



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



(The Hansard)

Wednesday 30th March, 2016

*The Assembly met at the Assembly Chambers at 9:00 AM*

*The Speaker, Hon. Ndegwa Wahome, in the Chair*

Prayer

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

**Speaker:** Clerk, confirm that there is quorum.

*The clerk- at -the table confirms that there is no quorum.*

**Speaker:** There being no quorum, I invoke the provisions of the standing order 35 (1) and direct that the division bell be rang for an initial ten minutes or until such time, within the ten minutes, that quorum will be achieved.

*The division bell rings for ten minutes and quorum is attained as confirmed by the clerk- at -the table.*

**Speaker:** Quorum having been achieved, the bell may be disengaged and we can proceed with the business of the morning session. First order.

**COMMUNICATION FROM THE CHAIR**

**POSTMENT OF EVENT AT K.S.G TO ATTENT TRAINING AT CPST**

**Speaker:** I have a brief communication from the chair to the following effect: Members, as you will remember, I had on Tuesday, the 29<sup>th</sup> day of March 2016, made a communication to the effect that all Members would, between the 4<sup>th</sup> and 7<sup>th</sup> day of April, be expected to converge at the Kenya School of Government to deal with the following:

1. Work on harmonising the committees which has been pending for the last few months.

2. Be taken through the leadership and integrity code of the Nyandarua county assembly by the Ethics and Anti-Corruption Commission
3. Discuss the committees' manual as approved by the House Business committee.

This agenda had to be postponed to a date yet to be confirmed for the following reasons:

1. The CPST has confirmed a comprehensive training programme for all the members on ICT and other related issues between the 4<sup>th</sup> and 8<sup>th</sup> of April 2016.
2. It was not possible to postpone the training as the center's board's subcommittee on training. Members, you are therefore expected to travel on Sunday the 3<sup>rd</sup> day of April and travel back on Saturday the 9<sup>th</sup> day of April 2016. The training is intensive and extremely important in the discharge of mandate and maximum attendance and observance of time is expected and called for.

Hon. Members, as you are further aware, the issue of securities on our mortgage and car loans has been a perpetual annual audit query. It is still a major issue in the 2014/2015 audit report. Pursuant to this, it is critical that we come together as an Assembly and work on a definite road map to achieving total compliance with the law on this issue. I therefore request the Hon. Members to converge at the Assembly hall immediately after the afternoon session to deliberate on the same. Next order

## PAPERS

### PROGRESSIVE REPORT ON THE COUNTY MEDIUM TERM DEBT MANAGEMENT STRATEGY PAPER 2016

**Speaker:** Yes member for Njabini Kiburu and Chairperson Committee on Budget and Appropriations, Hon. James Gachomba. However, Hon. Members, I would first wish to make a correction on the order paper as it is supposed to read a progressive report, not a final report. The chairman had alerted me that they have not been furnished with the relevant documents from the executive and therefore a progressive report is all they could give at this point. Proceed chairman.

**Hon. James Gachomba:** Thank you Mr Speaker; it is my hope that this progressive report is in every member's file. I intend to go through the report so that members can appreciate what the committee has done.

Mr Speaker, Pursuant to Section 123 of the Public Finance Management Act, 2012 the County Treasury prepared and submitted to the County Executive Committee the County Medium Term Debt Management Strategy Paper 2016. Subsequently, upon approval by the

County Executive Committee, the County Medium Term Debt Management Strategy Paper 2016 was submitted to the County Assembly on Friday the 26<sup>th</sup> of February, 2016 through the Office of the Clerk and was laid before the House on Tuesday the 1<sup>st</sup> March, 2016 at 2.30 p.m for further scrutiny, consideration and approval.

Upon committal to the Budget and Appropriations Committee for scrutiny and compilation of the report, the Committee sought leave and within thirty (30) days report to the House. Upon request, the Committee was facilitated and travelled to Yellow Green Hotel, Naivasha from Thursday the 24<sup>th</sup> to Monday the 28<sup>th</sup> March, 2016 where it held sittings and elucidated the basis at which the debts/pending bills has accumulated. Nevertheless, upon consideration and approval of the County Medium Term Debt Management Paper 2016 by the Assembly, the County Treasury is required to consider any recommendations made when finalizing the budget proposal for the financial year concerned, that is, revenue and expenditure estimates for the FY2016/17 that will be submitted to the Assembly on or before 30<sup>th</sup> April, 2016.

It is also important to note that the Medium Term Debt Management Strategy is the only option for the County where systems are set up, that promote and instil fiscal discipline, accountability and ensure financial health.

The paper lays out strategies for Nyandarua County's debt management for the next three financial years and provides clear objectives for county debt management as well as the framework for achieving these objectives.

The main objectives of the strategy being to ensure that, obligations to creditors are met on timely basis, at the lowest cost possible and in consistence with a prudent degree of risk. In practical terms, the County Government will ensure debt levels remain sustainable and affordable since the County is not expected to borrow to bridge the budget deficit as the budget is to be balanced and be financed through locally collected revenue and transfers from the National Government.

On the other hand, the Medium Term Debt Management Strategy must also ensure that in any case:

- a) debt levels stay affordable and sustainable;
- b) any new borrowing is for a good purpose;
- c) the costs and risks of borrowing are minimized;
- d) the payment obligations are met on a timely basis and at the lowest possible cost over the medium and in consistence with a prudent degree of risk; and
- e) Support to the development of a local debt market for future borrowing.

The Medium Term Debt Management Strategy 2016 covers the debt obligations that were incurred during the former Local Government Authorities both from the inherited assets and liabilities and debts owed to contractors since inception of devolution.

In the previous years, the County Treasury has prepared balanced budgets that are financed by locally generated revenues and transfers from the National Government. The County has not borrowed over the years and therefore the strategy outlines how the County Government of Nyandarua will deal with the already existing liabilities/debts.

Guided by these fiscal responsibility principles, the Committee deliberated and made its observations and recommendations.

The committee found out that the big question is; why do the County government entities incur debts for the last previous years and the budget passed by the Assembly has ceilings? We all acknowledge there are institutions established by the Constitution who oversight the operations by the County governments. In this regard and reference to the Annual Reports by the Controller of Budget, the Nyandarua County Budget Implementation and Review Reports show that:-

- i. in the financial year 2012/2013 there was funds returned to the County Revenue Fund amounting to 62m;
- ii. in the financial year 2013/2014 there was funds returned to the County Revenue Fund amounting to 479.95m; and
- iii. In the financial year 2014/2015 there was funds returned to the County Revenue Fund amounting to 591.03m.

The returned funds have over the years been assumed to be committed by the respective departments and hence should cater for the programs initially prioritized in the respective financial years, but rather, during the budget making, new programmes/projects are initiated in the supplementary budgeting.

In the recent past, the analysis on the County Budget and Outlook Papers, for example, for the financial year 2015, the paper indicated that the departments had over expenditures against respective budgetary allocations in the respective financial year.

From the foregoing, it's evident that, there has been committal and utilization of more government funds without authority or there has been committal of funds where they are unavailable which leads to over expenditures. It's clear that the rate at which the debts rise is

quite alarming, over the years, the pending bills have been incurred, for example, the County Annual report from the Auditors general for the FY2014/2015 states that,

The expenditure did not include pending bills as at 30th June 2015 that amounted to Kshs.255.41 million for development activities and Kshs.152.39 million for recurrent expenditure and analysis of the development expenditure in FY 2014/15 indicates that the Roads department had the highest expenditure of Kshs.517.1 million which was spent on grading and gravelling of roads across the 25 wards and payment of pending bills from the FY 2013/14 at Kshs.445.88 million.

The latter is an acknowledgement that indeed the County experiences the effect of the pending bills. The Committee wonders whether the returned funds to the county revenue fund is the real cause of the increases in the pending bills. This is a puzzle that needs to be unbundled and addressed completely.

Pursuant to Section 123 of the Public Finance Management Act 2012, in the last three financial years, Medium Term Debt Management Strategies Papers has been prepared and submitted to the County Assembly for consideration and approval. The strategies have always indicated the debts/pending bills owed by the County government entities to various clients. Specifically, year 2014, 2015 and 2016, has been as follows;

The County Treasury on 26<sup>th</sup> February 2014 prepared and submitted a debt management strategy to the county Assembly for consideration and approval. The strategy contained the following debt portfolio;

<b>DEBT CATEGORY</b>	<b>PROJECT ATTACHED</b>	<b>AMOUNT(Ksh)</b>
<b>UNPAID CONTRACTORS</b>		
Joghol supplies and contractors	Gikingi Sec School	2,099,137
Tandare building Contractors	Kanguo Sec school	500,000
Triple Brothers	Mikaro Sec School	192,740
Robcam contractors	Kiburuti Dispensary	513,383
Famet contractors	Kiambariki Sec School	443,120
<b>SUB TOTAL (A)</b>		<b>3,748,380</b>
<b>LEGAL FEES</b>	Court damages award on the case on	<b>1,700,000</b>
	the bus stop plot	

<b>DEBT CATEGORY</b>	<b>PROJECT ATTACHED</b>	<b>AMOUNT(Ksh)</b>
Ngai Gikonyo Ngai Advocates		
<b>LUPTRUST FUND</b>	<b>PENSION SCHEME</b>	
Former Ol'kalou Town Council	Actuarial deficit on pension scheme	17,000,000
Former Nyandarua County Council	Actuarial deficit on pension scheme	11,000,000
<b>SUB TOTAL (B)</b>		<b>28,000,000</b>
<b>GRAND TOTAL (A+B)</b>		<b>33,448,380</b>

It's evident that, a total of Ksh33, 448,380 was indicated as the total debt with the actuarial deficit on pension scheme from the former Ol'kalou Town Council and Nyandarua County Council having the highest percentage of an accrued debt of Ksh28, 000,000. The House considered the strategy and made a resolution on the same.

#### 2.2.2 The Medium Term Debt Management Strategy Paper 2015

The County Treasury on 26<sup>th</sup> February 2015 prepared and submitted a debt management strategy to the county Assembly for consideration and approval. The strategy contained the following debt portfolio;

<b>Ministry</b>	<b>PROJECT ATTACHED</b>	<b>AMOUNT</b>
Ministry of education, youth, children, culture and social services	Youth empowerment Centre and secondary schools	7,706,829
Ministry of roads	Roads improvement, supply of machinery , fuel and hire of machinery	268,061,747
Ministry of health	Dispensary	513,383
Ministry of finance	Lap trust fund actuarial deficit	28,000,000
<b>Total</b>		<b>304,281,959</b>

It's evident that, a total Kshs 304, 281,959 was indicated as the total debt with the actuarial deficit on pension scheme from the former Ol'kalou Town Council and Nyandarua County Council having an accrued debt of Kshs 28, 000,000 and Kshs 513, 383 for Kiburuti Dispensary owed to Robcam contractors carried forward. Further, the debt strategy showed that there was a debt in roads improvement, supply of machinery, fuel and hire of machinery for Kshs 268,061,747 and Kshs 7,706,829 for youth empowerment centre and secondary schools (*Assumed to be LASDAP projects in secondary schools done by the former local authorities*). The House considered the strategy and made a resolution on the same. It's not clear whether other accrued debts were cleared during the financial year.

Noting the increases in the debts for the Ministry of Roads, Public works and Transport, concerned of the huge public outcry, the Assembly allocated funds in the supplementary budget for the Financial Year 2014/2015 of Kshs 221, 680,137 as an item on Construction of roads and debts/pending bills clearance. It's not clear whether the accrued debts were cleared during this financial year or how these funds were spent.

The latter prompted the Committee to request for detailed reports on the status of pending bills/debts from the respective departments for the financial years 2013/2014 and 2014/2015 for scrutiny, the reports detail the following:

- a) the financial year the bill was accrued(indicating the amount of the pending bill);
- b) the specific name of the item/project and its location(Ward);
- c) the name of the person/contractor owed;
- d) the amount approved in the budget for the specific item/project in the financial year;
- e) the actual total expenditure for the specific item/project in the financial year;
- f) the amount of the pending bill paid for the item/project if any, and in which financial year; and
- g) The debt management strategy in place to clear the pending bills.

The reports were due for submission on the 29<sup>th</sup> day of January 2016. By close of business on the day, only five departments had submitted their reports for scrutiny.

These are;

- i. ICT and e-government;
- ii. Health Services;
- iii. Industrialization, Co-operatives Trade and Enterprise Development;

- iv. Lands, Housing and Physical Planning; and
- v. Finance and Economic Planning.

Notably, all the other departments did not submit their reports for scrutiny. The Committee upon scrutiny of the submitted reports, it observed that the matters addressed do not comprehensively indicate the actual County debt portfolio and hence concluded that further justifications are inevitable. *(Annexures of the reports attached hereto)*

Consequently, the County Treasury on 26<sup>th</sup> February 2016 prepared and submitted a debt management strategy to the County Assembly for consideration and approval. The strategy contains the following debt portfolio;

<b>Department</b>	<b>Recurrent</b>	<b>Development</b>	<b>Total</b>
Governor's Office	15,030,000	-	15,030,000
County attorney, e-government, intergovernmental relations	15,134,888	-	15,134,888
County Public Service Board (CPSB)	2,494,736	-	2,494,736
Finance and Economic Planning	2,950,000	19,845,695	22,795,695
Agriculture, Livestock Development and Fisheries	1,628,363	26,071,882	27,700,245
Roads, Transport and Public Works (2013/2014)	15,641,805	138,984,688	154,626,493
With LSO (Kes133,611,988)- Development			
Without LSO (5,372,700)- Development			
Roads, Transport and Public Works (2014/2015)	-	166,162,572	166,162,572
Lands, Housing and Physical Planning	15,543,564	16,995,880	32,539,444
Education, Gender, Youth,	4,769,466	8,980,000	13,749,466



<b>Department</b>	<b>Recurrent</b>	<b>Development</b>	<b>Total</b>
Culture, and Social Services			
Tourism, Wildlife and Sports	475,000	-	475,000
Industrialization Co-operatives, Trade and Enterprise Development	4,764,700	-	4,764,700
Water, Environment and Natural Resources	495,320	18,856,048	19,351,368
County Assembly	-	8,693,656	8,693,656
other debts from the defunct local Authorities: Actuarial deficit on pension scheme			
Former Ol'kalou Town Council	17,000,000	-	17,000,000
Former Nyandarua County Council	11,000,000	-	11,000,000
<b>GRAND TOTAL</b>	<b>106,927,842</b>	<b>404,590,421</b>	<b>511,518,263</b>

The above notwithstanding, it's evident that some debts have been cleared and others have not been allocated any funds in the budget for the last financial years. Notably, the debts are recurrent and development in nature. The pending bills have accrued from domestic sources and in form of outstanding payments to creditors for goods and services offered.

It's outright that an outstanding LAPTRUST actuarial deficit from the defunct Local Authorities has not been paid over the years. The debts owed must and shall be cleared, in this regard; the County Assembly has approved allocations over the years for clearing of the debts especially in the financial year 2014/2015 and financial 2015/2016.

<b>Department</b>	<b>Item</b>	<b>Amount</b>	<b>FY</b>
Finance and Economic Planning	Construction of floodlights as pending bills and for construction of market sheds	17,556,347	15/16
Roads, Transport and Public Works	Pending bills (2013/2014)	28,635,903	15/16

Department	Item	Amount	FY
Roads, Transport and Public Works	Pending bills (2013/2014)	121,000,000	14/15
Roads, Transport and Public Works	Pending bills (2014/2015)	119,162,572	15/16

The County Treasury has not fully prioritized the allocation of funds to clear the debts and it's not clear how, when which debts have been settled. In a summary and according to the medium term debt management strategy 2016, the County departments currently have the following pending bill/debts:

Department	Total
Governor's Office	15,030,000
County attorney, E-Government , intergovernmental relations	15,134,888
County Public Service Board (CPSB)	2,494,736
Finance and Economic Planning	22,795,695
Agriculture, Livestock Development and Fisheries	27,700,245
Roads, Transport and Public Works (2013/2014)	154,626,493
With LSO ( <b>Kes133,611,988</b> )-Development	
Without LSO ( <b>5,372,700</b> )-Development	
Roads, Transport and Public Works (2014/2015)	166,162,572
Lands, Housing and Physical Planning	32,539,444
Education, Gender, Youth, Culture, and Social Services	13,749,466
Tourism, Wildlife and Sports	475,000
Industrialization Co-operatives, Trade and Enterprise Development	4,764,700
Water, Environment and Natural Resources	19,351,368
County Assembly	8,693,656
Other debts from the defunct local Authorities: Actuarial deficit on pension scheme	17,000,000
-Former Ol'kalou Town Council	
-Former Nyandarua County Council	11,000,000
<b>Grand Total</b>	<b>511,518,263</b>

The Committee resolved that the debts must be unbundled in order to fully understand the contents and the cause of the accruals. The trend shows that by end of every financial year the debt portfolio increases; this as tabulated below;

<b>Financial year</b>	<b>Amount (Ksh)</b>
FY2013/2014 as at 26 <sup>th</sup> February 2014	33,448,380
FY 2014/2015 as at 26 <sup>th</sup> February 2015	304,281,959
FY2015/2016 as at 30 <sup>th</sup> January 2016	511,518,263

**NOTE:** The increases in debts are mainly related to development.

Mr Speaker, in addition, over the years the County has not prioritized on the requisition of development funds, the trend shows that, committal of funds by the lapse of the financial year has occasioned the accumulation of the debts/pending bills. The Committee noted that the following has been and still encourages accumulation of the debts/pending bills:-

- i. delay in clearing of the Local Service Orders, since the practice dictates that payments are done upon issue of the completion certificates to projects undertaken by the contractors;
- ii. lack of actual information in regard to Local Service Orders issued, amount indicated in the Local Service Orders and amount allocated to the programmes in the budget;
- iii. lack of an effective and efficient procurement plan;
- iv. piece meal release of funds and lack of timely implementation of development budgets;
- v. conflict of interest; accounting officers prioritization of Local Service Orders due for payments;
- vi. lack of prioritization to allocate funds for the pending bills in the consecutive financial years;
- vii. accrual of pending bills that are recurrent in nature; expenditure has been manipulated by the accounting officers since it's not a prudent financial responsibility principle to have a pending bill in recurrent expenditure by close of a financial year; and

- viii. The County entities and departments have not been spending within their approved budgetary allocations.

Mr Speaker, allow me to go through the recommendations. Aware of the need to evaluate and to find out the actual pending bills/debts owed by the County government, acknowledging the need to clear the debts, the Committee recommends an audit of all the pending bills owed by the County government within twenty one (21) days upon adoption of these report.

In view of this, in order to find out the actual burden of the County debt, within fourteen (14) days (effective 30<sup>th</sup> March 2016) the County Treasury and respective Accounting Officers:-

- i. to provide a detailed schedule (breakdown) of all funds (recurrent and development) per item and department that were returned to the County Revenue Fund for the financial years 2012/2013, 2013/2014 and 2014/2015;
- ii. to provide a detailed schedule(breakdown) of all actual total expenditures (recurrent and development items) per department for the financial years 2012/2013, 2013/2014 and 2014/2015;
- iii. to provide a detailed schedule (breakdown) of all the requisitions (recurrent and development items) per department for the financial years 2012/2013, 2013/2014 and 2014/2015;
- iv. to provide the total exchequer releases from the National Treasury to the County government for the financial years 2013/2014 and 2014/2015;
- v. to provide all copies of the Local Service Orders (recurrent and development) for services rendered to the county government entities in the financial years 2013/2014 and 2014/2015;
- vi. to provide all copies of the completion certificates on projects undertaken by the contractors (recurrent and development) per department for services rendered to the county government in the financial years 2013/2014 and 2014/2015;
- vii. to provide the vote book analysis (recurrent and development) per department for the financial years 2013/2014 and 2014/2015; and
- viii. To provide an updated schedule on the status of the pending bills/debts (recurrent and development) per department as owed by the county government in the financial years 2013/2014 and 2014/2015 and 2015/2016.

Submission of the reports will enable the Committee and the Honourable House to peruse and resolve on the best strategy that will solve the challenges occasioned by the pending bills.

In conclusion, the County government must ensure that an efficient and effective debt management strategy is in place, this is in order to ensure that the debts already accrued are cleared and harness a sustainable debt management strategy for the future. Upon receipt of the reports, the Committee will host joint sittings with the user departments/accounting officers and other interested parties in order to consult and objectively adduce more evidence. The latter will culminate to compilation of a comprehensive report on the same.

Hon Members, The Speaker directed that we bring a progressive report on debt management. You have seen the money that went back to treasury. The main purpose of this paper is to ensure that we manage our debts. We know that these debts are incurred by the units. We set the ceilings but some of the departments have an over expenditure. We have had reports in this house explaining how public resources are being used. Only five departments submitted their reports to the budget committee. I am asking your office to ensure that these people come and explain how pending bills in their departments are incurred. We need to make sure that no extra cost will be incurred and lead to more debt yet we have scarce resources. Thank you Mr. Speaker.

**Speaker:** Hon. Gachomba, you have cleared the air in that progress report and the best practice would be to allow members to react to that progress report. Hon. Maina Nderitu.

**Hon. Paul Nderitu:** Thank you, Mr Speaker; I appreciate the chairman of the committee on budget for taking us through the report. As the chairperson of the committee on Implementation, there are some issues that I would like to comment on, if today I want some documents from the clerk, I can get them easily because she has them but getting documents from the executive is extremely difficult. I have said this in the past and the Chairman of Budget Committee has repeated.

On page 17, after the committee asked for reports from the executive departments, only five departments responded. We know that there is a timeline after asking for documents. The committee requested for that document on 29<sup>th</sup> January and two to three months later, only five departments responded. What can we do to these chief officers and CECMs? If today you ask Karanu to hand in all the reports that we have dealt with the whole of last week you can get them fast because they have those documents in the files.

In the FY 2013/2014 some of the departments had an over expenditure and they had not been approved by this House. What measure are we going to take as an Assembly? Some of the departments have financed some projects that were not in the budget such as the *iko*-toilets.

*Hon. Kirumba rises on a point of order.*

**Speaker:** What is it member for Kipipiri?

**Hon. Michael Kirumba:** Mr Speaker, is it in order for the member for Mirangine to enter the House without bowing to the Chair?

**Speaker:** Hon. Kirumba, that is a good observation and such behaviour from an Hon. member is termed as a gross misconduct.

*Hon David Ndirangu (Mirangine) rises*

**Speaker:** Member for Mirangine, do the necessary.

*The member goes to the door and bows to the Chair*

**Speaker:** Hon. Nderitu, proceed.

**Hon. Paul Nderitu:** Mr Speaker, I would like the chairpersons of the committee to make a follow up.

*Hon. Suleiman Kihika rises on a point of information.*

**Speaker:** Hon. Maina Nderitu, do you require any information from Hon. Suleiman Kihika.

**Hon. Paul Nderitu:** Yes.

**Speaker:** Hon. Suleiman Kihika proceed.

**Hon. Suleiman Kihika:** Thank you Mr Speaker. I want to inform the member for Kiriita that I have seen that he has tackled the issue on *iko*-toilets and according to the budget, each ward was supposed to have a normal toilet instead of an *Iko*-toilet. I do not know what we are going to do with the people that change the budget. *Iko*-toilets were not in the budget and they went ahead and constructed them. What is the need of passing the budget in this House yet other people decide to implement what is not in the budget. This is a very serious issue and we must address it.

**Hon. Maina Nderitu:** Thank you Mr Speaker, I said that the *Iko*-toilets were some of the projects that were done and they were not in the budget. I do not know how they fund projects that were not in the budget. Mr. Speaker I would like your office to facilitate all the committees so that they can follow up on the reports that have been passed in this assembly and see the much they have implemented and from there, my committee will be able to follow the respective CECMs and chief officers.

Mr Speaker, you can facilitate the chairmen of various committees so that they can come up with comprehensive reports on the number of reports each of the committee has done since the beginning of this Assembly. For instance, the committee on Roads and Transport should come up with the number of resolutions that have been adopted in this House and the number of the resolutions that have been implemented. If this is done Mr. Speaker, we shall be able to engage the different Chief Officers and CECMs regarding the same and hold them to account. Thank you. Mr. Speaker.

**Speaker:** Yes Member for Kipipiri Hon. Michael Kirumba.

**Hon. Michael Kirumba:** Thank you Mr Speaker. My response to this is short and brief because I don't really want to dwell much on this discussion. The reason is that the trend is worrying because our debt portfolio is going up by the day. It shot up by 82 percent in the fiscal year 2014/2015, it grew by 68 percent in the succeeding year, and only God knows where it will reach in the coming years.

Members must appreciate that this is siphoning of public funds. At the national level, it was referred to as 'cowboy contracting' and we all know what ensued. The Chairman of the Committee on Roads is in the House and he can see the growing debt portfolio. We have a big problem.

Mr Speaker, it is my proposal that this report ought to have been treated as 'Volume 1' instead of handling it as progress report because it has the observations and the recommendations of the committee. This will ensure that the resolutions are acted on very fast. If we were to handle this as a progress report, it will take us about three weeks or thereabout before we come up with the final report implying that these resolutions will not be implemented with the pace we would wish to see. The debt portfolio will also have gone up.

Mr Speaker, this is addressing some of the issues that I wanted to address in the motion I tabled on signages. It is as if people are in the rush to get money from the public coffers. We will keep on whining, complaining and making recommendations, which are not acted upon. Ultimately, history will judge us harshly because someone will have to pay for

these intended errors commissions and omissions. I had therefore talked with the chairman of the committee and the committee clerk to treat this report as a part of the final report because it is very conclusive. We have been talking of the issue of the pending bills repeatedly. I am worried about the direction we have taken especially in the view of the fact that we are not being taken seriously. They think the Assembly is a House of...

*Excessive consultations.*

Please protect me Mr. Speaker.

**Speaker:** Order Members. Order Hon. Kimani Gachuhi.

**Hon. Michael Kirumba:** Please let the report guide us because it will be archived and will live to tell the future generations of what transpired.

*Hon. Maina Nderitu rises on a point of information*

**Speaker:** What is it Hon. Maina Nderitu?

**Hon. Maina Nderitu:** I think that the committee has a recommendation that gives a deadline of 21 days. And, I wanted to add on what hon. Kirumba has said in regard to the manner in which we should handle this report. For instance, do we begin counting the 21 days from today or after the final report is moved in the House? Thank you Mr. Speaker.

**Hon. Michael Kirumba:** Thank you very much Hon. member for that information. According to him, we should ensure that we put a question to this report so that the recommendations are binding and we can see the practicability of some of them. We might end up carrying all these recommendations to the final report because what we have are not resolutions.

A progress report does bind the relevant departments to implement what it contains. No question will be put on this progress report. If this would have been done, the clerk's office would have sent the resolutions alongside the HANSARD to the executive for implementation. We are saying this because the report is so detailed that we will not have to wait for the final report to have these recommendations.

Mr Speaker, I propose that you give a ruling regarding the report especially in areas where we think we should not wait for two weeks to have them resolved. This is in lieu of the fact that the members won't be around next week since they will be attending a training at CPST and therefore, committee might take up some time before they come up with report. This is the main concern that I have regarding this report. Thank you Mr. Speaker.

**Speaker:** Very well. To that end, I think that all the members have contributed to this progress report and the Chair of the Committee on Budget and Appropriations has made it very clear that they will come up with the final recommendations within 21 days. So, my



expectation is that the departments that have not submitted their reports will do so within the 21 days' timeframe.

On reaction to Hon. Paul Maina Nderitu's concern, the chair has directed that all the Sectoral Committees need to have a compiled report of all the resolutions they have come up with during their stay in office. Before then, the Liaison Committee will sit to discuss this matter at length especially if we require facilitation from the Offices of the Speaker and Clerk so that we can come with a comprehensive report.

On the issue of the final report, I would like to remind the Committee on Budget and Appropriations that we are headed for the approval of Budgetary Estimates by next month. Before we embark on that process therefore, it is my expectation that the committee will have come back to this House with the final report so that we can forge the way forward on this matter. Next order!

### NOTICE OF MOTION

**Speaker:** Yes Hon. Michael Kirumba.

**Hon. Michael Kirumba:** Thank you Mr Speaker. I beg to give notice of the following motion:

That this House does resolve that the County Government should adopt measures to ensure that,

- a. High cost being borne by the County Government be putting up signage for every project being undertaken by various county departments is avoided or if at all the same is borne by the respective contractor.
- b. In the most demanding or compelling of circumstances, if any, such signage should be erected at a minimum cost to the County Government, if at all.

Thank you Mr. Speaker.

**Speaker:** Very well, the notice of motion is duly given and the House Business Committee shall allocate time as to when the motion will be moved. Next Order!

### ADJOURNMENT

**Speaker:** Thank you Hon. Members, having exhausted the business of this morning session, this House stands adjourned to the afternoon session which is today, the 30<sup>th</sup> day of March 2016 at 2.30 P.M.

*The House rose at 10.22 A.M.*