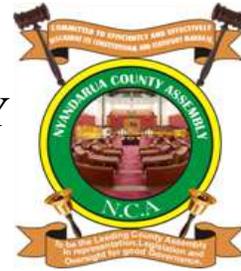




REPUBLIC OF KENYA
NYANDARUA COUNTY ASSEMBLY
1ST ASSEMBLY- 4TH SESSION
SPECIAL SITTING
OFFICIAL REPORT



(The Hansard)

Monday 27th June, 2016

The Assembly met at the Assembly Chamber (P.C.E.A building) at 10.00 a.m.

The Hon. 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 no quorum)

Speaker: Hon. Members, quorum having not been achieved, I invoke the provisions of Standing Order No. 34 and direct that the bell be rung for an initial thirty minutes or until such time within the ten minutes that quorum will have been achieved.

(The bell is rung for 2 minutes and quorum is achieved as confirmed by the Clerk-at-the-table)

COMMUNICATION FROM THE CHAIR

REPORT BY THE COMMITTEE ON BUDGET AND APPROPRIATIONS

Hon. Members, quorum having been achieved, let me say that you are aware that we are supposed to transact a special business pertaining to the report by the Committee on Budget and Appropriations on Budget Estimates for the financial year 2016/2017, the latter which were submitted to this House by the County Executive by late April, 2016. As you will realise Hon. Members, we do not have an order paper for this special sitting. This is because the business that requires to be transacted is not yet complete in terms of preparation. An order paper could not be prepared for business that was not presented to the Office of the Speaker by the time of this sitting.

But there are reasons behind this. In view of the foregoing, I would request the member for Njabini Kiburu and the Chairperson of the Committee on Budget and Appropriations to make his presentation.

Hon. James Gachomba: Thank you Mr. Speaker. I beg to seek leave of this House that the said business be transacted at 3.30 p.m. today. This will not only give Members who have not submitted a schedule of their projects time to do the same but also allow the Committee's secretariat to complete the report on the budget estimates.

Thank you Mr. Speaker

(Consultations)

Speaker: Order Members! The Chairperson of the Committee on Budget and Appropriations and his team had done their part. The reason the Committee on Budget and Appropriations was not able to complete its report was that, despite having been sent some messages on the same, some Members had not presented to it a schedule of the projects they want incorporated in the budget. Even until now some members have not done so. They have therefore put the Committee on Budget and Appropriations in a very awkward position. Only eight specially elected Members have presented their project schedules. Actually, two presentations have been made today though one has not been incorporated but we did not have a big issue with it because the presenter said they are going to consult with the Governor. We agreed that the proposed projects for those Members who had not presented the same should be put under the vote on Governor's Office. There is not much we can do on other ward projects.

It is prudent enough for the House to adjourn until 3.30p.m., a time at which we will transact the special business expected of us after the Committee on Budget and Appropriations has completed its report.

I hope we will be able to gazette the appropriations law tomorrow. According to the CECM for Finance and Economic Planning, considering that the appropriations law deals with bulk figures and that the Executive has concluded on where the votes should lie, his department is in

the process of preparing the same. Should there be amendments to the budget estimates by this House the Executive will effect the same within a short time. That is actually the position.

Yes Member for Mirangine and the Vice Chairperson of the Committee on Budget and Appropriations, Hon. David Ndirangu

Hon. David Ndirangu: Thank you Mr. Speaker. As you have said the Committee on Budget and Appropriations has done its part. Actually, members were requested to present to the Committee a schedule of their proposed projects the day before yesterday. But why should some Members drag the business of this House? Some members have done their part while others have not.

Speaker: Member for Mirangine, we are saying that it is unfortunate that some Members have not presented their schedule of proposed projects. Personally, although I was not expected to submit a schedule of projects, I received a message requiring Members to do the same on Wednesday, Thursday and Friday. There has not been compliance by some members. But for now only one Member has not done the same.

The business on the budget for now takes priority. Considering that members may have other commitments, if they fail to get the budgetary allocations for their wards for the next one year they will be termed as inappropriate representatives of the people. So let the matter on budget be given first priority.

Yes Member for Engineer, Hon. Mwangi Gichuki

Hon. Mwangi Gichuki: Thank you Mr. Speaker. I do not wish to raise any issue pertaining to the budget since you have given a conclusive directive on it. But I have a slightly different matter for which I seek your guidance on whether to raise it now.

(Murmurs)

Mr. Speaker, I know this is a special sitting. But I wish to raise an issue on the budget for the 2015/2016 financial year. It had allocations for construction of ECDE classes. Engineer Ward was allocated money for construction of two ECDE classes. Now I'm being informed that some

committee sat somewhere and removed the said allocations, specifically for Njabini Kiburu, Kiriita and Engineer wards. A committee authorised by the Chief Officer for the Department of Education, Culture and Social Services went to my ward behind my back and formed committees for construction of ECDE classes in whose names it opened bank accounts. I was so lately called by the chairperson of one of the construction committees and told that the construction committees were formed and bank accounts opened in their name, and further that one of the committees was construction an ECDE class at Ciondo. I was not involved in this; though I'm not complaining about this.

The said committee met and recommended that one ECDE class proposed for Engineer ward be constructed in Gathaara ward, the ECDE class proposed for Njabini/Kiburu ward be constructed in Githabai ward and the one proposed for Kiriita ward be constructed in Shamata ward. Was this right?

Speaker: Member for Engineer, I do not want to allow debate on that issue. When that happened I called the Chairperson of the Committee on Education, Labour, Culture and Social Services and told him that it is not possible for a committee of this House cannot overrule a resolution of the House. Committees of this House exercise delegated authorities; they do not have authorities unto themselves. So whatever happened was tantamount to overruling this House.

I sat down with the Members for Gathaara, Githabai and Shamata and told them that there is no way that their wards could benefit with the re-allocation of the said ECDE classes. I consequently talked to H. E. the Governor and he committed himself that he would revert the re-allocation of the ECDE classes in question. So what I'm hearing from the Member for Engineer is strange to me. I expect that construction of the said ECDE classes in Engineer, Njabini Kiburu and Kiriita is ongoing. But I promise I will take up the matter with the Governor immediately. If the money for the construction of the said ECDE classes was used for another purposes other than for which it was approved by this House, this has powers to declare that this is illegal charge to public funds and that the money should be recovered from the person who expended the same.

This House will not be taken round in circles.

Yes Member for Kipipiri and the Deputy Leader of Majority, Hon. Michael Kirumba

Hon. Michael Kirumba: Thank you Mr. Speaker. I have confirmed information that the said money has been channelled for use to implement the projects for which it was initially allocated. The moment anyone deviates from a resolution of this House, the latter should devise a very serious reaction.

There are people who think that Members of this House just chew words. In other words, that Members of this House *'ni kanua mariaga.'* We cannot take this lying down.

Mr. Speaker, the matter that has been raised is a very serious one and I respect your approach on it. It is actually in the public domain and some people are waiting to see whether this House has teeth to bite. I know we have teeth to bite; maybe we never used the premolars and molars properly.

Mr. Speaker, Members of this House will always be behind you in responding on resolutions of this House that are never adhered to.

Thank you Mr. Speaker.

Speaker: Yes Member for Kaimbaga, Hon. Kimani Njiraini

Hon. Kimani Njiraini: Thank you Mr. Speaker. We do a lot of work in representing our people. It is therefore unfortunate to find that projects proposed for construction in the wards are not allocated money.

Mr. Speaker, your office should get a list of all ECDE classes that were constructed with the money allocated in the financial year 2015/2016 budget. I can confirm that no ECDE class has been constructed in Kaimbaga ward since financial year 2013/2014.

Thank you Mr. Speaker

Speaker: Yes Member for Mirangine, Hon. David Ndirangu

Hon. David Ndirangu: Thank you Mr. Speaker. From where did the ECDE projects originate? They were incorporated by the Executive in the budget. There ECDE projects were

being implemented in every ward. Why were some of these projects re-allocated from some wards to others?

Speaker: Hon. Members, I do not want to open that debate again. I have clearly ruled on that matter. But I would want to respond to the issue raised by the Member for Mirangine. The ECDE projects were approved through a resolution of this House to which the House never went back.

(Consultations)

I will not be the Speaker of a House whose resolutions are not respected by the Executive. Anything else might be wrong but the resolutions of this House must be respected.

ADJOURNMENT

Now, Hon. Members, we adjourn to today, 27th day of June, 2016, at 3.30p.m.

(The House rose at 10.20a.m.)