



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



(The Hansard)

Thursday 9th June, 2016

The Assembly met at the Assembly Chamber (P.C.E.A building) at 2.30 p.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 attained, I, pursuant to Standing Order 34, direct that the bell be rung for an initial ten minutes or until such time within the ten minutes that quorum will have been achieved.

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

Quorum having been achieved, we can proceed with the business of the session. First order

COMMUNICATION FROM THE CHAIR

NYANDARUA COUNTY ASSEMBLY LEADERSHIP AND INTEGRITY CODE

Hon. Members, I have the following communication that touches directly on the Members' Leadership and Integrity Act and it is important that you follow the flow and the requirements that the individual Members are required to comply with:

That Chapter Six of the Constitution of Kenya 2010 outlines the responsibility of the state officers in relation to integrity and leadership. In line with this chapter, the Parliament enacted the Leadership and Integrity Act, 2012 and further approved the Leadership and Integrity Regulations,

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2015. Section 37 of the Leadership and Integrity Act 2012 requires every public entity to develop a Leadership and Integrity Code for its state officers. That in line with Chapter Six of the Constitution and section 37 of the Leadership And Integrity Act, 2012, this House began the process of coming up with a Leadership and Integrity Code.

The mandate developing a Leadership and Integrity Code was given to the Committee on Delegated County Legislation. The aforesaid committee came up with the report on the code which was first tabled in this House on 21st October 2014 and the report was adopted on 22nd October 2014. It is important to note that section 39 of the Leadership and Integrity Act, 2012 requires that once the code has been approved by a public entity, it is submitted to the Ethics and Anti-Corruption Commission (E.A.C.C) for approval. Further section 39 (3) of the Act provides that the commission, E.A.C.C, shall within 30 days approve the code with or without amendments for the publication in the gazette. Further section 39 of the Act provides that the public entity shall cause the code to be published in the gazette within 90 days.

I wish to inform the Hon. House in accordance with the provisions of section 39 of the Act the code was submitted to the E.A.C.C on 16th November 2015. The Commission included their input and approved the code with amendments. The letter containing the amendment and approval was received by the county assembly on 8th February 2016. The approved code was forwarded to the Government Printers for publications.

At this juncture I would like to bring to your attention that as per the provisions of the Leadership and Integrity Act, 2012, the responsibility of the public entity is only to publish the code and not to amend it. Thus once the code has been approved by the E.A.C.C a public entity (in this case county assembly) cannot amend or otherwise interfere with the amended code.

Hon. Members I want to bring to your attention that the Nyandarua County Assembly Leadership and Integrity Code was gazetted on 27th May 2016 by Gazette Notice No. 3789 which was done in accordance with Chapter Six of the Constitution, section 37 of the Leadership and Integrity Act 2012 and the Leadership and Integrity Regulations 2015. Regulation 34 (3) of the aforesaid regulations require that a state officer to sign and commit to the Leadership and Integrity Code within 7 days after the publication of the code. Further article 5 (2) of the code stipulates that

a serving state officer shall sign and commit to the Leadership and Integrity Code within 7 days after the publication of the code in the gazette.

Hon. Members, from the above information it is clear that the 7 days as stated by the code and regulations have lapsed since it was published. Hon. Members, I further wish to bring to your attention that the E.A.C.C has indeed written to the Office of the Speaker and that of the Clerk vide a letter dated 13th May 2016 seeking to establish whether the code is being implemented. Further the E.A.C.C visited the Office of the Clerk on Thursday 2nd June 2016 to follow up on the implementation of the code.

Hon. Members in conclusion, I would wish to state that it is paramount that the Hon. Members do sign and commit to the code as matter of urgency to avoid legal implications and attendance suctions as per the law established. As leaders it is our duty to lead by example by abiding to the Constitution whose principles we took oath to uphold

Hon. Members, it is from the foregoing that I now direct that you sit with your leadership within 2 days and agree on when all the Hon. Members shall subscribe to the code so that the assembly can make arrangements to have a magistrate and commissioner of oath attend the assembly for the purpose.

Member you know that we have had to hurry that issue because the E.A.C.C is following on it very seriously. They wrote to us last month and then on second they sent an officer all the way from Nairobi to come and see the progress we have made on this issue. They are taking it very seriously and we need to comply to avoid any issues that would arise from it.

Yes Member for Kipipiri Hon. Michael Kirumba

Hon. Michael Kirumba: Mr Speaker, the communication you have read was given yesterday; I have followed it word by word. So, I seek your guidance on the same.

May be the Deputy Speaker never communicated to you. It is important to set the records straight.

(The Speaker consults with the Deputy Speaker)

Speaker: Very well Member for Kipipiri; actually I am being told by the Deputy Speaker that the communication was made yesterday. Fortunately, I found the communication on the table today morning having been typed, it had no signature and I made corrections which you might have found in the conclusion. Having found it on the table, I made the amendments, handed it over for re-typing. Eventually I signed it without being informed that it had been communicated. The House should stand advised that actually the communication had been made and that any further communication can only be for the purpose of references. The communication had effectively been made yesterday, Wednesday 8th June 2016.

Thank you Member for Kipipiri.

Yes Member for Gathaara, Hon. Daniel Kibebo

Hon. Daniel Kibebo: Thank you Mr Speaker for giving us a way forward on the document. I think we need to understand the document before signing it. This should be done so that time does not catch up with us.

Speaker: Members you remember that you were to be taken through this code by the EACC but there was an interference due to the attendance to the Devolution Conference in Meru. That is when we called it off. Thereafter as members are aware, we have not been having funds and that is the reason we did not take the Members for the training on the code. I have looked at the code and that is why members I have emphasized on the issue that once we pass it, the EACC, according to the Act and Regulations, have the absolute mandate to approve it with or without amendments. The EACC only made 2 insertions in our code and the two are in the Leadership and Integrity Act. Remember that they said that we shall still be required to be compliant as state officers 3 years after we leave office. When I raised that issue with them, they said that whether we put this in the code or not, it is still in the Leadership and Integrity Act. What is required of them to do is for them to lobby the National Parliament so that those obligations are not attendant to us immediately we stop being state officers; but whether we incorporate them in the code or not they are in still in the Act which is superior to the code — whether we put it in the code or not it will still apply to us.

My suggestion is that you sit with the leadership of the House, that is, the Majority and the Minority Leaders, agree on a date to call a magistrate who doubles up as a commissioner for oaths in order to sign the code. In July, because it is in the minutes of the County Assembly Service Board, members will have one or two days to be taken through the code so that we understand the obligations outlined in it. For the time being, let us be compliant, taking cognisance of the seriousness with which the EACC is taking this issue. They actually wrote to the offices of the Speaker and the Clerk in May and then a week ago, on 2nd June, 2016, they sent an officer from Nairobi to see whether Nyandarua is compliant.

For now you shall sit with your leadership and agree whether next week we could invite the magistrate before who we will subscribe to the code. With availability of funds we can organize a retreat of one or two days for the Members to be taken through it so that they can be aware of their obligation. Having signed the vellum yesterday and believing that the Governor has probably signed the same, I believe we shall have the funds. If the law is published by tomorrow the funds might be released by next week.

Yes County Member from Githioro, Hon. Dorcas Kihara

Hon. Dorcas Kihara: Thank you Mr Speaker for that clarification. We would however want your guidance because the Committee on Delegated County Legislation prepared that code and tabled a report in this House and gave notice of motion on the same. We are waiting for the motion on the report to be moved but you have communicated that within two days we shall be signing the code. What will be the status of that report whose motion is yet to be moved in the House?

Speaker: County Member from Wanjohi, did you want to address the same?

Hon. Jane Mwathe: Yes

Speaker: Actually Hon. Members, I was seized of that matter. You appreciate that the original code was approved by this House in December, 2015 but when we submitted the same to the EACC they made two amendments to the code and returned it to us. That was the code that was tabled in the House by the Committee on Delegated County Legislations which obviously was a misdirection according to what I have read to you from the Act and the Regulations. Once the

House approves the code, which we have already done, and it is taken to the EACC, they are the people that are allowed by the law to amend or approve without any amendment. After that the code will be gazetted. Actually the tabling of the report on the code that had been approved previously by the Committee on Delegated County Legislations a second time was a misdirection. It was not necessary to bring the code here again after approval because there is no provision that it could come to the House a second time. It should have come to the House for the purpose of notification on the two amendments by the EACC.

Next order

STATEMENT(S)

Hon. Kamau Ngotho rises on a point of order

What is it member for Karau? The Clerk cannot be out of order

Hon. Kamau Ngotho: Mr Speaker, I am rising on a point of order because of the order paper. It has an issue on the Committee of Supply. The Standing Order No. 208 states that:

In the consideration of Votes under paragraph (1), the Votes earmarked for increase or reduction pursuant to provisions of Standing Order 122 (14) (Consideration of Supply Resolutions) relating to the Assembly Resolutions on the Budget and Appropriations Committee report on the Annual Estimates shall be prioritized

That is why I have risen so that before we go to statements we can start with the Committee of Supply. The Committee of Supply will consider the supplementary estimates and if you can see they have quoted Standing Order No. 209, yet we should be referring to Standing Order No. 213.

This is always applicable whenever we have the Committee of Supply: if we have other businesses the chairperson of the Liaison Committee should stipulate the business that should be discussed and put it in the Order Paper three to four hours earlier. If we had to dispense with the statements of the day, we should done that 3 or 4 hours before and discussed the businesses that are before the House. The time for the Committee of Supply is not well scheduled. Mr Speaker, I think that is my interpretation and I have sought help. Whenever there is a Committee of Supply

no other business should be carried out first and the order paper should have Committee of Supply as the only business.

Standing Order No. 209 is the one that has been referred to. Mr Speaker, we should not refer to Standing Order No. 209; we should refer to Standing Order No. 213. Today we are only dealing with procedure on Supplementary Estimates. These are not the Annual Budgetary Estimates. We should now be guided by Standing Order No. 213. However, the procedure is in Standing Order No. 210. I would like to get the guidance of the Speaker.

Speaker: I agree that when we have business to be addressed by the Committee of Supply, it should always take precedence over anything else. These are matters of allocation of resources and we might be giving priorities to matters that require resources yet they have not been allocated. That is why it is given priority. However, what I am not very clear about is that today is not purely a matter of the committee of supply. I believe that we have the report by the Committee on Budget where the members should deliberate on the issues as plenary before we can even go to the committee of supply. In this instance we cannot go to the Committee of Supply directly without first dealing with the report. The member for Karau rose at the right time because when the businesses commence the Speaker cannot rearrange the order of business but before the business starts the Speaker has a discretion to rearrange the business. With that I would do as much and direct that we are going to deal directly with all the matters touching on the 3rd supplementary budget for Nyandarua County to include the report of the budget committee. In essence we are saying that we shall be moving directly to order number 8 in the order paper.

MOTION

3RD SUPPLEMENTARY BUDGET ESTIMATES FY 2015/2016

Yes member for Njabini/Kiburu and the Chairperson Budget and Appropriations Committee, Hon. James Kiiru Gachomba

Hon. James Gachomba: Thank you Mr Speaker, the Committee on Budget was mandated to go and write a report on the 3rd Supplementary Budget Estimates for the FY 2015/2016. The committee has the report on the same. I believe that the members have the report in their files. The preamble has the mandate of the committee and its members...

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

Speaker: What is it County Member from Githioro?

Hon. Dorcas Kihara: Mr Speaker, this is a house of rules and procedures and the Hon. Member who is moving a report did not move the motion on the report as written in the order paper, he just started going through the report.

Speaker: Very well. If anyone would come to the Hansard and find that the motion was never moved, every business transacted on that report without the motion having been moved would be rendered null and void. It is very critical and chairperson budget you have been doing this so follow the procedure appropriately.

Hon. James Gachomba: Thank you Mr Speaker for your guidance. I thank the member who has noticed that. I beg to move the following motion.

That this House does adopt the Report of the Budget and Appropriation Committee on the 3rd Supplementary Budget Estimates for the Financial Year 2015/2016 as a report of this House and the recommendations therein as resolutions of this House.

Thank you Mr. Speaker Sir.

Mr Speaker pursuant to Section 135 of the Public Finance Management Act No. 18 of 2012 in certain circumstances a County Government may spend money that has not been appropriated if:

- i. The amount appropriated for any purpose under the County Appropriation Act is insufficient or;*
- ii. A need has arisen for expenditure for a purpose for which no amount has been appropriated by that Act or;*
- iii. Money has been withdrawn from the County Government Emergency Fund.*

In this case, the County Executive is mandated to submit to the County Assembly a supplementary budget in support of the additional expenditure for the approval of the authority to spend.

Consequently, pursuant to Section 135 (4), (6) and (7), the County Executive Committee Member for Finance:

- i. Prepares and presents his or her comments on the budget estimates presented by the County Assembly clerk;*

- ii. *As soon as is practicable after the budget estimates and other documents have been submitted to the County Assembly publishes and publicises them; and,*
- iii. *Upon approval by the County Assembly, the County Treasury prepares and submits a County Appropriation Bill for the approved estimates to the County Assembly.*

Preparation and submission of the County 2nd Supplementary Budget Estimates for the Financial Year 2015/2016

Mr. Speaker, the County Executive prepared and submitted the 2nd Supplementary Budget Estimates for the financial year 2015/2016 to the County Assembly and the same was duly laid before the House on Tuesday the 31st May, 2016 for further scrutiny, consideration and approval.

Notably, the Assembly noted that it had previously considered and approved the 2nd Supplementary Budget Estimates for the financial year 2015/2016 and therefore resolved that thereof instead, the submitted correspondences were indeed for the County 3rd Supplementary Budget Estimates for the financial year 2015/2016.

Scrutiny of the County 3rd Supplementary Budget for the financial year 2015/2016

Mr Speaker, pursuant to Article 210 of the County Assembly Standing Orders and with the resolution of the Assembly, the County 3rd Supplementary budget estimates were committed to the Budget and Appropriations Committee to deliberate upon according to its respective mandate and make recommendations to the House for adoption.

In its scrutiny the Committee considered the updated vote book with in depth and comparative analysis of the total requisitions, total commitments and total expenditures.

Compilation of the Committee's report on the County 3rd Supplementary Budget Estimates for the financial year 2015/2016

Mr Speaker, the Budget and Appropriations Committee, sought leave from 2nd to 3rd of June 2016 and travelled to Masada Hotel, Naivasha where it held its sittings in

scrutiny and review of the 3rd supplementary budget estimates for the financial year 2015/2016.

The compiled report includes a schedule of the ceilings per recurrent and development expenditure items as reallocated.

In this regard, upon consideration and approval of the County 3rd Supplementary Budget Estimates for the financial year 2015/2016 by the Assembly, the same will give effect to the County 3rd Supplementary Appropriation Bill 2016 to be submitted by the County Treasury.

Chapter two has the committee's observations and recommendations,

Mr. Speaker, the Budget and Appropriations Committee considered the issues raised and observed that pursuant to Section 135 (1) of the Public Finance Management Act No. 18 of 2012, the County 3rd Supplementary Budget Estimates for the financial year 2015/2016 satisfies the circumstances underlying when the County Government may spend money that has not been appropriated, that is:

- i. The amount appropriated for any purpose under the County Appropriation Act is insufficient; and*
- ii. A need has arisen for expenditure for a purpose for which no amount has been appropriated by that Act.*

The Committee did a comparative analysis of the total requisitions, total commitments and total expenditures as indicated in the vote book analysis from the Integrated Financial Management Information Systems database for said period.

Mr Speaker, the Committee noted that major reallocations were either from recurrent to recurrent expenditure and development to recurrent expenditure, for example,

Compensation to employees.

It was observed that there was a reduction of the compensation to employees which is expected to be used to defray other recurrent expenditures. However, the Committee noted that Non-discretionary expenditure being reduced by any fraction necessitates a thorough audit of the

current work force with an emphasis and an objective to establish the actual pay on compensation of employees per department.

Mr Speaker, the committee had appropriated about Kshs. 40 million for compensation to workers and then there was a reduction of the same to about Kshs. 35 million. The committee needs to know the number of staff that is being compensated not that we had appropriated a certain amount for them and it has been reduced. We want to see the audit report of the staff in the county so that we can see where the problem is.

Provision for the Trade Fund

It was observed that there is reallocation of the provision for Trade Fund which is expected to be used to defray other recurrent expenditures. The Committee noted that there is a gap in the operationalization framework which justifies the reallocation.

Provision for the Construction of Land Offices

The Committee noted the reallocation of Kshs. 15million from the programme, upon consultation with the Chief Officer for Lands, Housing, and Physical Planning it observed that the reallocation was justified the programme is being funded by the National Government, that is, Ardhi House, and therefore the Kshs. 15 million retained will be used in construction of the Project (phase I)

Provision for the Pending Bills

The Committee noted that there is an increase in the reallocation of funds to cater for pending bills for the construction of floodlights, markets sheds and purchase of motor vehicles. Upon consultations with the respective County government entities, the increase in reallocation for pending bills for construction of floodlights and markets sheds was not justified and therefore the reallocation was not approved until the scrutiny and audit of the total pending bills owed by the County government are ascertained and adopted in the medium term debt management strategy.

The Committee was further informed that, the reallocation of funds to cater for the pending bill on purchase of the Motor vehicles was necessitated by the need to clear the debt of Kshs. 10

million owed to Subaru Kenya for legally acquired vehicles for the office of the Governor. The latter will avoid accumulation of charges/penalties and unnecessary litigation costs.

Reallocation of funds in the department of Health services

The department earmarked to undertake various projects ranging from the construction of new dispensaries and maternities, renovations and completions of the existing structures and construction of VIP toilets in public places. The Committee asserts to that, the reallocations to consolidate the funds from various wards which is meant for different projects in favour of another, in the same ward, it will ensure adequate funds are available to complete and operationalize the identified projects in the specific wards.

Arising from the above, the Committee recommends:-

1. That, the recurrent and development expenditure ceilings per item as reallocated be adopted as the base for expenditure for the County Executive for the financial year ending 30th June 2016, (*As per the attached summaries*) and

2. That, Appendix I be the base for the preparation of the County 3rd Supplementary Appropriation Bill 2016 that will give effect to the Act of the Nyandarua County Assembly to authorize the issue of a sum of money out of the County Revenue Fund and its application towards the service of the year ending on the 30th June, 2016 and to appropriate that sum and a sum voted on account by the County Executive for certain public services and related purposes.

3. That, all the County government entities to fast track the implementation of the development budget in order to increase the absorption rate before the end of the financial 2015/2016.

4. That, the County Treasury and other Sectoral departments to prepare and submit to the County Assembly a report on the implementation of the development budget for the financial 2015/2016 within (14) fourteen days (effective 30th June 2016).

In conclusion, Mr Speaker, the Committee therefore urge the House to adopt the report of the Budget and Appropriations Committee on the County 3rd Supplementary Budget Estimates for the financial year 2015/2016 as a report of the House and the specific recommendations therein as the resolutions of the House.

Thank you, Mr Speaker.

The members should be able to go through the summary of the total allocations for both recurrent and development expenditure. We are closing the year and some of the vote heads were meant to be used for buying some items such as tents and others that can be categorized as capital expenditure. When the controller of budget was presented with the reallocation she refused to approve. We decided to come back and reallocate the said funds to recurrent expenditure to make them go through the closure of the year. Mr Speaker you will see that some of the recurrent expenditures were taken to development and some from development to recurrent. With those few remarks I call Hon. Ndirangu to second

Speaker: Yes member for Mirangine Hon. David Ndirangu

Hon. David Ndirangu (Mirangine): Thank you Mr Speaker. I rise to second the report. Much has been said by the chairperson and these were the deliberations of the committee. I will be tiring the House if I repeat what the chairperson had to say. I however have several concerns; the projects that had been allocated to Ol'Kalou Sub County. Some votes read Ol'Kalou and others read Karau. We all know that when a project is said to be in Ol'Kalou town, it touches Rurii, Kaimbaga and Karau wards. However, the projects mentioned here are mainly in Karau ward. In future the three wards need to be considered whenever there is a major project in Ol'Kalou Sub County.

The other issue is that whenever we allocate money for capital projects, these projects are meant to be for the whole county. We cannot afford to give every ward a capital project in one financial year. Whenever we allocate money for such projects in a certain ward we find that these funds are illegally reallocated to other projects in the same ward. This will result to developing particular wards at the expense of the whole county. This is an issue that should be looked into critically and this house has the power to do this. I second

(Question proposed)

Speaker: Yes member for Kaimbaga, Hon. Samuel Kimani Njiraini

Hon. Kimani Njiraini: Thank you Mr Speaker, I support the motion. I however have a concern because the money that was allocated for lighting Ol'Kalou town was reallocated for other projects. This was a development project for the county headquarters; the street lighting. It was

supposed to come to all the way from Captain to J. M. Memorial hospital. Mr Speaker along that road there has been so many criminal activities.

I would also like to talk about so of the wards that have estates and small towns. These places need a drainage system.

(The Speaker, Hon. Ndegwa Wahome, leaves the Chair and the Deputy Speaker, Hon. Wambugu King'ori, the Speaker's Chair.)

Mr Speaker, Ol'Kalou town touches my ward and Karau ward but whenever there is a project meant for Ol'Kalou, it mostly goes to Karau ward. Giving an example on page 6 of 14, code 31110504 Karau ward estate roads...

(Hon. Kamau Ngotho rises on a point of order)

Speaker: What is member for Karau?

Hon. Kamau Ngotho: Mr Speaker, it is good that the Member has mentioned the Karau ward estates. This was from Ward Development Fund and I never stated in full because there was no BQ that had been done. When we were allocating the Ward Development Fund I proposed Kshs. 5 million and then we were added Kshs. 2 million and if you check the figures of Karau ward, it is written street lighting for Karau ward and not Ol'Kalou. Then there is the street lighting from the governor's office to J. M. Memorial hospital and from the town centre to Mairo and this is written Ol'Kalou street lighting.

The member has been captured in the Hansard saying that the Ol'Kalou projects only go to Karau ward. The Ol'Kalou Storm Water Management project is covering both his ward and mine. I am the one that went to the committee to tell them that both wards should be included so that we can share the project. This one should not go to the public that Kamau Ngotho has taken all the projects that are meant for Ol'Kalou. Ol'Kalou stadium is not in my ward and now we are pushing for a 60 million worth project meant for that stadium and it is in Kaimbaga. This is a county project. Let us not have these kind of politics that are not a true reflection of the true picture on the ground. He should provide evidence.

Speaker: Hon. Kamau Ngotho, it seems like you rose on a point of information

Hon. Kamau Ngotho: Mr. Speaker, it is a point of order because the Member is saying that his projects come to my ward. People on the ground may say that Kamau *anaiba projects za*

Njiraini. When we were told by the Majority Leader to write our issues I wrote Ol'Kalou Estate Upgrade and gave a whole some figure for all. I did not specify whether it is Makenzi or Bahati.

Speaker: Hon. Njiraini proceed.

Hon. Kimani Njiraini: Thank you Mr. Speaker and I want to be clear that we are not fighting but I was making sure that no project meant for Kaimbaga ward will go to Karau ward and this is the same thing that is happening with Gathaara and Engineer wards. Code 31110504 has the Ol'kalou estate roads but it should be Karau estate roads. If the roads will be done in Kaimbaga it should read Kaimbaga estate roads.

On the flagship projects, road construction being one of them, you see the road to the governor's home is good and even the one to the speaker's resident is good but Kaimbaga does not have any senior government official and so it is left out. Finally there some areas that we have construction materials...

Speaker: Hon. Njiraini, I think you have the chief officer roads department but if we say that we have no senior government officials like the member for Mirangine keeps on saying, for the road to be done, there will be a problem. We should call for equitable distribution of resources.

Hon Kimani Njiraini: Mr Speaker, I was talking about some wards from which the construction materials are ferried from. If Kshs. 1 million is allocated to Kaimbaga for road construction, so much money is misappropriated because they get materials from nearby. I cannot deny a ward like Kanjuiri-Ridge construction materials.

(Consultations)

Mr Speaker, please protect me from the members

Speaker: Order members

Hon. Kimani Njiraini: Mr Speaker I urge the Budget Committee and through your intervention to be considering such cases for all the wards to benefit equally. On health, Kaimbaga has been side-lined because the only health centre we have is Kaimbaga Health Centre. We should allocate more money to the health centres so that patients stop flocking J. M. Memorial Hospital.

(Consultations)

Mr Speaker, there are loud consultations

Speaker: Order members

Hon. Kimani Njiraini: Mr Speaker, whenever members are speaking here I listen to them quietly and I beg them to do the same. Boda Boda sheds have not been done in some places. They are very important. I think that implementation of projects should be done immediately after we appropriate these funds. I support the report.

Speaker: Yes Hon. Suleiman Kimani Kihika

Hon. Suleiman Kimani: Thank you Mr Speaker, I support the report but there is this project of Nyaituga Boda Boda shed and they are indicating that it has been allocated Kshs. 600,000. This was not meant for only Nyaituga but for one more Boda Boda shed. There is no way you can use Kshs. 600,000 for only one shed. That is wrong. If this documents goes to the public they will say that you are misusing public funds. This was meant for both Nyaituga and Uhuru Boda Boda sheds. Mr Speaker, guide me on that. Are we going to do the amendment now or during the committee of supply?

Speaker: We are going to do that during the Committee of Supply.

Hon. Suleiman Kimani: I support the report.

Speaker: Yes Hon. Kamau Ngotho member for Karau ward

Hon. Kamau Ngotho: Thank you Mr Speaker, I do not know why the Chairperson Budget Committee is restless. However they have done quite a recommendable job.

First I want to refer you to Standing Order No. 213 the Procedure on Supplementary Estimates.

(Consultations)

The chairperson is requesting for a lawyer to sit next to him so that he can advise him. I do not know whether that is possible.

Standing Order No. 213 states that:

(1) The County Government shall submit to Assembly for approval, a supplementary budget in support of money spent under section 135 of the County Government Act 2012

(2) The supplementary budget shall include a statement showing how the additional expenditure relates to the fiscal responsibility principles and financial objectives.

When the Executive was submitting this they only did a forwarding letter. They do not make a statement on how the additional expenditure relates to the fiscal responsibility principles and financial objectives.

A supplementary budget has to go to the public because one of the principles of fiscal responsibility is public participation that is in chapter 12 of the Constitution of Kenya 2010. I wonder whether the CECM for Finance consulted Wanjiku and also whether the chairperson Committee on Budget and its members followed on the same.

(Hon. James Gachomba rises on a point of information)

Speaker: Do you require information from the Member?

Hon. Kamau Ngotho: Yes

Hon. James Gachomba: Mr Speaker, I want to give information to Hon. Kamau Ngotho. He is on the right track but I believe that it is during the Annual Budget Estimates that we have to go for public participation.

Speaker: Hon. Ngotho are you satisfied with the information?

Hon. Kamau Ngotho: Mr Speaker, the information is wrong. I was reading Standing Order No. 213 Procedure on Supplementary Estimates. That is the title. You cannot say that because in the Supplementary Budget you are changing vote heads yet the budget estimates were initially made with consultation with the public. It is therefore prudent to tell them when you are changing. I was happy when the chairperson initially said that I was right but then he disagrees with me on what I was saying. He should have been the first to say that it is very true. If you told

Wanjiku that you are going to use an amount of money to drill bore hole and then you change that for reasons such as lack of money you should go back and give them those reasons.

The chairperson and the members of that committee should not read malice in what I am saying. I encourage the chairperson to take these things positively for posterity. This thing will remain here. I am not against them, I said in the beginning that they have done a very good job.

Article 201 (a) under Chapter 12 of the Constitution of Kenya, 2010 provides that:

The following principle shall guide all aspects of public finance in the Republic:

- (a) *There shall be openness and accountability, including public participation in financial matters;*

This is a finance matter and you have changed the allocations.

Secondly, if you go to the CFSP 2015/2016...

(Hon. Mwangi Gichuki rises on a point of order)

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

Hon. Mwangi Gichuki: Mr. Speaker, every law that is supposed to be adhered to, there is always the spirit behind it...

(Loud Consultations)

Speaker: Order Hon. Kamau Ngotho! Member for Engineer is on a point of order.

Hon. Mwangi Gichuki: Thank you. I wanted to raise a point on the issue of the Supplementary budget. How many times has the national government done a supplementary budget and went for public participation exercise? We just passed the supplementary budget for the Assembly and if the member was quite genuine he could have raised the issue then. Did the Hon. Member for Karau comment that the Assembly's supplementary budget ought to have been taken for public participation? I think the circumstances under which supplementary budget is required as well as the timing may pose a major challenge for public participation to be possible. For instance, the Supplementary Budget we have right now is being passed just three weeks to the end of the financial year. The law requires that for you to do public participation, ordinarily, you

require about seven days. If you were to subject the same supplementary budget to public participation, it would have taken us to next week but one. Therefore, the spirit for which the supplementary budget is being brought will have been defeated long before we even start the process. The Hon. Member needs to be realistic, consider time factor and bear in mind that laws are made for the benefit of human beings. Otherwise if the law cannot serve the purpose for which we are establishing it, it has no basis. I think the member is therefore out of order. Thank you.

Speaker: Actually, Hon. Ngotho is quite right only that it would have been impossible due to the timeline within which we are working. His argument is anchored in the law and it is important it be captured in our records. Proceed Hon. Member.

Hon. Kamau Ngotho: Thank you Mr. Speaker. I know Hon. Gichuki, the former Leader of Majority Party, is a great man but when he says that, 'laws are just laws' he is wrong. All men are under the law and we are just setting some things right for the future.

As I was saying, Section 3.62 the CFSP 2015/16 indicates the following:

That the total outlay is Kshs. 5,577,056,815. Out of this, 60 percent is meant for recurrent expenditure and, approximately Kshs. 2.2 billion which accounts for around 40 percent for development

So they set their ceiling Mr. Speaker. Although we are in agreement with what has been highlighted in the first supplementary budget, in future we should stick to what we put. If we say its 60 percent for recurrent and 40 percent for development, let us stick to it. Right now we have 65 percent and 35 percent for recurrent and development respectively. This has already violated the spirit of CSFP. The reason is that, as given by the chairman, some of the vote heads that we thought were developmental turned out later to be recurrent. But in future, let us stick to this rule that was set under Section 107 (2) (b). The minimum is 70 - 30. However, when you say you want to have a budget of 60-40, you should stick to it. Even the Supplementary Budget should follow that principle.

Mr. Speaker, one of the items that was removed in totality and I would like to know whether it is legal, is a cultural centre in Ol'Kalou which had been allocated Ksh.7 million. It has been removed in its entirety. Is this legal according to our Standing Order no. 210 (8)? That is why I beg to ask another question. When preparing a Supplementary Budget, we know that the budget affects a specific vote head. Shouldn't you therefore go to a specific vote head before you do the global one that is moved by the chairman of the specific committee? This is because I believe that

item 'b' has been reduced and item 'c' increased. Right? And so, when you come to the final one, you will have known the final figure because you have affected a specific vote head. I suppose you need to move the vote head that has been affected before you go to the total figure and it is important that the chairman of the committee does consult with his clerk on that issue. The standing orders are explicit and distinguish the two clearly.

Therefore, I support the chairman but those are some of the issues he should be looking into when he brings a supplementary budget. We should address vote heads that have been affected. It is on that basis that members support specific amendment. You cannot amend something globally. The amendment is that there will be a cultural centre and therefore, the money that had be allocated be moved to another area. I think that is what needs to have been done although I don't want to undermine the good work that has been done by the Committee. This will ensure that those members who move vote heads at night are seen in the light. The committee has done a good job since it was only given two days but in future, they should take time when preparing a supplementary budget. It is not for the law to get time for the budgetary processes as alluded to by Hon. Mwangi Gichuki, rather, it is the budget committee that should work within the timelines provided in the law. I support. Thank you Mr. Speaker.

(Loud consultations)

Speaker: Order Hon. Ngotho! Please uphold the etiquette of the House and use the appropriate language in the Chamber. You can use sign language, English or Kiswahili.

(Laughter)

(Hon. Daniel Kibebo rises on a point of order)

What is it Member for Gathaara, Hon. Daniel Kibebo?

Hon. Daniel Kibebo: Thank you Mr. Sir. Well, I support the document but I have a concern. We are trying to discuss a very important matter regarding the appropriation of funds within our county. I am worried because, when you look at the House, the Chairpersons and other leaders of various committees are absent. The Leader of Majority Party, Leader of Minority Party and chairmen of various departments are not in the House yet they are supposed to be here. I am worried because even the members of the Committee on budget have only left their chairman. What kind of a House do we have here? This is a very crucial document we are deliberating on. I am requesting you, Mr. Speaker, to ensure that the aforementioned members are whipped so that they can be in the House. Thank you.

Speaker: The point that has been raised by Hon. Kibebo is very valid but the powers of the speaker are limited on this one because once the House has achieved quorum, and, no member has risen to notify the speaker that there is no quorum, the Speaker can just do so much. But, I am also of the opinion that the leadership of the House should be present. Yes, County Member from Weru, Hon. David Ndirangu.

Hon. David Ndirangu: Thank you Mr. Speaker. I have a concern on provision for construction of land offices. According to me, this statement is not adding up especially when the Chairman of the committee on budget says that the Kshs. 15 million to be retained will be used in construction of Phase 1 of the project. I don't understand the meaning of this as indicated in page 8 of the report. My main concern is that we might end up duplicating and using the same money which in effect will be promoting corruption within the county government. We need to have a clear explanation of what the National government is doing and what the county government intends to do. Thank you Mr. Speaker I now call the mover to respond.

Speaker: Very well, I think the chair of the committee on budget and appropriations also needs to respond to this query. Yes mover, Chairperson, Committee on Budget and Appropriations.

Hon. James Gachomba: Thank you Mr. Speaker. I wish to appreciate the hon. Members who have passionately contributed to this motion. I quite agree with some of the Hon. Members about the ceilings and the spirit of the CFSP, particularly, Hon. Ngotho. I have highlighted about implementation of the projects. The projects which members have mentioned they should be implemented soonest possible and this is an appeal I am making to the County Government. They should move with speed to see to it that the projects are implemented within this short period. I agree with member for Kaimbaga that we need to be specific about where the project is being implemented. If a project is in Kaimbaga ward, it should be indicated so that the member for that area can follow up and play the oversight role effectively. With those few remarks, I beg to move. Thank you.

(Question put and agreed to)

Next order!

COMMITTEE OF SUPPLY

(Order for the Committee read)

(The Deputy Speaker, Hon. Wambugu King'ori, left the Chair)

(The Mace is lowered)

IN THE COMMITTEE

[The Chairperson (Hon. Dorcas Kihara) took the Chair]

Chairperson: Thank you Hon. Members. According to the Standing Order No. 213 regarding the procedure of supplementary estimates, we shall start with amendments and then we proceed to development vote and all the departments without amendments.

AMENDMENTS

A. RECURRENT VOTE

• **GOVERNANCE**

1. Gubernatorial Office

Chairperson: Yes, Leader of Majority Party, Hon. Kariuki Muchiri.

Hon. Kariuki Muchiri: Thank you Hon. Chairperson. I beg to move an amendment to the proposed expenditure in respect of the Gubernatorial Office by reducing the proposed total recurrent vote of KSh.185,696, 075 by Kshs. 5,000,000.

I wish to call upon Hon. Mwangi Gichuki to second.

Chairperson: Yes Hon. Mwangi Gichuki

Hon. Mwangi Gichuki: Madam Chairperson, I second.

(Question on amendment proposed)

(Question on amendment put and agreed to)

(Question on issuing of Kshs. 180,696,075 from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the Gubernatorial Office proposed)

(Question on issuing of Kshs. 180,696,075 from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the Gubernatorial Office put and agreed to)

Chairperson: Next.

2. Finance and Economic Planning

Chairperson: Yes County Member from Weru, Hon. David Ndirangu.

Hon. David Ndirangu: Thank you Madam Chairperson. I beg to move an amendment to the proposed expenditure in respect of the Department of Finance and Economic Planning by adding the proposed total recurrent vote of Kshs. 522,734,619 by Kshs. 2,500,000.

I call upon Hon. Kariuki Muchiri to second.

Chairperson: Yes Hon. Kariuki Muchiri

Hon. Kariuki Muchiri: Madam Chairperson, I second.

(Question on amendment proposed)

(Question on amendment put and agreed to)

(Question on issuing of Kshs. 525,234,619 from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the Department of Finance and Economic Planning proposed)

(Question on issuing of Kshs. 525,234,619 from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the Department of Finance and Economic Planning put and agreed to)

Chairperson: Next.

- **INFRASTRUCTURE SECTOR**

1. **Lands, Housing and Physical Planning**

Chairperson: Yes Leader of Majority, Hon. Kariuki Muchiri

Hon. Kariuki Muchiri: Thank you Madam Chairperson. I beg to move an amendment to the proposed expenditure in respect of the Department of Lands, Housing and Physical Planning by increasing the proposed total recurrent vote of Kshs. 58,45,682 by Kshs. 270,000.

I now call upon Hon. Patricia Wanjugu to second the amendment.

Chairperson: Yes Hon. Patricia Wanjugu

Hon. Patricia Wanjugu: I second Madam Chairperson.

(Question on amendment proposed)

(Question on amendment put and agreed to)

(Question on issuing of Kshs. 58,727,682 from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the Department of Lands, Housing and Physical Planning proposed)

(Question on issuing of Kshs. 58,727,682 from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the Department of Lands, Housing and Physical Planning put and agreed)

Chairperson: Next.

- **PRODUCTIVE SECTOR**

- 1. Industrialization, Co-operatives, Trade and Enterprise Development**

Chairperson: Yes Chairperson, of the Committee on Industrialization, Co-operatives, Trade and Enterprise Development, Hon, Daniel Kibebo.

Hon. Daniel Kibebo: Madam Chairperson, I beg to move an amendment to the proposed expenditure in respect of the Department of Industrialization, Co-operatives, Trade and Enterprise Development by increasing the proposed total recurrent vote of Kshs. 60,246,572 by Kshs. 5,400,000.

I call upon Hon. Jane Mwathe to second.

Chairperson: Yes Hon. Jane Mwathe

Hon. Jane Mwathe: Thank you Madam Chairperson, I second.

(Question on amendment proposed)

(Question on amendment put and agreed to)

(Question on issuing of Kshs. 65,646,572 from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the Department of Industrialization, Co-operatives, Trade and Enterprise Development proposed)

(Question on issuing of Kshs. 65,646,572 from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the Department of Industrialization, Co-operatives, Trade and Enterprise Development put and agreed to)

Chairperson: Next.

B. DEVELOPMENT VOTE

• **GOVERNANCE SECTOR**

1. Finance and Economic Planning

Chairperson: Yes, Member for Njabini Kiburu, Hon. James Gachomba.

Hon. James Gachomba: Hon. Chairperson, I beg to move an amendment to the proposed expenditure in respect of the Department of Finance and Economic Planning by reducing the proposed total development vote of Kshs. 48,089,250 by Kshs. 11,557,903.

I call upon Hon. Kariuki Muchiri to second.

Chairperson: Yes Hon. Kariuki Muchiri

Hon. Kariuki Muchiri: Madam Chairperson, I do second the amendment.

(Question on amendment proposed)

(Question on amendment put and agreed to)

(Question on issuing of Kshs. 36,531,347 from the County Revenue Fund to meet the expenditure during the year ending 30th June 2016 in respect of the development vote for the Department of Finance and Economic Planning proposed)

(Question on issuing of Kshs. 36,531,347 from the County Revenue Fund to meet the expenditure during the year ending 30th June 2016 in respect of the development vote for the Department of Finance and Economic Planning put and agreed to)

Chairperson: Next.

• **INFRASTRUCTURE SECTOR**

1. Roads, Transport and Public Works

Chairperson: Yes Leader of Majority, Hon. Kariuki Muchiri

Hon. Kariuki Muchiri: Hon. Chairperson, I beg to move an amendment to the proposed expenditure in respect of the Department of Roads, Public Works and Transport by increasing the proposed total development vote of Kshs. 1,047,946,291 by Kshs. 1,287,903.

I now call upon Hon. Samuel Thuita to second.

Chairperson: Yes Hon. Samuel Thuita

Hon. Samuel Thuita: Madam Chairperson, I second the amendment. However, I would like to register my disappointment that most chairpersons are not in the House to follow the proceedings of the Committee of Supply.

(Question on amendment proposed)

(Question on amendment put and agreed to)

(Question on issuing of Kshs. 1,049,234,194 from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the development vote for the Department of Roads, Public Works and Transport proposed)

(Question on issuing of Kshs. 1,049,234,194 from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the development vote for the Department of Roads, Public Works and Transport put and agreed to)

Chairperson: Next.

- **HUMAN RESOURCE SECTOR**

1. **Education, Gender, Youth, Culture and Social Services**

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

Hon. Samuel Thuita: Hon. Chairperson, I beg to move an amendment to the proposed expenditure in respect of the Education, Gender, Youth, Culture and Social Services department by reducing the proposed total development vote of KSh.65,230,000.00 (Kenya Shillings Sixty Five Million Two Hundred and Thirty Thousand) by KSh.2,300,000 (Kenya Shillings Two Million and Three Hundred Thousand).

I now call upon Hon. Rebecca Nyangati to second the amendment.

Chairperson: Yes Hon. Rebecca Nyangati

Hon. Rebecca Nyangati: Madam Chairperson, I second.

(Question on amendment proposed)

(Question on amendment put and agreed to)

(Question on issuing of Kshs. 62,930,000 from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the development vote for the Department of Education, Gender, Youth, Culture and Social Services proposed)

(Question on issuing of Kshs. 62,930,000 from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the development vote for the Department of Education, Gender, Youth, Culture and Social Services put and agreed)

Chairperson: Next.

- **PRODUCTIVE SECTOR**

- 1. Industrialization, Co-operatives, Trade and Enterprise Development**

Chairperson: Yes Chairperson of the Committee on Industrialization, Co-operatives, Trade and Enterprise Development, Hon. Daniel Kibebo.

Hon. Daniel Kibebo: Hon. Chairperson, I beg to move an amendment to the proposed expenditure in respect of the Department of Industrialization, Co-operatives, Trade and Enterprise Development by reducing the proposed total development vote of Kshs. 77,416,628 by Kshs. 600,000.

I call upon Hon. Jane Mwathe to second.

Chairperson: Yes Hon. Jane Mwathe

Hon. Jane Mwathe: Thank you Madam Chairperson, I second.

(Question on amendment proposed)

(Question on amendment put and agreed to)

(Question on issuing of Kshs. 76,816,628 from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the development vote for the Department of Industrialization, Co-operatives, Trade and Enterprise Development proposed)

(Question on issuing of Kshs. 76,816,628 from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the development vote for the Department of Industrialization, Co-operatives, Trade and Enterprise Development put and agreed to)

2. Water, Environment and Natural Resources

Chairperson: Yes Chairperson of the Committee on Water, Environment and Natural Resources, Hon. Kiruka Mburu

Hon. Kiruka Mburu: Madam Chair, I beg to move an amendment to the proposed expenditure in respect of the Department of Water, Environment and Natural Resources by increasing the proposed total development vote of Kshs.312, 843, 548 by Kshs.10, 000,000.

I call upon Hon. Kimani Njiraini to second

Chairperson: Yes Hon. Kimani Njiraini

Hon. Kimani Njiraini: I second Madam Chair

(Question on the amendment proposed)

(Question on the amendment put and agreed to)

(Question on issuing of Kshs. 322,843,548 from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of development vote for the Department of Water, Environment and Natural Resources proposed)

(Question on issuing of Kshs. 322,843,548 from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of development vote for the Department of Water, Environment and Natural Resources put and agreed to)

Chairperson: Next

VOTES WITHOUT AMENDMENTS

A. RECURRENT ESTIMATES

- **Governance Sector**

- 1. Office of the County Secretary**

Yes the Leader of Majority, Hon. Kariuki Muchiri

Hon. Kariuki Muchiri: Thank you Madam Chair. I beg to move that the sum of Kshs. 131,585,728 be issued from the County Revenue Fund to meet the expenditure during the financial year ending 30th June, 2016 in respect of the recurrent vote for the Office of the County Secretary.

I call upon Hon. Samuel Thuita to second

Chairperson: Yes Hon. Samuel Thuita

Hon. Samuel Thuita: Madam Chair, I to second

(Question on issuing of Kshs. 131,585,728 from the County Revenue Fund to meet the expenditure during the year ending 30th June 2016 in respect of the recurrent vote for the Office of the County Secretary proposed)

(Question on issuing of Kshs. 131,585,728 from the County Revenue Fund to meet the expenditure during the year ending 30th June 2016 in respect of the recurrent vote for the Office of the County Secretary put and agreed to)

Chairperson: Next

- 2. County Public Service Board**

Yes Leader of Majority, Hon. Kariuki Muchiri

Hon. Kariuki Muchiri: Thank you Madam Speaker. I beg to move that the sum of Kshs. 29, 590,076 be issued from the County Revenue Fund to meet the expenditure during the financial year ending 30th June, 2016 in respect of the recurrent vote for the County Public Service Board.

I call upon Hon. Kimani Njiraini to second

Chairperson: Yes Hon. Kimani Njiraini

Hon. Kimani Njiraini: Madam Chair, I second

(Question on issuing of Kshs. 29, 590,076 from the County Revenue Fund to meet the expenditure during the financial year ending 30th June, 2016 in respect of the recurrent vote for the County Public Service Board proposed

Question on issuing of Kshs. 29, 590,076 from the County Revenue Fund to meet the expenditure during the financial year ending 30th June, 2016 in respect of the recurrent vote for the County Public Service Board put and agreed to)

Chairperson: Next

3. Office of the County Attorney, Information and E-Government & Intergovernmental Relations

Yes Hon. Kariuki Muchiri

Hon. Kariuki Muchiri: Thank you Madam Chair. I beg to move that the sum of Kshs. 55,231,782 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the Department of the County Attorney, Information and E-Government & Intergovernmental Relations.

I call upon Hon. Rebecca Nyangati to second

Chairperson: Yes Hon. Rebecca Nyangati

Hon. Rebecca Nyangati: Madam Chair, I second

(Question on issuing of Kshs. 55,231,782 from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the Department of the County Attorney, Information and E-Government & Intergovernmental Relations proposed)

(Question on issuing of Kshs. 55,231,782 from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the Department of the

County Attorney, Information and E-Government & Intergovernmental Relations put and agreed to)

Chairperson: Next

- **Agriculture Sector**

- 1. Department of Agriculture Livestock & Fisheries**

Yes Hon. Kimani Njiraini

Hon. Kimani Njiraini: Madam Chair, I beg to move that the sum of Kshs. 264,814,971 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the Department of Agriculture, Livestock and Fisheries.

I call upon Hon. James Gachomba to second

Chairperson: Yes Hon. James Gachomba

Hon. James Gachomba: Madam Chair I beg to second

(Question on issuing of Kshs. 264,814,971 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the Department of Agriculture, Livestock and Fisheries proposed)

(Question on issuing of Kshs. 264,814,971 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the Department of Agriculture, Livestock and Fisheries put and agreed to)

Chairperson: Next

- **Human Resources Sector**

- 1. Department of Health Services**

(Hon. Peter Kairu –Chairperson, Committee on Health Services)

Yes Hon. Peter Kairu

Hon. Peter Kairu: Madam Chair, I beg to move that the sum of Kshs. 1,103,336,103 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the Department of Health Services.

I request Hon. Rebecca Nyangati to second

Chairperson: Yes Hon. Rebecca Nyangati

Hon. Rebecca Nyangati: Madam Chair, I second

(Question on issuing of Kshs. 1, 103,336,103 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the Department of Health Services proposed)

(Question on issuing of Kshs. 1, 103,336,103 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the Department of Health Services put and agreed to)

Chairperson: Next

2. Department of Tourism ,Wildlife and Sports

Yes Hon. Rebecca Nyangati

Hon. Rebecca Nyangati: On behalf of my able Chairperson, I beg to move that the sum of Kshs. 38,293,102 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the Department of Tourism, Wildlife and Sports.

I call upon Hon. James Gachomba to second

Chairperson: Yes Hon. James Gachomba

Hon. James Gachomba: Thank you Madam Chair. I beg to second

(Question on issuing of Kshs. 38,293,102 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the Department of Tourism, Wildlife and Sports proposed)

(Question on issuing of Kshs. 38,293,102 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the Department of Tourism, Wildlife and Sports put and agreed to)

Chairperson: Next

3. County Assembly

Yes the Leader of Majority, Hon. Kariuki Muchiri

Hon. Kariuki Muchiri: Mr .Chairperson, I beg to move that the sum of Kshs. 605,568, 212 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the County Assembly.

I call Hon. James Gachomba to second

Chairperson: Yes Hon. James Gachomba

Hon. James Gachomba: Madam Chair I beg to second.

(Question on issuing of Kshs. 605,568, 212 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the County Assembly proposed)

(Question on issuing of Kshs. 605,568, 212 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the recurrent vote for the County Assembly put and agreed to)

Chairperson: Next

B. DEVELOPMENT ESTIMATES

- **Governance Sector**

1. **Office of the County Attorney, Information and E-Government & Intergovernmental Relations**

Yes the Leader of Majority, Hon. Kariuki Muchiri

Hon. Kariuki Muchiri: Thank you Madam Chair. I beg to move that the sum of Kshs. 36,050,000 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the development vote for the Department of the County Attorney, Information and E-Government & Intergovernmental Relations.

I call upon Hon. Samuel Thuita to second

Hon. Samuel Thuita: Madam Chair, I to second

(Question on issuing of Kshs. 36,050,000 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the development vote for the Department of the County Attorney, Information and E-Government & Intergovernmental Relations proposed)

(Question on issuing of Kshs. 36,050,000 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the development vote for the Department of the County Attorney, Information and E-Government & Intergovernmental Relations put and agreed to)

Chairperson: Next

- **Agriculture Sector**

1. **Department of Agriculture Livestock & Fisheries**

Chairperson: Yes Chairperson of the Committee on Agriculture, Livestock and Fisheries, Hon. Kimani Njiraini

Hon. Kimani Njiraini: Madam Chair, I beg to move that the sum of Kshs. 89,266,816 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the development vote for the Department of Agriculture, Livestock and Fisheries.

I call upon Hon. Patricia Wanjugu to second

Chairperson: Yes Hon. Patricia Wanjugu

Hon. Patricia Wanjugu: Thank you Madam Chair. I second

(Question on issuing of Kshs. 89,266,816 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the development vote for the Department of Agriculture, Livestock and Fisheries proposed)

(Question on issuing of Kshs. 89,266,816 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the development vote for the Department of Agriculture, Livestock and Fisheries put and agreed to)

Chairperson: Next

- **Human Resources Development Sector**

- 1. Department of Health Services**

Chairperson: Yes Chairperson of the Committee on Health Services, Hon. Peter Kairu

Hon. Peter Kairu: Madam Chair, I beg to move that the sum of Kshs. 236,120,605 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the development vote for the Department of Health Services.

I call upon Hon. Thuita to second

Chairperson: Yes Hon. Samuel Thuita

Hon. Samuel Thuita: Madam Chair, I second

(Question on issuing of Kshs. 236,120,605 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the development vote for the Department of Health Services proposed)

(Question on issuing of Kshs. 236,120,605 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the development vote for the Department of Health Services put and agreed to)

Chairperson: Next

2. Department of Tourism ,Wildlife and Sports

Chairperson: Yes Hon. Rebecca Nyangati

Hon. Rebecca Nyangati: Madam Chair, on behalf of my able Chairman, I beg to move that the sum of Kshs. 41,600,970 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the development vote for the Department of Tourism, Wildlife and Sports.

I call Hon. Ann Kionero to second

Chairperson: Yes Hon. Ann Kionero

Hon. Ann Kionero: Thank you Madam Chair. I second.

(Question on issuing of Kshs. 41,600,970 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the development vote for the Department of Tourism, Wildlife and Sports proposed)

(Question on issuing of Kshs. 41,600,970 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the development vote for the Department of Tourism, Wildlife and Sports put and agreed to)

Chairperson: Next

3. County Assembly

Chairperson: Yes the Leader of Majority, Hon. Kariuki Muchiri

Hon. Kariuki Muchiri: Thank you Madam Chair. I beg to move that the sum of Kshs. 115,300,000 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the development vote for the County Assembly.

I call upon Hon. Jane Mwathe to second

Chairperson: Yes Hon. Jane Mwathe

Hon. Jane Mwathe: Thank you Madam Chair. I second

(Question on issuing of Kshs. 115,300,000 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the development vote for the County Assembly proposed)

(Question on issuing of Kshs. 115,300,000 be issued from the County Revenue Fund to meet the expenditure during the year ending 30th June, 2016 in respect of the development vote for the County Assembly put and agreed to)

Chairperson: Next

MOTION

REPORT OF THE COMMITTEE OF SUPPLY THE NYANDARUA COUNTY 3RD SUPPLEMENTARY BUDGET ESTIMATES FOR THE FINANCIAL YEAR 2015/2016

Madam Chairperson, I beg to move the following motion;

That the Committee of Supply does report to the House its consideration of The Nyandarua County 3rd Supplementary Budget Estimates for the Financial Year 2015/2016.

Thank you Madam Chairperson.

(Question on the Committee of Supply reporting to the House its consideration of The Nyandarua County 3rd Supplementary Budget Estimates for the Financial Year 2015/2016 put and agreed to)

Chairperson: Now the Committee of Supply reports to the House.

(The Deputy Speaker, Hon. Wambugu King'ori, resumes the Speaker's Chair)

(The Mace is raised)

Speaker: Yes Chairperson of the Committee of Supply, Hon. Dorcas Kihara

Hon. Dorcas Kihara: Thank you Mr. Speaker, Sir. I beg to report that the Committee of Supply has considered The Nyandarua County 3rd Supplementary Budget Estimates for the Financial Year 2015/2016 and approved it with amendments.

I now call upon Hon. James Gachomba to move the Motion on agreement to the report. Thank you Mr. Speaker.

Speaker: Yes Chairperson of the Committee on Budget and Implementation, Hon. James Gachomba

Hon. James Gachomba: Thank you Mr. Speaker. I beg to move the following motion:
That the House does agree with the Committee of Supply in the said resolution

Thank you Mr. Speaker.

(Question on adoption of the report proposed)

(Question on adoption of the report put and agreed to)

Speaker: Next order

MOTION TO BE MOVED

REPORT ON THE STATUS OF RELIEF FOOD IN NYANDARUA COUNTY

Yes Hon. Kimani Njiraini

Hon. Kimani Njiraini: Thank you Mr. Speaker, Sir. I beg to seek leave of the House to move motion next week. This is in regard of some more inputs that I have to include in the report after consultations with the Committee members. Thank you Mr. Speaker.

Speaker: Hon. Kimani Njiraini you should cite the time when you would wish to move the motion.

Hon. Kimani Njiraini: On Tuesday next week at 2.30 p.m.

Speaker: The House Business Committee shall then consider slotting the motion as the first business of Tuesday's sitting.

(The Speaker consults with the Clerk-at-the-table)

Hon. Members, the earlier direction by the Speaker to skip order No. 7 and move over to order No. 8 notwithstanding, I now direct that we revisit order No. 7.

STATEMENT(S)

1. ROLL OUT OF THE NATIONAL GOVERNMENT STREET LIGHTING PROGRAM

(Hon. Dorcas Kihara rises on behalf of Hon. David Ndirangu (County Member))

Speaker: Yes Hon. Dorcas Kihara

Hon. Dorcas Kihara: Thank you Mr. Speaker. On behalf of Hon. David Ndirangu, I beg to request for a statement from the Chairperson of the Committee on Water, Environment and Natural Resources on the roll out of the National Government street lighting program:

Aware that the national government has allocated funds totalling almost seven billion and nine hundred million shillings for the implementation of the street lighting project being undertaken by the Kenya Power and Lighting Company,

Further aware that the said project has already been implemented in various counties with the pilot project being commissioned by His Excellency the President in Mombasa County in the month of December the year 2015,

Concerned that from the enquiries conducted, there is contradictory information indicating that Nyandarua County is not a beneficiary of the project thus standing to lose out on such a noble opportunity to improve the lives of the county residents,

Further concerned that in other instances, documents availed indicate that there is a lighting project being implemented in Nyandarua County that is however being carried in Nyahururu town which is in Laikipia County,

Mr. Speaker, Sir, premised on the foregoing, I hereby request for a statement addressing the following:

1. What is the actual position concerning Nyandarua County in the implementation of the project;
2. In the instance of an omission, why has Nyandarua County been omitted in the implementation of the project;
3. What action has the county government undertaken to liaise with the national government to ensure that Nyandarua County does not stand to lose out on the street lighting project
4. What further action or mechanism has the County Government put in place to ensure that any other project touching on natural resources being implemented by the national government benefits Nyandarua County

Thank You Mr. Speaker Sir.

Speaker: Since the Chairperson of the Committee on Water, Environment and Natural Resources is not in the House, a member of the Committee should tell this House when the Committee will table the response to the statement request by Hon. David Ndirangu.

Yes Hon. Kimani Njiraini

Hon. Kimani Njiraini: Mr. Speaker, on behalf of the Chairperson of the Committee on Water, Environment and Natural resources, I request that the Committee be given one month.

Speaker: So in a month from today the Committee on Water, Environment and Natural Resources will be expected to table the statement response in this House.

Next

2. IMPLEMENTATION OF THE HIV/AIDS SUPPORT PROGRAM IN THE COUNTY

Speaker: Yes County Member from Githioro, Hon. Dorcas Kihara

Hon. Dorcas Kihara: Thank you Mr. Speaker. I wish to request for a statement from the Chairperson of the Committee on Education, Culture and Social Services on the implementation of the HIV/AIDS support program in the County:

Aware that the County Government of Nyandarua had in the financial year 2014/2015 budgetary appropriations allocated a total amount of Kshs. 1,000,000 for the support of HIV/AIDS programs in the County,

Concerned that there has been no tangible activities or programmes undertaken to help the persons living with HIV/AIDS in the County,

Mr. Speaker, Sir, I hereby request for a statement from the Chairperson of the Committee on Education, Culture and Social Services on the HIV/AIDS support programme addressing the following:

1. What activities has the County Government undertaken with regard to the programme?
2. How many persons living with HIV & AIDS has the programme been able to reach?
3. What has been the progress of the programme including the success and challenges in implementation of the same?

Thank You Mr. Speaker, Sir.

Speaker: Since the Chairperson of the Committee on Education, Culture and Social Services is not in the House, the vice Chair of the Committee should tell the House when the Committee will table the response to the statement request by Hon. Dorcas Kihara

Hon. Nancy Ng'ang'a: Mr. Speaker, the Committee will table the response to the statement request by Hon. Dorcas Kihara in three weeks. Thank you.

Speaker: So the Committee will be expected to table the response in three weeks from today.

Next order

3. THE EMPLOYMENT OF E.C.D.E TUTORS/ASSISTANTS IN THE COUNTY

Speaker: Yes County Member from Githioro, Hon. Dorcas Kihara

Hon. Dorcas Kihara: Thank you Mr. Speaker. I wish to request for a statement from the Chairperson of the Committee on Education, Culture and Social Services on the employment of ECDE tutors/assistants in the County:

Aware that the County Government of Nyandarua has identified the acute need for provision of additional ECDE tutors/assistants in the county to mitigate the shortage experienced in the sector.

Further aware that the County Government had in the financial year 2015/2016 budgetary appropriation allocated funds for the engagement of new tutors in the county.

Concerned that this far, there has been no recruitment of the said tutors and thus occasioning a huge burden and workload on the existing ECDE tutors/assistants in the county.

Mr. Speaker sir, it is on the aforementioned premise that I hereby request for a statement by the Chairperson of the Committee on Education, Culture and Social Services on the employment of ECDE tutors/assistants in the County addressing the following;

1. Why there has been no employment of additional ECDE tutors/assistants in the county despite there being a budgetary allocation for the purpose?
2. How were the funds allocated for the employment of additional ECDE tutors/assistants utilized?
3. What is the status of the staffing within the ECDE sector in the County?
4. What measures has the County department responsible put in place for the smooth operation of the ECDE centres notwithstanding the shortage of the ECDE tutors/assistants?

Thank You Mr. Speaker, Sir.

Speaker: The vice Chair of the Committee on Education, Labour and Social Services should tell the House when the Committee will table the response to the statement request by Hon. Dorcas Kihara

Hon. Nancy Ng'ang'a: Mr. Speaker, one and a half months will be enough for the Committee.

Speaker: Hon. Nancy Ng'ang'a, I believe the Committee on Education, Culture and Social Services can deal with the statement requested from it at the same time, can't it?

Hon. Nancy Ng'ang'a: Well, Mr. Speaker, after three weeks the Committee will table the responses to the statement requests. Thank you.

Speaker: So the Committee will, be expected to table the responses within the stated time.

Next

4. THE FREEZE OF ALL PENDING RECRUITMENTS OF COUNTY STAFF

Speaker: Yes County Member from Githioro, Hon. Dorcas Kihara. It seems today is your day.

Hon. Dorcas Kihara: Thank you Mr. Speaker. You know we have just resumed from recess during which members of the public raised a lot of issues with us. That is why I have come up with many statements.

Mr. Speaker, Sir, I wish to request for a statement from the Chairperson of the Committee on Justice, Legal Affairs and Public Service on the freeze of all pending recruitments of County Staff:

Aware that the County Government of Nyandarua had advertised for recruitment of various officers in different county departments on 18th December, 2015 and further the County Public Service Board had conducted interviews for the position of Kenya Enrolled Community Health nurses between 22nd and 26th January, 2016 and on 15th and 16th February, 2016,

Concerned that the County Government of Nyandarua, in a County Executive Committee resolution communicated to the Board vide letter dated 11th March, 2016, did freeze all pending recruitments of County staff with immediate effect as further notified on the County website.

Further concerned that there has been no further directions on the matter two months down the line,

Mr. Speaker, Sir, I hereby request for a statement by the Chairperson of the Committee on Justice, Legal Affairs and Public Service addressing the following:

1. What occasioned the order for the freezing of all pending recruitment of county staff?
2. What steps have been undertaken in the interim period to correct the mishaps if any that occasioned the freeze on employment
3. What befalls the fate of the interviewees and applicants to the advertised positions?
4. What measures is the County Government taking to ensure that the Human Resource gaps in the County establishment are filled?

Thank You Mr. Speaker, Sir.

Speaker: Let us have a Member of the Committee on Justice, Legal Affairs and Public Service rise to tell this House when the Committee will table the response to the statement request by Hon. Dorcas Kihara, since the Chairperson of the Committee is not in the House.

Yes member for Rurii, Hon. Wahome Kamoche

Hon. Wahome Kamoche: The matter raised in the statement request is very serious. The County Public Service Board gave us a letter with a list of the staff the Board has employed in the health sector. We have no issue with the County Public Service Board; but we have an issue with the County Executive concerning the matter raised in the statement request. Sometime back at J. M. Memorial Hospital the Deputy Governor said that they had not advertised for positions to be filled in the health sector though they were going to put that into consideration. So I am begging this House to give the Committee some time to summon the person concerned to provide information on the matter raised in the statement request.

Speaker: Hon. Wahome Kamoche, this House is asking you to specify the time the Committee will table the response on the statement request.

Hon. Wahome Kamoche: Mr. Speaker, due to the urgency of the matter, we request this House to give the Committee three weeks.

Speaker: I urge the Committee to work round the clock to ensure that it tables the response within the time requested.

Next order

ADJOURNMENT

Speaker: Hon. Members, having no other business, this House adjourns to the next sitting on Tuesday, the 14th day of June, 2016 at 2.30p.m.

(The House rose at 4.47p.m)