before then so that we can formally engage the budget committee. I support the adjournment motion and I would like to tell the members that we shall be doing a fiscal strategy paper that will take us to the next general elections. We should examine this document seriously as we did the annual development plan. With those few remarks, I call upon the Deputy Leader of Majority.

Speaker: The mover the member for Kipipiri and the Deputy Leader of Majority Hon. Michael Kirumba

Hon. Michael Kirumba: Thank you Mr. Speaker, I thank the members for supporting the motion and seeing the need to go and interrogate the CFSP. This one will be for the FY 2016/2017 and this is the year when this country will be in the campaign mood. It is good that by the time we leave we ensure that the road works have been done. The long rains come on 15th March and as we speak nothing is happening and the members are concerned. As we adjourn your office needs to communicate to the executive because we are getting concerned because they are doing nothing and we are in March. This morning it was cloudy and showers seemed to be there on the Aberdares. It is important to make them understand that these works ought to have started. Even if we go to Nairobi you will find that members will not be concentrating on what we are doing. It is one this to go and do what we are required to do and another one to be haunted by what is happening in the village. It is good that your office communicates. I know that you have done it before and there is no harm revisiting the issue in whichever form you may deem fit. This assembly is disappointed by the sluggish way in which things are being done. I move the motion.

Question put and agreed to

Speaker: Next order

ADJOURNMENT

Speaker: The House stands adjourned to Tuesday 8th March 2016 at 2.30 pm but, over and above that Hon. Members, you will realize that H. E the Governor had agreed to meet the assembly with the CECM for Agriculture and the Chief Officer thereof on Monday but we had overlooked the fact that we are supposed to attend the Limuru 3 on 7th march 2016. We are therefore working on an alternative date next week when the entire assembly will sit with

the governor and the CECM agriculture and the chief officer thereof but that has not been confirmed and once it is confirmed we shall communicate to you accordingly.

On the issue that has been brought up it is very critical that all of you be at KSG and participate fully. There was a question that was put here and I was working on that ruling and I was actually to deliver it tomorrow on the place of the ADP. However even before there is already a major problem because the ADP was supposed to inform the County Fiscal Strategy Paper but they are different. There is a lot of work; to streamline so that we can give clear directions on the implementation of the development plan for this year 2016/2017 will be handled. The main reason for this as ably and correctly noted by members is that these things come late and therefore there is no sufficient time to interpret them and put them in the right perspective and this is unfortunate. When I called on Thursday to ask when I expect to receive the CFSP the County Budget and Economic Forum was quickly convened the same day and the next day this document was passed in the cabinet. I do not know the reason why these things are happening but we are hoping that there will be an improvement.

To answer the concerns of most members, the members who were out writing reports elsewhere during the weekend we found the challenges that were there and that is the reason why we are going to KSG. Most members were asking why we cannot go to Naivasha but those that were in Naivasha last week saw the challenges that were there and the reason for going to KSG where they do not have challenges in terms of facilitating our members.

The House stands adjourned as earlier directed.

The House rose at 3.05 pm.