

**REPUBLIC OF KENYA**  
**NYANDARUA COUNTY ASSEMBLY**  
**2<sup>ND</sup> ASSEMBLY- 1<sup>ST</sup> SESSION**  
**OFFICIAL REPORT**

Wednesday 8<sup>th</sup> November 2017

*The Assembly met at the Assembly Chamber at 2.30 p.m.*

*[Hon. Speaker (Ndegwa Wahome) in the Chair]*

Prayer

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

*(There is quorum as confirmed by the Clerk-At-The-Table)*

**Speaker:** Quorum having been recognized we proceed with the business of the session.  
First order

**PAPERS**

1. AUDITOR GENERAL'S REPORT ON THE FINANCIAL STATEMENTS ON THE NYANDARUA WATER AND SANITATION COMPANY LIMITED

Yes member for Leshau Pondo and leader of majority Hon. Gathungu Kamau

**Hon. Gathungu Kamau:** Thank you Mr Speaker I beg to table the Report of the Auditor General on the Financial Statements on the Nyandarua Water and Sanitation Company Limited for the year ended 30<sup>th</sup> June 2016. I table

**Speaker:** Very well, that report of the Auditor General on the Financial Statements on the Nyandarua Water and Sanitation Company Limited for the year ended 30<sup>th</sup> June 2016 is duly tabled. I refer the same to the committee on PIC/PAC. It is a matter on expenditure and it goes to that committee. A member of the committee Hon. Sambigi Mukuriah when should we expect the report?

**Hon. Sambigi Mukuriah:** Thank you Mr Speaker, you can expect that report after the long recess.

**Speaker:** I think that is reasonable members taking cognizance that we are heading to mid-November and I think that the long recess will be starting first or second week of December.

There will be four related reports including that for the assembly, which is not here. If they can work on them and table them all at once, it will be a good start of the year.

Next

2. AUDITOR GENERAL'S REPORT ON THE FINANCIAL STATEMENTS ON THE OL'KALOU WATER AND SANITATION COMPANY LIMITED

Yes member for Leshau Pondo and Leader of Majority Hon. Gathungu Kamau

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**Hon. Gathungu Kamau:** Thank you Mr Speaker, I beg to table the Report of the Auditor General on the Financial Statements on the Ol'kalou Water and Sanitation Company Limited for the year ended 30<sup>th</sup> June 2016. I table.

**Speaker:** Very well, that report of the Auditor General on the Financial Statements on the Ol'kalou Water and Sanitation Company Limited for the year ended 30<sup>th</sup> June 2016 is duly tabled. The same is again referred to the committee on PIC/PAC. Member for Githioro, are you going to give the same timelines?

**Hon. Sambigi Mukuriah:** Yes Mr Speaker

**Speaker:** Next order

3. AUDITOR GENERAL'S REPORT ON THE FINANCIAL STATEMENTS OF THE COUNTY  
EXECUTIVE OF NYANDARUA

Yes member for Leshau Pondo and Leader of Majority Hon. Gathungu Kamau

**Hon. Gathungu Kamau:** Thank you Mr Speaker, I beg to table the Report of the Auditor General on the Financial Statements on the County Executive of Nyandarua for the year ended 30<sup>th</sup> June 2016. I table.

**Speaker:** Very well, that report of the Auditor General on the Financial Statements on the County Executive of Nyandarua for the year ended 30<sup>th</sup> June 2016 is duly tabled. The same is again referred to the committee on PIC/PAC. Member for Githioro I believe you would like to bring the report on the commencement of the second session of the assembly.

**Hon. Sambigi Mukuriah:** Same timelines Mr Speaker.

**Speaker:** Next order

**MOTION**

ESTABLISHMENT OF INTERGOVERNMENTAL JOINT COMMITTEE TO OVERSEE  
DEVELOPMENT IN THE COUNTY

Yes member for Shamata Hon. Gitau Reuben Karanja

**Hon. Gitau Reuben:** Thank you Mr Speaker sir, I beg to move the following motion.

Aware that article 189 (2) of the constitution of Kenya 2010 provides that the National Government and the County Government shall cooperate in the performance of functions and exercise of powers and for that purpose may set up joint committees and joint authorities.

Further aware that article 201 (b) (iii) of the constitution of Kenya provides that expenditure shall promote the equitable development of the country including making special provisions of marginalized groups and areas.

Concerned that the Nyandarua County generally been social economically marginalized especially in terms of infrastructural development as compared to other counties. Further concerned that the revenue allocation for the county cannot effectively spur much needed economic development.

Noting that the President of the Republic of Kenya appreciates that the Nyandarua County is marginalized and needs infrastructure development and has severally made promises to the effect that the national government shall initiate several development projects in the county.

Further noting that such promises may not be effected due to lack of clear mechanisms.

Now therefore this House urges the Governor to initiate consultation and negotiation with the national government in a view to establish and intergovernmental joint committee to oversee development in the county while sourcing for necessary funds for the purpose.

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Thank you Mr Speaker sir.

Mr Speaker for the first time in the history of this county that the President of this Republic said that he wants to be the first Governor of this county. I am sure you all know that this county is marginalized. If you look at the road networks especially the tarmac roads, they are only two that cross the county, one from Magumu-Tumaini, Ol'kalou-Nyahururu and a very small part of Nyahururu-Nyeri road.

Mr Speaker if you compare the square kilometres of this county and the kilometres of tarmac roads in the county, you will see that there is dire need to increase the tarmac roads network.

Secondly is water. Nyandarua has a large water catchment area, that is Aberdare forest. You will be surprised that our county residents are not enjoying water from this catchment because of such issues as piping and distribution of this resource. Other counties are benefiting from this.

Concerning energy and connectivity to electricity, we are way below the national set standards compared to other counties especially those in Central Kenya. If you compare a county like Kiambu and Nyandarua in terms of power connectivity, I am sure that Kiambu is above 60%.

Looking at education facilities, you will see that this county does not have a university. We need more tertiary education facilities so that this county can move on.

In Nyandarua, we have so many professionals who have been trained in many fields and they have not seen opportunities in the national government so that they can develop themselves and this country.

Mr Speaker these are the reasons that made the President find it necessary to take urgent measures that would push this county to the next level. If these measures are not taken this county will still lag behind. If this continues, we shall be behind counties that have not had many resources such as Wajir and Turkana. The trend of the county was worrying. The President realized this and offered himself to be part of the leadership of the county so that we can move together.

The President has pledged development projects that could spur development in the county for instance 300 kms of tarmac road when he was in Shamata early last month. Notably when talking about the 300 kms he mentioned a road connecting Mairo-Inya to Shamata. If the 300 kms will be realized it would improve connectivity. He also promised construction of three dams, that is, Pesi, Kinja and Malewa dam. That very day he mentioned a dam in the upper side of Shamata because Pesi dam may not be of much help to the people of Shamata because of its distance.

Before August 8<sup>th</sup> election he promised street lighting in the major towns of this county, like Mairo-Inya, Ol'kalou, Engineer, Shamata and other. There are places where we have lights that were installed previously. In Shamata for instance, only 14 were elected yet they were supposed to be 21.

The President also promised that there would be a university established in the county. He also said that he would increase the number of people from Nyandarua working in the national government. He promised an additional five more sub counties and I was told one more was added to make them six. These are the promises made by the President to this great county. If this will be realized this county will move ahead. However, Mr Speaker this might be wishful list of things if the leadership of this county will not come together and work as a team to influence the national government to accomplish this. The President is very busy and it is the work of the county leadership to see to it that they make a follow up.

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If this county was to appreciate the commitment of H.E the President, and form a committee, one that consists of elected leaders and leaders in the arms of government, that would ensure that we get those pledges honoured. This committee should study the needs of the people of Nyandarua and compare that with the pledges made by the President. The motion is urging the Governor to form this committee. This committee will sit with departments in the national government in various ministries to achieve development. This committee should also have a few members from this House preferably about three members. There can be about four members from the Executive and two from the other elected leaders in the county. We have five MPs, one Women Representative and the Senator and they should give us two among them. We have a cabinet secretary who represents Nyandarua in the national government. We should also include her because I am sure she will bring great input. We can also have one person from the ministry of Interior Coordination. It should have about eleven people, three from the county assembly, four from the executive, two from among the other elected leaders, one from the ministry of interior. This motion also proposes that the lifespan of that committee be five years.

This motion will be open for discussion and the assembly members representing 25 wards and having three people to represent them in that committee could be a little number. We can consult and see whether the number of committee members could be increased to 13 from 11.

If this motion is passed, it will be of help not only to this assembly but also mostly to the great people of Nyandarua. Our re-election will not be based on how prudently resources from the county kitty because Wanjiku does not even care to know where funds to provide services has come from but she wants to see that what she wanted done is done. She does not even care about the person that has done it.

Members know we worked very hard to campaign for the President. In fact we led in the voter percentage that voted for him, about 99.3%. On a lighter note, should this motion sees the light of day and the committee meets the President, they should tell him that the MCAs that worked hard to get that high number of voters for him are driving old Volkswagen beetles. Please ask him for a car grant for the members. They are not so many. One hundred million not a lot. That was on a light note.

I call upon Hon. Edinald King'ori to second the motion.

**Speaker:** Yes member for North Kinangop Hon. Edinald Wambugu King'ori

**Hon. Wambugu King'ori:** Thank you Mr. Speaker, it is unfortunate that the organ that is supposed to speak in this House has a problem. The sickness...Mr Speaker the member for Kaiboga is laughing...

Mr Speaker this motion has come at the right time. The second assembly and the executive will be working together to take this county ahead. The President of the Republic of Kenya has come to this county severally. He has made known his commitment and concern about the people of Nyandarua. This county overwhelmingly voted for the current President. He has made several pledges to this county. The last time he was in Shamata, he said that he would be the second Governor of this county. He said that he would increase the number of sub counties from 5 to 12. He talked about roads and agreed that he would work on them. He also talked about connectivity to electricity. For this to be realized there must be a framework and political goodwill. We cannot all go the office of the President to remind him of all the pledges that he has made to our county. There must a way of doing it. That is why the member for Shamata has brought this motion. It has outlined those things that require to be done.

Article 200 of the constitution of Kenya states;

(1) Parliament shall enact legislation providing for all matters necessary or convenient to give effect to this Chapter.

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- (2) In particular, provision may be made with respect to—
- (a) The governance of the capital city, other cities and urban areas;
  - (b) The transfer of functions and powers by one level of government to another, including the transfer of legislative powers from the national government to county governments;

This is where the parliament derives the acts on devolution, such as the County Government Act, Intergovernmental Relations Act, and Transition to Devolved Government Act, Urban Areas and Cities Act and many others. It is on the Intergovernmental Relations Act that we shall be able to have that committee that includes members from this assembly and others from institutions enshrined in the constitution based. We shall also include the people from the Ministry of Interior Coordination headed by the county commissioner and other senior officers in the national government that are from this county. In our case, we have Hon. Sicily Kariuki.

Mr Speaker section 25 of the Intergovernmental Relations Act talks about principles of transfer or delegation of powers, functions and competencies to the counties. We can apply those principles in the Intergovernmental Relations Act and be able to develop a good policy that will support that spirit of this motion.

This committee will oversee cooperation between the national and the county government in this case the county government of Nyandarua. The target here is the cooperation between the office of the President and the office of the Governor Nyandarua County. This committee will not only look at matters between the county government of Nyandarua and the national government; it also requires crossing to other county governments. We have interests with Nairobi County in relation to water. Sasumua dam is in Nyandarua but all its waters are consumed in Nairobi. There is no cent that is remitted to this county as a result.

Mr Speaker this committee to see the establishment of a structure and mechanism for the Intergovernmental Relations. In the Intergovernmental Relations Act 2012, we have sections on establishment of the National and County Government Co-ordinating Summit and establishment of the Intergovernmental Relations Technical Committee. We can have a technical committee whose role will be daily running of the matters between this county and the national government.

The President said that he would tarmac 425 kms of road. Most of the roads in this county are not classified. This means that we need to involve a body that will classify our roads first.

*(Hon. Gathure Wambui rises on a point of order)*

**Speaker:** Member for Kaimbaga, how is the member for North Kinangop out of order?

**Hon. Gathure Wambui:** Mr Speaker my point of order is not related to the member for north Kinangop but member for Githioro. He has walked out of without bowing. Is it in order?

**Speaker:** Obviously, it is not in order. It is required that one bows for two reasons in fact they are three, one because the House is in session and there is the person in charge of the House, two is the County Emblem that requires to be honoured and three the National Emblem that also requires to be honoured. That was wrong and the member for Githioro will be notified appropriately that this is a requirement, it is mandatory and it is not at the person's pleasure.

Member for North Kinangop proceed.

**Hon Wambugu King'ori:** I was trying to say that it is very clear on the transfer of functions using enabling laws such as the Intergovernmental Relations Act. We can be able to customize and come up with a legal framework that will enable anything stated by the President

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can concur with the county without contravening the law. We need to consider matters pertaining to the values of the county.

Sometimes the county commissioner and the county government may not be relating well. This committee will be able to solve all this disputes before we go to the court of law for further interpretation of the matter. This is a committee that is required to help the government move effectively.

In section 26 subsection 5 of the Intergovernmental Relation Act, it states

(1) A county assembly shall be notified of the decision to transfer a county government power, function or competency.

Mr Speaker anything from the national level to the county or vice versa, the county assembly is there to approve. I support the motion and I would urge the house to support and contribute to it. I do believe we have a Speaker who is able to advice this committee according to the constitution and other enabling laws so in future such a motion as this one moved by the member of Shamata will not be moved but we shall have a law on such matters. I second this motion.

*(Question proposed)*

**Speaker:** Member for Kaimbaga Hon. Gabriel Gathure Wambui.

**Hon Gathure Wambui:** Thank you. I rise in support of such motion and I think it is time that our county establishes such a committee to ensure that the Presidential promises are not in vain. These things are...

*(Hon. Mwangi Maitai rises on a point of order)*

**Speaker:** What is it member for Central Hon. David Maitai.

**Hon. David Maitai:** Hon. Sambigi has just come in and pretended to have done nothing. You should not entertain this the member should go out as we continue with the motion, Thank you.

**Speaker:** Hon Sambigi Mukuria there was a concern that when you walked out you never bowed for the seat of the Speaker nor to the County and National Emblems which was considered to be gross misconduct. I however said that we are in a learning process. To notify you that in future that should not be repeated. Proceed member for Kaimbaga.

**Hon Gathure Wambui:** We thought that the punishment should have taken place immediately and the member should have been suspended for the rest of the session.

I would like to say that since President Moi was in power the roadside promises were in vain. President Kenyatta has made several promises to our county and we should be careful that those promises will not to be in vain.

When the President was giving his speech, he said that the government has tarmacked 424 kilometres of road and we wondered where all this tarmacked roads were and it was rectified. On his next visit, he promised 425 kilometres of road. These promises will be in vain if they are not going to be followed up.

I heard the President promising the MCAs that they would have car grants but that never happened for the first house and also for the second House. We have not received the car grants. The promise by the President backed by the Majority Leader for the national assembly Aden Duale never happened so we do not want to have such a case in our county.

*(Hon. Gathungu Kamau rises on a point of order)*

**Speaker:** What is it member for Leshau Pondo Hon Gathungu Kamau?

**Hon Gathungu Kamau:** I think I will not be begging much from the honourable member for Kaimbaga not to refer the President as Mr President because it is being taken by the Hansard. At least address the President as his Excellency the President.

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Commented [f1]:

**Speaker:** I think we shall continue internalising these issues because I believe the member for Kaimbaga has not said it in bad faith but the official name for the President of America is Mr President but in Kenya, it is recognized as H.E. the President and I think we should follow that route. So proceed member for Kaimbaga.

**Hon. Gathure Wambui:** Thank you Mr Speaker. You know I am used to watching those series from the United States. That was on a light note. I never meant to demean the President and we also have two versions of English, the American and the British English.

I would like to speak on the budget. When the national government is reading the national budget. You find that for example, we have a budget of Kshs. 3 trillion, but Kshs. 3 billion is the amount of money that goes to the counties which is about a third of the whole amount and therefore lot of money is left with the national government.

So we should have a committee to act as the bargaining team so that more resources can be brought to the counties. In the revenue collected, the law requires about 45% to be channelled back to the counties but the bigger share still remains with the national government.

The national government does not have any other country to benefit from those resources. Kenya is made up of counties Nyandarua is one of the counties that ought to benefit from the resources set aside by the National Government. Our able Governor, H.E. Francis Kimemia had a manifesto full of flagship projects. All Hon. Members can concur with me that the resources allocated from the National are not enough to initiate these projects. Therefore, with such a committee the Governor will be able to lobby for more projects to be undertaken jointly by the National and the County governments.

I was doing my research, Mr Speaker, and found that Nairobi City County benefited with more Kshs.100 billion worth of projects from the National Government. With such a committee therefore, we will be able to convince the National Government to jointly undertake projects with our county.

Mr Speaker, it is worth noting that we have an Intergovernmental Relations Committee in this House. However, we have a challenge emanating from how the committee is composed. The proposed committee, as the Hon. Member for Shamata has explained, we will have more bargaining power due to the inclusion of other elected leaders within the county such as the Women Representative, Senator, MPs and the elected leaders in the county Executive unlike our Intergovernmental Relations Committee. Indeed, it has included the major stakeholders of this county.

If you can recall, and I stand to be corrected, the Senate passed a motion to have the County Governments form a county development committee. It was supposed to be comprised of the Governor, Senator, the MPs and other elected leaders. However, this proposition never saw the light of day. Again, I stand to be corrected. The committee would have acted as the link between the county and the national government since the MPs and the Senator are our representatives there.

I would also like to make a proposal that the mover, Hon. Rueben Gitau, agrees with the Governor to increase the number of MCAs from three. Although having three members in the committee is quite okay, if we had four or five, it would be even better.

Mr Speaker, I would like to wind up there, a senior member of this House, Hon. Edinald King'ori pre-empted all that I was to say. I would like to end it there and support this motion.

Thank you.

**Speaker:** Yes Member for Wanjohi, Hon. Isaac Kung'u.

**Hon. Isaac Kung'u:** Thank you Mr Speaker. I rise to support this motion and appreciate the mover. This is a very timely and important motion. First, I would like to say that the motion is within the law. If you look at the Inter-governmental Relations Act, 2012, one of the objective and purpose is to provide a framework for consultations between the county and

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national governments. Therefore, when the mover brings to the floor of this House such a motion, I feel that it is within the law. We should domesticate this Act and now design ways we shall be relating with the National Government not only in summits and other structures that are provided in that Act. This is because some of the issues are local and only in Nyandarua County and therefore, channelling them in the summits and other avenues may take a lot of time before they are addressed. If we create a mechanism on how we will be relating with the National Government and other county governments, these issues can be addressed with requisite speed.

I also wish to say that this motion is timely because it comes at a time when we have political goodwill. The reason is that, although I do not want to repeat what other hon. Members have said about the President's utterances about this county, we have been promised a lot of projects. For instance, we have been promised 425 Kilometres of tarmacked road, the new stadium, major dams and 100 transformers for rural electrification. Actually, the people of Wanjohi are asking when the transformers will be installed. If we had such committee, it could be able to answer some of these issues.

I therefore feel that it is of utmost importance when we have such a committee that will follow up on these projects. If we do not, some of these promises might fade away and we might never have the project in place. I am supporting this motion so that we have a very competent committee that is going to follow up on these issues. This is also putting in mind that the Governor is very busy and therefore we cannot leave everything to him. He is handling so many issues. If we have such a committee, we will be in a better position.

Mr Speaker, I also want to say at this point in time that this county has been recognized as one of the marginalized counties in our country and particularly, by H.E. the President. It would therefore be one of the mandate of this committee to lobby that Commission on Revenue Allocation (CRA) recognizes the county as one of the marginalized and increase the allocation. We also ought to be beneficiaries of the equalization fund. This will spur increased pace of development within our county.

I also want to say that when this House passes some Bills into Acts such as the Finance Bill, some of the issues raised therein may traverse various counties. An example of such a Bill is the Potato Bill. The House passed a law requiring the packaging of the potatoes be limited to 50kg bags. This did not only affect our county but also other counties renowned for growing potatoes. We therefore need a committee such as this one to engage other counties to see to it that this is implemented. If we pass a bill here and yet the market is in Nairobi, Meru or even Mombasa, we need to engage these counties so that the operationalization of that law is successful.

Mr Speaker, the county also stands to benefit from many resources that will come along. The issue of water as addressed by Hon. Wambugu will be addressed, forests that have only been benefitting the KFS will be addressed as well as the issue of milk cess that has only been benefitting the Kenya Dairy Board. We also have other pertinent issues that the committee will address as long as it is competent and focused on addressing these intergovernmental issues. It has been said, although I do not know whether it is in the grapevine, that the previous government was once invited by the President. The President had the courtesy of asking them, 'What would you like us to do for you as the County of Nyandarua?' I hear that they requested some time for them to consult.

*(Laughter)*

If we had such a committee, we would not suffer such an embarrassment. I therefore, support this timely motion and may be after it is approved, we need a very serious follow up to  
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make sure that H.E. the Governor comes up with this committee which will be of utmost important and of great help to the people of Nyandarua.

Thank you, I support.

**Speaker:** Yes Member for Ndaragwa Central, Hon. David Mwangi Maitai

**Hon. David Maitai:** Thank you very much Mr Speaker Sir. I rise to support this motion. I think it is timely. The President has made us many pledges during the campaign period and you all know that these pledges can be shelved if you do not have such a committee that will make a follow up. We also made many pledges when we were campaigning, and if the electorates do not make a follow up, some of those things might be shelved.

I therefore think this motion is timely and it is appropriate that we form a committee so that we spearhead these promises. Without such a committee, we cannot achieve our objectives. I believe that the Hon. Member for Shamata has done some thorough work in coming up with this motion which is inclusive. If I remember, he talked about the MPs, CS for Interior Coordination, the Executive and other elected leaders within our county. However, I would urge him to do some review on the composition so that we can have more members of the County Assembly in the committee. He should take into account the interests of the independent members whom I think have been marginalized.

So many promises have been highlighted including Sasumua Dam, energy connectivity and reticulation, the university, road networks and others. For us to achieve that, we need a committee which will be updating us and making a follow up of all that.

The motion also addresses the issue of teamwork such that, we shall be working with the Executive, the MPs and the Senator who represent that National Government all of which will be promoting teamwork. As you know, when we work as team, it will be for the benefit of *Wanjiku*.

I support the motion fully and urge the members to do the same. Thank you.

**Speaker:** Yes the Member for Githioro, Hon. Simon Sambigi Mukuriah

**Hon. Sambigi Mukuriah:** Thank you Mr Speaker. I also stand to support this motion but from the onset I would like first of all to apologize unreservedly to you and your office because the mistake that occurred was not meant to and had not been preplanned. I however would like to caution this as a leverage to have me punished.

Mr Speaker, as I support this motion, I would like to highlight few things that need to be on record. When we say that H.E. the President promised things that never came to be, it is not in good faith. When we talk about car grants, we know it was a way of goodwill and we must know that there are bottlenecks. And, it should not seem as though we are forming a committee to go and prefect the President to push him to do the things that he promised.

*(Hon. Gathure Wambui rises on a point of order)*

**Speaker:** How is the member out of order Member for Kaimbaga?

**Hon. Gathure Wambui:** I think the Hon. Member for Githioro misunderstood me. I never meant that the car grants that the President promised members of the county assemblies and never actualized was the President's fault and therefore that we need to prefect him on every promise he makes. I meant that we were lacking such a committee to follow up on the implementation of what the pledges that the President makes. That is what I meant and I think that the member did not get me well.

**Speaker:** I think because I have been sitting here and listening very carefully, the member for Githioro has not in any way misinterpreted what you said. He is saying that there are fears that were expressed that if these promises are not follow up on, which he is calling 'prefecting', they might not materialize just like the car grants and other promises. That actually

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was the tenor and he has added a rider, which is also correct that the President never failed. I have inside information on that issue, that other bodies that were to be consulted which brought hurdles or bottlenecks. I am aware that the Salaries and Remuneration Commission (SRC) said no on his (President's) face in a meeting with us at State House, Mombasa. It was not possible.

Proceed Member for Githioro.

**Hon. Sambigi Mukuriah:** Thank you Mr Speaker. I believe that Hon. Member is well guided on that now. As I was saying, it would also be premature...

*(Hon. Paul Ngeche rises on a point of order)*

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

**Hon. Paul Ngeche:** Thank you Mr Speaker. This is a House of rules and procedures. Is it in order for Hon. Kamau Ngamau to just walk in when you were addressing the House?

**Speaker:** Very well. Actually, Hon. Ngamau is in order. The only time you cannot walk into the House is when the Speaker is on his feet. Therefore, he has not breached any rule or procedure but we have said that we need to raise all those issues so that we can continue streamlining them.

Proceed Member for Githioro.

**Hon. Sambigi Mukuriah:** As I was saying, even as I support this motion, it should be on record that we should not be so concerned about the membership of this committee. The composition should not be a major concern. Our major concern should to have the 'baby' born first and then we can have other things in place later on. I am saying this in particular reference to the Hon. Member for Ndaragwa Central who is saying that independent candidates ought to have representation in the committee. I think it is not right at this stage.

*(Hon. Mwangi Maitai rises on a point of order)*

**Speaker:** Point of order Hon. David Maitai.

**Hon. Mwangi Maitai:** I never said that I would like to be in the committee. I just talked of the interests of the independents, which should be considered. I never mentioned myself. Thank you.

**Speaker:** I think he has not referred to you member for Central.

**Hon. Mwangi Maitai:** He said that I have started lobbying for the position.

*(Laughter)*

**Speaker:** Then I think you are concerned mainly about the independents and because you are not the only independent I do not think it would fair member for Githioro to direct that kind of prejudice to the member for Central only. So proceed member for Githioro.

**Hon. Sambigi Mukuriah:** Mr Speaker I did not say that the particular member is lobbying for a position, All I said is that we are not debating this motion on party lines. When he says that the interests of the independents should be looked at, then I wonder if we are looking at this from party line of view or we are doing it as an Assembly with the bigger interest of Nyandarua at heart. I am saying that even when the leadership of that particular committee is formed eventually this should not be our main preoccupation at this stage. We all know that all the members in this house are equal to the task.

The other thing we should do is to lobby and pray that this motion goes through because it is for the good of our people. It is going to ensure that we get more resources to our county and is also going to be enriching each one of our citizenly and us.

Moving on, I would like to reemphasize on a point that was given by the Hon. Member for Wanjohi. It is true and on record that the presidency has already recognized Nyandarua as being marginalised. We all know that the institutions that are in this country have not listed

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Nyandarua as one of the marginalised counties. Therefore what we should do now is to use this committee to lobby, to use the actuals i.e. what determines the marginalized an area is or otherwise. We look at those parameters and then bring them to their doors so that we do not just benefit from the presidency and his promises but also from the national cake as it is enshrined in the constitution as far as marginalisation is concerned.

I believe this house is able to move motions and bills that can put Nyandarua squarely among the marginalised counties. Today, if you are jailed and you are from Nyandarua, you will be jailed in a foreign county. Those are the things we do not want to happen. We do not have over five hospitals like other counties. Look at the kilometres of tarmac roads we have in our county. If you look at all these, then we can go through that committee to the forces responsible. With that, I would like to thank the member for Shamata for coming up with such a timely debate because the President is right now fresh he has committed himself to collaborate with Nyandarua to even an extent of proclaiming himself to be Governor number one. So I beg to support. Thank you Mr Speaker.

**Speaker:** Member for Leshau and the Leader of Majority, Hon. Peter Gathungu Kamau.

**Hon. Gathungu Kamau:** Thank you Mr Speaker sir. I rise to support this motion and congratulate the member for Shamata Hon. Reuben Gitau for a well thought motion and if it goes through and is implemented, will take Nyandarua in the next level.

I can say this motion is timely. First of all, it is after H.E. the President having declared himself Governor for Nyandarua. I do not want to overemphasize on the benefits that Nyandarua would reap if it was to be termed as a marginalised county. My ward, Leshau Pondo, neighbours Laikipia County. When it is dry, the Northern part of Nyandarua that is Ndaragwa Sub County, it is affected. In Laikipia County, they enjoy relief foods. The nursery schools that neighbour my ward are already enjoying free feeding programmes; those are some of the benefits we would get.

If we get the new sub counties we will also benefit in a big way in the recruitment of Kenya army, the police and the NYS at the sub county level which would mean more unemployed youth from this county would get appointments into those disciplined forces and other areas.

Another thing that the President said and which ought to be done as early as yesterday is on the implementation of potato bill especially the value addition that he enthusiastically addressed. There is also the issue of Nyahuru town whose 80% is almost gone. I think Nyahuru town has been built mostly with resources from Nyandarua, at least this matter will be settled once and for all as soon as we set up this committee.

I do not want to reemphasize what was said by the mover of this motion, but as Hon. Gathure has said, I wish I would see that at least five MCAs in this committee, who will represent all the sub counties. Your organizational skills during the Presidential campaigns showed that you are the guru. You organized the executive, MCAs and the MPs. We would wish to see you in such a committee because of the managerial skills you displayed during the Presidential campaigns and I am sure when you are there things will be well. Thank you.

**Speaker:** Member for Gathanji, Honourable Ngumo Ngamau

**Hon. Ngumo Ngamau:** Thank you Mr Speaker, I appreciate the motion that has been brought by Hon Gitau. For the first time I have seen Hon. Gitau from a different point of view, he is a thinker. I never thought that he could make such an important statement in this house. Thank you young boy and continue like that.

*(Hon Sambigi Mukuria rises on a point of order)*

**Speaker:** Member for Githioro Hon. Sambigi Mukuria.

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**Hon Sambigi Mukuriah:** Mr Speaker is it in order for the honourable member to refer to the honourable member for Shamata as a boy and also to allude to the fact that he did not think of him as being a thinker?1

**Speaker:** Actually, I never heard the aspect of boy. If it has been said then it is not right although it is coming from the aspect of the age difference. When we step in the House, everyone is equal and is an honourable member. Member for Gathanji, for the Member for Shamata to convince all that population that he deserved to be in this House, he must be a very serious thinker so you can expect more from him. Proceed member for Gathanji.

**Hon. Ngumo Ngamau:** Thank you. I like the boy. Mr Speaker I apologise if I hurt his feelings. Let me go back to my contribution to the motion. The wise men said out of sight out of mind when we have this committee which interacting with the national government it will be very good. As some of the members have said, the basis upon which Nyandarua was classified as a marginalised county was only a word of mouth. When we have a brilliant mind as that of Hon. Gitau, it is very good because we shall see Nyandarua termed as marginalised with proper evidence.

Mr Speaker Hon. Gathungu said that we are going to have some employment, which is good, and true to that effect. In Nyandarua, we have not had people appointed to prominent positions such as ambassadors, parastatals chairpersons. Should we be considered through the mind of Hon. Gitau we can have a number of ambassadors and other senior officials in the government. His Excellency the Governor was a chairperson in some of the corporations so we have a chance of three or four slots to the same effect.

On increasing the number of sub counties in the government and this Friday, I will be sitting with the DCC trying to rectify boundaries. For a fact, we are going to have many soldiers, many sub-chiefs in this place, which is very good. With those few remarks this deal was supposed to have happened a long time ago, I wished that Hon. Gitau were here in the previous regime we would have had this kind of a thing. Thank you Mr Speaker Sir

**Speaker:** Member for Kipipiri, Hon. Paul Ngeche

**Hon. Paul Ngeche:** Thank you Mr Speaker, I rise to support the motion. This is the reason why we have the devolution; for the common mwananchi to have access to services easily. Before devolution, the common mwananchi had a hard time and even if devolution is here, we still have that vacuum between the national and county government. The cure to this is to take that particular path proposed by Hon. Gitau. This will help us in networking. As we all know, unity is strength and this is how we can bring back the glory of Nyandarua County. Having such a committee will help us reach to greater heights. It will enable us make known our interests to the national government.

As an assembly, what we are doing today will set precedence for other assemblies because this is a noble idea and once we embrace it we will get things done in a better way. That vacuum between the national and county government will no longer exist. With those few remarks, I beg to support. Thank you.

**Speaker:** You can call the mover.

**Hon. Paul Ngeche:** I call the mover

*(Hon. Samuel Mathu rises)*

**Speaker:** Member for Mirangine is taking time to decide whether to contribute. Member for Mirangine, Hon. Samuel Mathu

**Hon. Samuel Mathu:** Thank you Mr Speaker. I rise to support this motion from the brilliant mind of Hon. Gitau. This committee can be used to bargaining for development in Nyandarua County. As many members have said it has the representation of many leaders, he also requested that cabinet secretary, Hon. Sicily to be there along with the Governor and MPs. This committee will be sitting down with His Excellency the President.

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In Nyandarua County, there are no industries. The first thing they should do is to request that Nyandarua County get more industries established.

The Governor is calling for flagship projects that require a lot of money and the budget in our county cannot sustain them.

I would request that this committee be formed immediately and that it should be strong enough. We ask that there be more senior government officials appointed from this county.

Knowing that you will be there Mr. Speaker is good because you will bargain that we get hardship allowance in our salaries as the members have said. I therefore Mr Speaker call the mover of the motion.

**Speaker:** Very well, mover of the motion and member for Shamata Hon. Reuben Gitau.

**Hon. Reuben Gitau:** Thank you Mr Speaker, I appreciate the contribution that has been made by the members to this motion. I would start by telling Hon. Ngumo that I am a very serious man and a great thinker. I will ask for some clarification from the Speaker after the session, on the definition of a 'boy' because if it means that it has not been circumcised, then you can be sure that there will be a penalty but if it is otherwise then that will be okay.

*(Laughter)*

I have noted sentiments on issues of ambassadors and more presentation in the national government. It is true that this county has not had such. We would want more now that the President said that he would be a Governor of this county. I urge that once this motion is presented to the Governor, the committee that will be constituted to see to it that this will be a priority.

The Nyahururu town issue is a thorny one to Nyandarua County considering the resources that we have invested in it yet it is no longer with us. I remember a time when the President came to Micinda in Ndaragwa, he said that he is not able to comment on that town because the people in Nyahururu are his people as well as those in Nyandarua. I think it will be upon the committee that will be constituted to see that we develop our own town.

As Hon. Gathure has said, it is true that some counties are benefiting from the national government kitty for instance Nairobi county has been given about Kshs. 100 billion but we have gotten about zero percent. The committee should be proactive to see to it that we get more. If this county was to be given Kshs. 100 billion and it is sub divided among the wards, this will be about 4 billion per ward. I am not sure of any development project in your ward with the Kshs. 4 billion that cannot be done. It is also true that the collective representation of leaders from all over the county would increase the bargaining power because I represent a ward, the MP a constituency, the women representative and senator, the county.

There is the issue of increasing the number of representatives in the committee and I would join Hon. Sambigi in his sentiments that it is important to ensure that the committee is formed. Member for Wanjohi said that there is nowhere we can go and demand for those pledges that were made by the President. When the committee is formed, the Speaker and the Governor in their wisdom will see whether to increase the number of representatives by two positions for more representation.

The member for Wanjohi pointed out a very important issue, that this committee will not only address the issues raised by the President but also others such as the potato bill. Every ward in this county produces potatoes. If this committee is tasked with that noble role to talk to other counties that produce potatoes, I am sure that we are going to solve the problem in potatoes farming.

Hon. Maitai, the champion of the independent members, I think it is good that we do not dwell so much on the constitution of the committee. It would be prudent that we give priority to the chairperson committee on Intergovernmental committee since he is the one who

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reports things to do with intergovernmental affairs. For the rest of the members, if you are chosen serve the members diligently.

I thank Hon. Sambigi for your comment. Lobbying for gazettelement of Nyandarua as a marginalized county is very important in many ways even salaries. I am sure that if this were done, we would get some hardship allowance. We need this county to have more industries as Hon. Mathu has said. With those remarks, I rest my case.

*(Question put and agreed to)*

**Speaker:** The motion is taken and Hon. Members the same shall be communicated to H.E the Governor for action. You will note that the motion asks for a joint committee, therefore this will be membership from the county and we shall join another group from the national government. I believe that what the national government can provide is secretariat, which will be moving with the committee to visit respective ministries. We shall require visiting different ministries and parastatals to be able to realize this dream.

I think this motion has come at the right time as the country prepares to start releasing development funds. This has been attempted in the past. As a county, we cannot agree to fall in the same pitfalls. A committee had been formed to spearhead development and interactions with the national government, which obviously never took off because of personal interests. People decided not to look at the bigger picture of the county. I believe that in this dispensation, that will be history and it will inform us about the foolishness going the same path again.

I know big committees never work. I thought that committee was representative enough and that I believe that the most important role of the committee will be reporting what has been agreed upon at the county level. When it comes to the issue of the university, I believe that this House together with all the other elected leaders shall sit and agree on what should be done. As of now members, you will agree that we are not even aware whether there are any designs that are being made. Right now, we are only being told that the university will be at captian. Are there designs? What kind of a university do we want? How many faculties? How big? How many stories? There is nothing. There not even a master plan and we keep on talking about a university. These are the issues that as a county we need to sit and agree on the way forward. We want the CS for public works to give us the technical people to come on the ground, survey, create a master plan and start developing designs for the university. All we have had is talk and nothing is happening on the ground. Nothing of substance. This committee is therefore very critical for this county start moving forward.

In the case of the dams, we do not know what will happen. Who will be awarded those contracts? Will they agree to work with the children of Nyandarua in doing the work even if they do not get the main contract? As elected leaders, we need to sit and the Governor had agreed. You know the kind of issues we have been going through as a country because with the Presidential repeat elections.

On the dams, there was expression of interest about three months ago. Did anyone express any interest? Did the government acquire firms from the World Bank and IMF, which were the sources of the funds? Where are we on these three dams? The committee will now unfold these three issues.

Concerning the issue of 425 kilometres of road it is not a matter for this committee. This committee will only report what the leadership of this county agrees on. The leadership will decide on where the 425 kilometres will go through. We might decide that it will be in Ol'kalou or Oljoro-Orok. The committee will for instance before going to the CS for roads agree that we shall tell him that the 425 kilometres of roads to be constructed, the designs and names of the roads. This will also be the case for the food processing plant. On the issue of Midland, which still hurts me because no one has ever said that that company is not viable, only political wars have been there. Who was behind Midland? Who will succeed if Midland

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is revived? This is a food processing plant to add value. President Uhuru Kenyatta has bailed out rotten companies, Panpaper, Mumias, Nzoia sugar with billions of money. Knowing that this is his stronghold would he not bring Kshs. 500 million to buy that company off and they are told to get away from Midland and it is seized by our government? With the fights that have been there, I was there in the last regime and some people did not want it touched because someone would have benefitted from it. I believe that this committee will be able to do it, the boreholes and the 100 transformers. This motion can decide the destiny of our political standing in this county, national and for posterity and future generations when we shall not be there.

We are going to take up this issue very seriously because the county projects committee was killed. That is the fight between the Senate and the national assembly. The Governors went to court, an injunction was issued, and they have never been interested in that case again because they knew they had achieved their end. The committee was only asking the leaders to sit together for the prosperity of their people. I believe that Nyandarua will show the way with this motion and we start working within that framework of a committee and the other area of cementing the same within the law is done. I am very inspired that things will work for us.

#### ADJOURNMENT

The business for the session having been exhausted, we shall adjourn to tomorrow Thursday 9<sup>th</sup> November 2017. I know members are surprised because there was supposed to be a motion for adjournment to allow members to attend some event. We reviewed that issue as the House business committee. We thought that it might set precedence that would cause disharmony in this House in future when those things happen because they will continue happening, we are all mortals, and then we do not adjourn when such an event arises. As the House Business Committee, we thought we would be setting a dangerous precedence. As we attend and mourn with our colleague let the program of the House to run. Therefore, we convene tomorrow at 2.30 p.m.

*The House rises at 4.28 p.m.*

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