

18<sup>th</sup> SEPTEMBER, 2013

**COUNTY GOVERNMENT OF NYANDARUA**

**NYANDARUA COUNTY ASSEMBLY**

**ASSEMBLY DEBATES**

The House met at 9.00 Am

Hon Speaker in the Chair

**PRAYERS**

Procedural Motion :Report on the statues of Nyahururu –Boiman -Shamata Road (D381) by Hon Samuel Kimani Mwaniki .

**Speaker:** What is it member for Geta Hon John. G. Mwaniki.

**Hon Mwaniki:** Thank you Mr. Speaker. I just wanted to confirm whether the House has the quorum.

**Speaker:** Hon Member you are completely out of order. It is you to be able to inform the Speaker what is happening in the House. The Speaker cannot see whether there is quorum.

**Hon Mwaniki:** Thank you Mr. Speaker for your guidance. I do believe there is no quorum in this House Mr. Speaker Sir.

**Speaker:** Quorum requires one third of all the members. We have 49 members and therefore we require 13 members. How many members do we have in the House?

**Hon Mwaniki:** It is now okay.

**Speaker:** So there is quorum in the House.

**NEXT ORDER:**

**Clerk:** Mr. Speaker, we have not ruled Order No 7 motion by chair of committee on roads, Report on the status of Boiman-Nyahururu- Shamata Road (D381).

**Speaker:** That was to be moved by the member for Weru Honourable Samuel Kimani Gachuhi.

**Clerk:** He is not yet in the House.

**Speaker:** Honourable members pursuant to Standing Order No 47(2) save for a special motion, a Member who has a Motion standing in his or her name may authorize, writing, another Member to move that Motion in the Member's stead. Has the Member for Weru delegated to anybody to delegate

*Member for Weru enters in the House*

**Speaker:** Member for Weru, we are dismissing this motion and you know what it means for the County. The same applies to the Member for Rurii where we are adjourning critical Motions, which are beneficial to this County. And Honourable members you know why I would not be happy because we agreed that you be catered by this Assembly to ensure you are here by 9 AM on Wednesdays. Member for Weru proceed.

**Hon Kimani :** Mr. Speaker Sir, the committee was mandated by this Assembly to investigate and table a report Road D381 Ngomongo- Boiman. Mr. Speaker the committee did exactly that.

**Speaker :** Member for Weru, You have not begged to move the Motion for adoption of the report.

**Hon Kimani:** Mr. Speaker, I beg to move and request one of the committee members on Roads Honourable Mumba (**WANJOHI**) to second.

**Hon Mumba:** Thank you Mr. Speaker sir, I rise to second the motion moved by Hon. Kimani. We have visited the project and verified all what is said here (report) is true. We found that the work was done was very slowly (delayed) and there were no labourers who were employed. We find that even if the work was done in sections ( Sub-contacting), this road will not be completed as scheduled.

The residents complained that if the work was to be done at that rate, it would not help them. With those few remarks I beg to support (second).

**Speaker:** What have you said Member for Wanjohi about this motion

**Hon Mumba:** I beg to second.

**Speaker:** Honourable having the Motion effectively moved and seconded, I now propose the question that this House now adopt the report of committee on Roads and Public Works and Transport on the status of Nyahururu-Boiman-Charagita Road, otherwise known as Road D381 as a report of this House.

Chairman of Committees ( Hon: Kirumba) **Kipipiri**

Thank you Mr. Speaker Sir, I stand to support this very important motion touching on the infrastructural road in question. Mr. Speaker I was in that meeting trying to investigate issues on that road and I have two issues that appear not have been captured by the report. However, I am sure the Hansard captured it.

It came out very clearly that child-labour. There were children that were being involved in this section of the road. That was categorical and came out clearly and we will not afford to have children be involved in the works that will henceforth be done in this county because we shall be contravening the Constitution.

The members were not told (in the report) who two other tenders who had not even started the work. They have not even gotten to the ground and issues came out clearly they have not demonstrated capacity to start. We are calling for the whole process (of tendering) to be re-done.

Mr. Speaker I would like this committee (Roads) to revisit this issue again during their deliberations so that the contractor who is on site committed to complete the road in time. Even if he will finish his section, this road will not help our people. This is because it will not go through where it is supposed to be. If it is divided into, three sections Mr. Speaker. If you do the first, second and third parts, it will not carry the amount used.

If the contractor completes the first part, two will remain uncompleted. I think it is important in pursuant to that report which is already in the House; we note that these two sections are critical in my opinion Mr. Speaker Sir.

The other issue that came out is that the Chairman was demanding the design and it was important that design and BQs were provided so that the committee can interrogate whether the bidding was competitive in the awarding stage, the highest or the lowest.

It is important for the chairman to continue pursuing those documents (Design and BQs), this being the first road the committee has visited. We know they will visit others and let us get this list right to be used as a framework and a checklist on other roads. This will make the work easier for the committee and the House.

I would also want to bring to the attention of this House of the members pursuant to Standing Order 192, reports on this committee are mandatory. If any member has any reason not to table report in time, this is very important for the future. Let us take the responsibility that the reports are brought in time.

Mr. Speaker I was in-fact referring to 192(d) says committee reports must brought in time as required by this Standing Order. That is not debatable Mr. Speaker and you made the same remarks the other day and there is no harm repeating making it crystal clear that there will be consequences if chairmen and committees do not beat timeframes.

As the chairman of committees, I am not threatening anybody but I am saying what is in the Standing Orders. So let's avoid situations that can bring us to that where we can hear in the plenary that the reports are not ready and we end up reprimanding anybody Mr. Speaker Sir. With those few amendments, I support this Motion.

**Speaker:** Honourable Members as the debate appears to have been exhausted and I now call the mover to respond.

**Hon Kimani:** Thank you Mr. Speaker, for giving me this opportunity and I thank the members for supporting this report.

I believe that the recommendations of the committee will be followed (implemented) by the Executive. This is because as the member was saying (Hon Kirumba) child-labour is evident and the other two companies are yet to be awarded tenders, so there is still that push quickened and the road be constructed on parallel times.

Mr. Speaker Sir, on the issues of designs and BQs they are yet to be brought to my committee and the Engineer was given the letter and I am demanding for them because this committee has much work to do for the county only that the programmes (Committee) are interrupted by other programmes of the Assembly.

I am requesting each member to bear with this committee, as it is our wish to visit each ward to find what is happening. Yet there was another assignment at Murungaru and we are yet to visit the ward.

I appreciate the way we support each other on this work because it is hectic, committal but we are up to the tusk. Thank you Mr. Speaker Sir.

**Speaker:** I now put the question that this House do adopt the report by the committee on Roads, Public Works and Transport on the statues of Nyahururu- Boiman- Charagita Road otherwise known as D381 as a report of this House.

The “Ayes” have it. The report by the committee on the statues of Nyahururu- Boiman- Charagita Road otherwise known as D381 is a report of this House.

The House is directing that this resolution be communicated to his Excellency the Governor with the rider and with the concerns of the members

1: That this committee should be facilitated to be able to get the designs and the contacts relating to this roads so that they are able to supervise and ensure that quality work is delivered to the people of Nyandarua.

2: It is also a concern of this House that two sections of the road contracts have been awarded according to the report is that those people awarded the contracts are not very qualified, that they have not certified some of the requirements.

3: What this House should ask itself, why were they awarded the contracts in the first place if they did not satisfy the requirements? The committee on roads should take it very seriously because there must be underpinnings that allowed people not qualified to be given a contract and they ‘sit’ on it as the people of Nyandarua continue suffering.

4: On that issue, the House is requesting the Governor to engage the cabinet secretary on Infrastructure and Transport on why the situation on that road continues to persist. Chairman of roads liaise with the clerk and so that a very serious memo is done because some part of this motion lies with the Governor because this is what should be done in Nyandarua and we do not want to see people suffering.

You are the watchdogs of the people of Nyandarua. Otherwise thank you Chairman.

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***NEXT ORDER***

**Procedural Motion: Report on the Dressing Code of Members of the County Assembly by Leader of the Majority Hon: Mwangi Gichuki**

Thank you Mr. Speaker and I rise to bring to the attention of this House that this report has been overtaken by events.

One, as an Assembly we have sat, discussed, agreed, and adopted code of conduct that has greatly taken into account the dressing code as indicated in our regulatory code of conduct as adopted by this Assembly yesterday.

For that, reason Mr. Speaker, the code of conduct have gone into the depths of discussing the details of how honourable members will be dressed in this particular Assembly which was the actual mandate that was given to the relevant committee to look into. For that reason, we found it prudent not to have two documents, which are discussing the same details while one has already taken precedence and has already been adopted by the Assembly.

For that reason we decided to shelve the document because it was rendered redundant by the adoption of the code of conduct. Thank you Mr. Speaker.

Speaker: I think members we are in agreement with the leader of the majority. Another report would be a duplication of the same .A code of conduct governing the dressing code of members and other related matters have been passed and that report has been declared unnecessary.

***NEXT ORDER***

**Motion on Report of Water shortage in Ol Kalou town by Hon. S. D. KAMAU.**

**Speaker:** Hon. Member for Charagita

**Hon Mburu:** Mr. Speaker Sir, the committee has not finished compiling the report.

**Speaker:** You can resume your seat member for Charagita.

Honourable members if a report is not ready the member should be able to explain to this House why that report is not ready and how far that committee has gone towards getting the report so that this House is able to make a clear direction on how to deal with that matter.

As the chairman of committees has said, the issue of reports is very serious issue and the timelines are supposed to be obeyed and as mortals we shall trip and fall but there must be very good grounds why the report is not filled and when it shall be filled in the House.

**Hon Mburu:** The reason is that the Engineer was not available.

**Speaker:** Yes Hon. Kirumba.

**Hon Kirumba:** Mr. Speaker Sir, maybe this could be a better time to have some house business issues to address these reports to chart a way forward. I have realized and noted that in the past what is spilling over now is that we did the motions that were all squeezed, meaning that the reports will tend to be tabled at the same time.

That was not the intention that we brought those Motions on the floor of the House because we were doing two to three Motions in a day. The reports also coincided and realizing the capacity of the clerk's office (clerks) is overstretched, we decided to come up with a timetable so that the flow of time of tabling these reports cannot overstretch the clerks.

I also think that that any chairman of a committee will demonstrate that given that squeeze of time, we appreciate we also have the constraints of transport and some of us have reached a stage to contract or use their vehicles in areas that are very bad like Charagita.

These are the challenges we have to live with before we get the facilities to make us move. Then there is the issue of staff that is letting down the plenary , it is important to take personal responsibility. If that officer(Engineer) was not available what else did you need to do because you needed to have gone there and get first hand information and the officer would come and fill up the gaps. These are the initiatives I am trying to pass on to members.

If the officer is not available for the next three weeks that would mean this House will not get the report. Let's get out of the box and go that extra mile while we are still addressing the teething problems. We have three clerks, three Hansard, so these are the things that are going to be sought out.

You correctly put it Mr. Speaker that we are all mortals but we can be doing something as the bottlenecks are being cleared. Thank you Mr. Speaker Sir.

**Speaker:** Honourable members this is an issue I wanted to address but first I wanted members to interrogate it so that we are able to move forward because we cannot continue adjourning over these reports. There must be a way to address this issue.

**Speaker:** Member for Rurii Hon. Kamoche

**Hon Kamoche:** Mr. Speaker I rise to support that issue. From the Plenary to the Executive has become a big issue where somebody can keep you waiting, telling you to come on such and such a date. I think the Executive needs to be addressed well through you, Mr. Speaker and the Leader of Majority to be sure when a report has been asked to be tabled in this House, we as members of this Assembly and as committee chairmen, our mandate is only to investigate. Unless somebody refuses an illegality has been committed, then we are stuck.

Let official communication be made through your office to the Executive to know that there is a purpose why a report is given to this House. We are facing a serious challenge from the community who are waiting for things to be done and are never there. Because of slowness, we will end up having endless adjournments throughout.

Mr. Speaker, I beg a communication through you be made to the Executive whatever has been said and directed by this House is done. This House is the oversight other (Arms) and if somebody ignores directions from this House, he is disobeying the county government. Thank you Mr. Speaker.

**Speaker:** Member for Gathaara

Hon Thank you Mr. Speaker Sir, I rise to support fellow members. We have been assigned duties far away from the Assembly premises eg yesterday but one we were in Shamata and we had to travel so many miles. We left Shamata at around 8.00 PM and we had honourable lady members. It was a task for them to reach home.

By that time, we had not been facilitated with night outs Mr. Speaker Sir. It is our concern because if we are not facilitated when we are away and we are stranded outside, I think it would not be good. I would urge the members to support me in this issue. I think it is not wise for a lady to head home from Shamata at night and has no means Mr. Speaker Sir.

We are not facilitated with transport and I used my car and it's difficult to escort these members using my car. I think members will support me in this issue of transport. Thank you Mr. Speaker Sir.

**Speaker:** Member for Leshau/Pondo **Hon. Njoroge**

**Hon Njoroge:** Thank you Mr. Speaker Sir. I rise to support the sentiments expressed by the chairman of chairmen. One Mr. Speaker, we as chairmen we are finding it very rough even to make proper arrangements for our members of our committees to make arrangements even at the Assembly premises.

Mr. Speaker, we do not have sufficient hansards (Recorders) if all proceedings of the meetings are to be covered. This Assembly has only two Hansards (Recorders).

Mr. Speaker if one committee is holding a meeting outside the premises, others will find it difficult to hold meetings.

The other thing is that, the office of the clerk, and when I say the office of the clerk, is not the clerk per se, it is the office where we have only three clerks in all committee meetings, a situation whereby a clerk is assigned three or four committees. He / she is unable to compile even the minutes on time. Even typing reports is taking a longer time than is anticipated.

Transportation of members to outside assignments is also difficult like in committees where no member owns a vehicle. It is difficult to meet relevant authorities that could evidence and assist the committee.

Mr. Speaker, I would request this House to support us to be facilitated with personnel, recorders and transport. Thank you Mr. Speaker.

**Speaker:** Member for Gatimu Hon. Kieru

**Hon. Kieru:** Thank you Mr. Speaker, I rise to echo my sentiments on the relationship of the issue on the floor of the House. It is good Mr. Speaker that you are hearing what we have experienced and as the saying goes, experience is the best teacher. The experience that we have gone through in the running of our committees and subsequently tabling reports here or in transacting business in relationship to the committee on implementation and other committees for that matter.

Mr. Speaker time has been of essence whereby you find that a committee was to come up with a report but because of plenary and time is not enough, Mr. Speaker this committee may not meet its targets.

It is in my opinion that if it is possible, your office or that of the clerk can come up with a formula where a certain committee can miss the plenary so long as it does not affect the business of the day. There will be quorum. Even in the National Assembly Mr. Speaker you will see as long as the plenary has quorum and members do not have business to transact in the house, the committee is allowed to transact business outside the plenary to beat deadlines.

Another reason why the committees are not delivering is due to gaps. Mr. Speaker we come up with timetables. Next week I am having motions, if we have seminars or some training and is not tabled, then that affects business Mr. Speaker. So it is something we need to think about and Mr. Speaker let's get a solution for it.

Reports have not been tabled in this House because when they were supposed to be tabled, the House was not sitting.

The other issue is the efficiency of the committee moving to the field. When a committee is moving out, it is doing so to find solutions to matters that cannot be addressed in the Assembly or in the precincts of the Assembly.



For example if a committee travels to Shamata in matters of welfare and motivation, the way a committee is treated in the precincts of the Assembly should be different.

This is because members are expected to use extra energy and committee would be prompted to conduct business in the assembly premises because motivation is the same as without. This issue came out openly and I do not know how I will be addressed.

**Speaker:** Hon. Member, I am trying to restrain myself because you cannot say committees are failing to table reports because they are not motivated. That member for Gatimu because the House has adjourned that is why reports are not ready. The House has adjourned but the committees have been allowed to continue working. Just touch on issues that concern report writing and tabling in this House. Do not deal with matters peripheral that do not affect the writing of the report.

Hon. Kieru: I am sorry sir, I was trying to say the House adjourned and if a committee was supposed to table report for example today and the committee was required to prepare report last week, and the Assembly had moved out, that is what I meant.

The other issue Mr. Speaker .....

*Laughter from members*

Is how we can solve this problem? Mr .Speaker each and every member is to carry issues of the committee at personal level . What I mean is this, if we are to transact a certain business and report back to this House let each and every member come up with his own way of addressing that matter that when we come to write report it is not the time we are thinking about that matter at hand. If a committee has seven members let each member do his own research such that when we are coming to write such a report, we are not going to use a lot of time Mr. Speaker. Why It may be the prerogative of the Member of Charagita to come here and say that the report is not ready. It is not his responsibility alone, it is the responsibility of that committee to make sure that it has a report to table. It is not the responsibility of the chairman alone, it is the responsibility of the committee. If each member has his notes, then we combine with our investigations and the clerks, then we have a very good report that Mr. Speaker can be tabled in time. Thank you and I echo my sentiments Mr. Speaker.

**Speaker:** Member for Gathanji.

Mr. Speaker, I wish to echo the sentiments of members before me. Mr. Speaker, it is the duty of every member of this honourable House to know that it is these reports that keeps the business of this House running. Everyone must start thinking what can we bring to this Assembly Mr. Speaker Sir.

It is unfortunate that people (members) are moving out there and we are not well- enumerated Mr. speaker Sir. I would urge this House to ensure people are enumerated to make maximum use of time. If a committee is going to Shamata and leaves here at noon, it arrives there at 2.00 PM and leaves at 9.00 PM.

If a committee is moving out, it should be conscious of time, if a committee is moving a far distance, it should be facilitated to spend the night there and start work the following day. I think that is the most hindrance thing Mr. speaker.

The other thing is transport. Most members here have cars; let me call them 'town' cars because none can traverse some parts of the interior. They came to Gathanji the other day and nobody is willing to return there for fear of tear and wear.

These members should be given good vehicles to transverse the whole county so that they can do their work with ease. Thank you Mr. Speaker Sir.

**Speaker:** Member for kaimbaga Hon. **Njiraini**

**Hon Njiraini:** Thank you Mr. Speaker for catching my eye because yesterday...

*Laughter*

**Speaker:** Member for Kaimbaga , please those are dangerous grounds you are treading on

*(more laughter)*

Just make your contributions.

**Hon: Njiraini:** I apologize. Today honourable members are very smart. They are 'allergic' to the dressing code but today they are 'super allergic' to the dressing code Mr. Speaker. Thank you for that. Today the House is very smart.

Mr. Speaker we go out there to get reports for the development of the county and these reports will spearhead the development of Nyandarua County Mr. Speaker.

I understand there are problems but the major issue is transport. As honourable Thuita has said, we need a good car that will crisscross the bad terrain of Nyandarua County Mr. Speaker. For one, if we have a car for the Executive, let's have one for emergency case Mr. Speaker.

I am very sorry that this morning we had a very serious accident in my ward Mr. Speaker. On your way to Nairobi there is this bus from Nyahururu lost it way and we lost a few people there. It was very sad.

*Murmurs .*

Mr. Speaker this House need to come up with a very good report Mr. Speaker in my department Agriculture and Fisheries like today we are really moving on well as you intervened together with the clerk and leader of Majority. Thank you for that. I will not be ashamed another time for not tabling a report.

I am aware of all the difficulties in my committee but I will go to all corners of this county to come up with a good report.

Mr. Speaker the other day you commented on how good reports can spearhead the development of this County. In addition to that we do not want reports that are brought to this House and we meditate before we understand them. We need good reports.

We need to peruse those reports before they are tabled in this House Mr. Speaker.

I congratulate the leader of the majority for coming up with a good report when we were in Nairobi for the dressing code and the County assembly Bill that will be brought in the House. We discussed about it Mr. Speaker. I dony argue there is a report that was brought here that we never perused Mr. speaker sir.

I was not with you yesterday Mr. Speaker in the case of budget and you know there is a Health Centre at Kaimbaga. Kaimbaga is marginalized.

**Speaker:** We are commenting only on delaying reports in this House. The issues on enrollment are you helping this House.

*Members Yes! Yes!*

The issues on enrollment are you helping this House.

**Hon. Njiraini : No! No !** It is Okay Mr. speaker but it should be noted. I will table a report on it but let us give a report when necessary.

*Laughter*

**Member for Shamata**

Hon: John . G. Gachari: Thank you Mr. Speaker Sir, I apologize for coming late. I know members know I come from very far.

*Murmurs*

**Speaker:** Honourable Chief Whip, Why do you want members to engage you when the Assembly caters for your night out to ensure you are here on Wednesdays at 9.00 Am.

*Members shout surcharged and then laughter*

**Hon. Gachari:** Thank you Mr. Speaker Sir, The reason why we are here we are waiting to see to reports tabled in this House Mr. speaker sir very fast and quickly because this is the document that will make Nyandarua to move.

The Government of Nyandarua is waiting for this report to act. We are waiting in the side of education, to employ ECD teachers. We are also waiting for this report because of our bad roads because we need the government to take action. There is no reason why they should not go out( members) to get reports even if it means accommodating them because when we come and wait here for these reports, people out there are crying because they are waiting for service delivery.

They are complaining Mr. Speaker sir and I urge this House to ensure that the reports are timely so that they can be acted upon Mr. Speaker Sir. In my area and other parts of Nyandarua, it is raining and people want roads repaired.

We need to murraming of these roads, to utilize funds allocated, and these reports are necessary. The Executive is sitting idle waiting for these reports to perform and I therefore request committee chairmen and members to wake up because they will be judged by these reports. Thank you Mr. Speaker sir.

**Speaker:** Member for **Central**

**Hon. Kagwe:** Thank You Mr. Speaker Sir, I want to put a rejoinder on the issue on the floor of the House.

We are talking of the challenges facing us as chairmen of committees in presenting reports as stipulated by the deadline. As I talk Mr. Speaker, there is a slight gap between the Assembly and the Executive where when we summon an Executive it is becoming a problem getting information in the morning that the Executive is having another meeting somewhere else. It is becoming a problem and we would like your office to intervene.

The other issue is mileage, we would like your office to intervene because the other day these honourable members visited Ndaragwa, they could have hired a vehicle to take them to a certain office, which they did not know where it is. Even their vehicles cannot go there.

The other issue is that we do not have adequate clerks and our clerks are very overwhelmed even if I need minutes of the last meeting, it is not possible because he/she was having three meetings yesterday as all the meetings needed minutes at the same time.

Mr. Speaker Sir, we are giving your office a task, to intervene mostly with the Executive bearing in mind that they are there to produce bills to this House even before reports without considering reports made by this reports. Mr. Speaker we need your intervention especially on the side of the Executive and I support sentiments expressed by members. Thank you Mr. Speaker Sir.

**Speaker:** Member for kanjuiri

Thank you Mr. Speaker, I rise to support members sentiments on the issue on the floor of the House. The problems of tabling reports in the house may have few solutions. We have problem in transportation, clerks and even the timeframe.

There is this very sensitive motions given solutions and I think we can pick some issues and deal with them instead of dealing with all those reports and none of them are we going to get solutions. It is better we have those reports of those motions dealt with first so that if we can take potato packaging, Liquor licensing and others which are very sensitive. We deal with them first and when we have enough clerks and transportation, we deal with the rest. Thank you Mr. Speaker Sir.

**Speaker:** Member for Githabai.

Hon. Kiruka: Thank you Mr. Speaker sir, mine is the problem of getting timely reports as the members have said. They have talked about the clerks because you find that you have arranged to go outside and you hear the clerks are not available or having other meetings and you have to shelve where you wanted to go.

The second thing is transport which has become a problem and some of my members have no vehicles while other come with their own and some demand fueling and that become a problem. Others go with their vehicles and are not facilitated and that becomes a problem.

If members have to go outside and are to spend 3 days say like in South Nyandarua let them be accommodated there until they complete their assignment.

The other thing is that as I say, quality is very expensive and to come up with quality and comprehensive reports that will be used as a baseline for our development serious should be seen in the works. My health committee, it depends with the health of every resident. You are sitting here because and conducting business because you are healthy. We should be facilitated and the executive have time to look at our people. They are housed outside and measures should be taken so that our staff are housed in hygienic conditions where there manpower are needed instead of going to other areas.

It is my request that more clerks, transport be availed and things will work smoothly. I also request members to be time conscious. Thank you Mr. Speaker Sir.

**Speaker:** Member for Mirangine

**Hon. Ngige:** Thank you Mr. Speaker Sir, I wish to apologize for coming late. Not that I did not sleep here, I was called in the morning to take a patient to hospital in Nakuru and I took that as my responsibility. Mr. Speaker you know that I normally arrive early..

*Laughter*

To add on top of that Mr. Speaker, the chairmen of various committees and their members may fail to attend Mirangine Ward and Kanjuiri ward just because there is a pot hole developing that developed because of heavy commercial lorries Mr. speaker those members coming from that side may fail to attend the proceedings of this House in time because of that hole developing over there. Thank you Mr. Speaker.

**Speaker:** majority Leader

Members we are heading to concluding this debate and I also expect as the leadership of this Assembly, I will allow the leader of majority and leader of minority and chairman of chairmen to express their sentiments so that from here we can have a direction.

**Hon . Mwangi Gichuki:** Mr. Speaker it is of concern that the chairman of committees want to cause problems. I don't know whether it was deliberate but he wants me to fall down. That is on a light note Mr. Speaker.

I wish to have my name put on this especially because as an Assembly we have an obligation and this obligation must be met and we have taken in as responsibilities that we have created by ourselves.

Mr. Speaker the reports that are required to be tabled in this Assembly are reports which have come as a result of motions that have emanated from these Hon. members. I wish to admit there are challenges that have come about and some of them are sometimes beyond control of the leadership but on the other hand we have talked and agreed that as we are starting and especially because we have responsibilities , everybody is going to do his or her best to ensure there are timelines which have been given by the Assembly and if I can call well is that most of this timelines are by choice. The chairmen have given directions of the timelines they intend to take to be able to deliver the various reports.

The challenges that we are having Mr Speaker are more of experience by the time the chairmen are giving the timeframe that they intend to have to table these reports, Mr. Speaker this timings are informed by theoretical thinking, thinking that three weeks you are able to achieve this and that but when you go to the field various issues emerge which may require you to delay the time. Most of this is not by negligence but we insisted that most of these things must be taken seriously.

On the issue of transport we have tried to address it and it is something that we have to bear, bear with the fact that as an Assembly we do not have official vehicles as of now which we can be at liberty to make use of as Mr. Thuita has put it we intend to buy vehicles with capacity and capability to transverse our terrain which is in bad shape . In the meantime what we would urge the honourable members is to understand where we are coming from and nobody can be blamed and the fact that we are starting as an assembly with very low resources but which is positive and looking forward to growth. It then calls for the members to agree with the leadership that we have to grow together and certain sacrifices would require to be made by all of us, the members and all that.

On the issues of the reports, Mr. Speaker the processing and development of the reports we have quite a number of factors that needs to be looked into like we have said and we urge that the Assembly considers such kind of induction that will be very specific into looking at how these reports needs to be done so that even committees can be able to subdivide into segments so as to be able to facilitate this particular process so that as we go we require to have training so that when these reports are being

done we liaise with the clerks inputs and the best way to have these inputs and the sequence of putting these inputs will help in the development of these reports on time and ensure quality.

The other thing is that and of course this is through the clerk's office to ensure that the support required from the Executive is available.

The other thing is that the Executive understand that as an Assembly we have obligations and there are specific issues we want addressed at the right time. So I think from the office of the clerk this needs to be communicated to allow and to enable our members to take these things rightly.

Mr. Speaker, the underlying factor and this I need to address to the chairmen of committees, honourable Thuita there are responsibilities as at times you are given serious responsibility you go a little further, you have to squeeze yourself and ensure you do not fail and for this my point is as we are starting we cannot have it easy because of the challenges which all of us know.

I am urging that let these reports be taken seriously. Let it not be something that you come in because you don't make because you will seek leave to table that particular report some other day. We must say the reports are critical, we must understand as the first Assembly and it is good for us to remember this, the history of this Assembly will be anchored on this Assembly (First) and we have been privileged to have been in that first Assembly. That means that all the recordings and all the deliberations of this Assembly will be taken as history and will depend on all those assemblies that will follow long after this Assembly.

For that reason it will be completely wrong that a certain chairman will be referred to as having postponed his or her reports for three, five six times. Yes we because some of these things it is within the knowledge of all of us where we are coming from of the reports, Mr. Speaker the processing and development of reports have quite a number of factors that need to be looked into like we have said the Assembly should consider induction and to be very specific into looking on how these reports require to be done.

Committees can be able to sub-divide themselves into segments so that they can be able to strive as we agreed come about from motions that we agreed as we are starting with very limited resources everybody will agree with the leadership that we have to grow together and certain sacrifices are required to be made by all of us honourable members and all that.

We agreed as we are starting with very limited resources everybody will agree with the leadership that we have to grow together and certain sacrifices are required to be made by all of us honourable members and all that. We are saying minus the challenges let us sacrifice ourselves for the betterment of this assembly because with a light note some of these members have been privileged, you realize that Mr Kibebo has known a few homes of the lady members (Laughter) by the fact that by getting the privilege of taking them there. As Msheshimiwa Paul and I lightly quote it Mr. Speaker, he had the privilege of escorting the ladies during right hours. Thank you Mr. Speaker (laughter).

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

**Hon Kibebo:** is it in order for the honourable member to say that I have been visiting (More Laughter) the ladies .. What I meant is that when we went to Shamata we came very late at night and they had problems to reach their homes. I can clarify to these members what I stated Mr. Speaker Sir. And it is in the Hansard please. (more laughter)

**Speaker:** Honourable member for Gathara I think what the majority leader indicated is that as a good Samaritan (laughter) with the lady members you took as your duty as a honourable Member to make sure they reached home safely but when you were contributing to this House you did not seem to have provided them with a car. And that all right and you should be congratulated for that. Honourable Member for Magumu

Hon ..... Thank you Mr. Speaker I want to contribute to this important issue of prompt reporting of various reports that are supposed to form the basis very important work of our county. These reports should be taken very seriously and Mr. Speaker as you have heard these members are very committed to do their work. I hope we are going to overcome the challenges as our democracy grows.

What I would like to echo most is that the county government is not treating these members the way they are supposed to be. I think what should be done is we have a consultative meeting with them Mr. Speaker and put forward our case.

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

**Hon. Ngumba :** Is the leader of the minority in order to say that the county government is not treating these members well whereas he is in the county government? He can specifically say which organ ..is are

**Speaker:** Member for Gathanji so Member for Magumu you are scrutinizing yourself. (Laughter)

**Hon. Ngumba:** Sorry. Sorry, and I stand corrected. I was referring to the Executive arm, that is the arm that should be consulted to ensure we are efficiently working together.

Let them know the seriousness of working in this House. Let them know the roles as spelt. Some still have the notion that we are more or less the councilors they used to interact with. So Mr. Speaker Sir let us close that gap. These people may not understand us, let us have a consultative meeting and I think these members are committed to work. The way they are, the way they are taking their work seriously. Also, on the part of facilitation let us move fast and acquire those vehicles that will traverse this county. Thank you Mr. Speaker.

**Speaker:** Chairman of Committees.

Hon. Kirumba: Mr. Speaker Sir I rise to have a few points on the rejoinder of this subject matter.



This to me Mr. Speaker was the best session that every honourable member wanted. Now realizing that every chairman in the new dispensation, they will be like the former cabinet ministers to respond. They will, infact their success or their failure will determine the destiny of this Assembly.

So I think what we are trying to interrogate areas we think to fix is the appropriate time we need to look for the way forward.

Mr. Speaker, what has come from members is already captured in the liaison committee minutes like when the chairman of liaison directed the purchase of Hansard (Recorders)it was with a purpose. Because when these members go out there, we would love to capture whatever is said, it is also important that that Hansard help the lining (processing) of the report because you cannot have verbatim shorthand of the reporting,. So that when that is not done as per that minute because I went out of my way, the other day I went to the office of the clerk and I pulled that file of the last and indicated and underlined that these hansard is very much important because it will also help the clerks who are overwhelmed by the many meetings they are attending.

The hansard will be capturing everything. We know these committees are going to very hostile meetings held by contractors. If you do not have something captured, you can imagine what will happen thereafter. So the key word here is that each committee should have a hansard when going out there because sit may spill over. Some of these meeting may end up as being legal and the only thing which will help these members to go out there is what these people said.

Having said that Mr. Speaker, we said each committee should have its own register to avoid meetings clashing. The minutes of the last Liaison committee will help you Mr. Speaker to see concerns raised by these members and then from there we work out the way forward.

I would like to encourage our nominated members to start preparing their maiden speech, to start coming out and say something and then start experiencing what we are going through. So next time maiden speech are appreciated in a meeting like this.

So therefore Mr. Speaker, the concerns are in my opinion will show minutes that we said chairmen should come up with programmes and schedule of where the committee is going and copies should be given to the Speaker and the clerk because if anybody called you like honourable Njiraini has said about the accident, you need to know which committee is where and when. This is also in line with the standing orders of the liaison committee and you cannot go there and claim that is not sanctioned by the speaker.

Any chairman who has not forwarded a copy of his programme to do so so that it can be harmonized with the House Business committee and order paper because we will know which report is coming when.

I think what we have done this morning will guide us because we are getting out of experience and what

we capture will really help us to shape the destiny of this House in the days to come.

We need to come up with a format of motions like that of the National Assembly, we have a format that is professional so that posterity will know whatever we did as committees is like a professional way of doing reports. When we were coming up with motions we had a Liaison standing orders. We can use any language but it must be standardized whether in a soft ware or any other.

The chairmen and the clerks are doing the reports and when they are filled we will get things going.

I thank everybody because they have come out openly and said what they are getting through so that next time we have issues we know which chairman is not having acceptable reasons why the reports are not prompt. We have belaboured to get those things clean. Thank you Mr. Speaker Sir.

Maybe before I sit I was inadvertently accused of wanting to destroy the dental formular of the leader of the majority. The sitting arrangement makes it difficult to walk to the public gallery because we are squeezed. It was not intentional and can you take that as not wanting to destroy your dental formular. (laughter)

**Speaker:** Deputy Speaker we are closing raise your concerns also.

**Hon. Kingori:** Thank you Mr. Speaker for giving me this opportunity. Mr. Speaker, just to put a rejoinder of what has been said by these honourable members, pertaining to standing orders on the issue of reports we may contravene the standing orders Mr. Speaker. If you look at Standing Order 191 is that the Liaison committee is supposed to table and the select committees are supposed to report to the liaison committee so that the liaison committee now table the report in this House Mr. Speaker. And if you look also at Standing Order NO making reports and recommendations and also if possible propose legislation Mr. Speaker Sir is the mandate of us, this honourable House.

So Mr. Speaker Sir, I would request you can us the direction Mr. Speaker so that we may be seen we are doing our role Mr. Speaker for this County Mr. Speaker Sir. Thank you.

**Speaker:** Thank you Honourable members for your very informed contributions and I would wish to assure you that the office of the Speaker has recognized that there must be a universal problem that is cutting across all the committees due to that reports are oftenly not ready. Why I opened the floor I knew that Member for Charagita is a man of very few words and when I pushed him to explain why he visibly seems to be offended so I wanted the issues to come out from the floor of the House.

I know there are challenges facing you members and your committees and I have also realized from the debate on the floor of the House that you all agree and appreciate that committee reports are very important and very serious issues. That is very important to the Speaker and you agree that serious engagement is necessary.

We have noted and we have appreciated the concerns that you have raised that the main and part of the hindrance.

Before I go to the hindrance I am happy members talked about commitment of individual members of this House when you are working on this report. That commitment when you go to work on those reports, everybody is there participating in one way or the other so that we can get the report in time without wasting valuable time.

I have really appreciated also the concerns of your hindrances and hurdles that are placed on your way. We know that and I have heard from you that part of the Executive is not properly cooperating with you and I think it is the time now when we are issuing summons, we quote the Standing Orders and the Constitution Article 131. The Standing Orders guarantee you the powers of the High Court to summon.

Let these people know on the basis you are summoning them and the consequences. You can even fine a person who does not comply but we do not want to go that way. But if we have to do it, we have to do it as an Assembly because we have to discharge our responsibilities.

Otherwise, also members, I have known about the issue of facilitation as a member here has put it. I do not want to be very irrational. You are supposed to visit sub-counties like North Kinangop and you are supposed to be there for three days and then you are not facilitated.

This are administrative issues which we should work out and would not be breaching any law. Further members the issue of transport as you know is a very serious issue and we are working on it as CASB that we have to acquire vehicles as quickly as possible even if it is a van that will be running up and down and also engaging other departments that if those vehicles are fully serviced they can be submitted to the Assembly to be able to assist us in performing our duties.

The Human resource is an issue, and I think tomorrow in the papers we might be advertising the places to be able to have an effective human resource for this Assembly and that will address the issue of efficiency of human resource.

On the issue of missing the plenary, I know the member of Gatimu was coming from I had stopped the Chairman of Budget from leaving to go and prepare report and remember I indicated that time that the budget committee is also have all the chairmen of other committees. We saw that I allowed the committee to go out, then may members would be out of the assembly and leave seven and we would not have a quorum. Otherwise, a committee can work when the Assembly is in session. That is a matter of having a chequered timetable and the order of business will operate properly.

The issue of induction management is a big issue that should also be seen in the same light as that of transport. That is where the issue of timing is coming in but I believe and agree that there is a committee that deals with the welfare of members here and that committee is alive to this fact and the necessary things are going to be done.

On the issue of mileage honourable Members, Ms Serem has not made any communication on that one I may be unable to talk about that one.

Also honourable members as has been raised by the member for Kanjuiri, look at what has been done by the committee on roads. The committee on lands and you will agree with me if you have completed a report, that report can be filed in pieces and at the end of the day we shall have the report in volumes. Volume one dealing with land in Ol Kalou , Volume two in Ol Jorook etc. At the end of the day, we shall not wait for six months to wait for a report.

If you can be able to do a report that way, bring it here for debate and recording. You can even go to volume twenty, that is allowed in Law.

The issue of training is already in the pipeline. We are planning to have serious training on how things are done in Parliament. We will have people to come and train you how to prepare reports, how to file it in the Assembly, how to argue it and what happens to that report so that it can influence policy direction by the Executive. So that is in the pipeline and we have the programme and will be communicated very soon.

We all appreciate these are the reports that will spearhead development and policy direction that our county will take and we are going to take very seriously as the leadership of this House and where we are required to communicate to the Executive we are going to do so, where it is supposed to be done administratively we will do it . The clerk is here, he is hearing and members be assured we will move forward, focused for the benefit of the larger interest of the people of this County.

At this time I would request the Chairman of water the time required to file the report.

**Hon. Kiruka Mburu :** Thank you Mr. Speaker Sir, I think one and a half months is enough and I want the honourable House to know it is not only my committee that failed to table the report because as you reiterated we were doing it as two committees. The committee led by Hon. Kagiri (Laughter)

**Speaker:** Hon .Members I think what should happen is that the we can give you a date, one that the report is ready.

**Hon. Kagiri:** Thank you Mr. Speaker Sir I think the time the Hon Member has requested is enough to do thorough investigation so you can give us a date and having understood the problems that we are facing. I hope now that the clerks will be available so that we can at least play our role. Thank you Mr. Speaker.

**Speaker:** What is it?

**Hon. Kirumba:** Mr. Speaker, it is a matter of clarity for the way forward. I am trying to refer to Standing Orders 32 (F) on the basis of what hon. Kiruka has said which is like the liaison committee will determine whenever necessary the committee of committees to deliberate on any matter and give such advice.

The direction Mr. Speaker I was trying to seek is that alongside your ruling to help synchronize so that when we go to liaison, they would also try to identify which committee is not really loaded , then they can take appropriate role for the other. Thank you Mr. Speaker.

**Speaker:** I think honourable members that one is in order. You appreciate that we have even delegated some work that are not related to a committee that is not in that work so that we can be able to share so that work can be done equally in all committees.

Also there is an issue I had left out of recorders and we have acquired them and for the committees they are going to be acquired immediately and on the Standing Order No 181 , the one raised by Hon. Member for North Kinangop is that is progressive reports, Committee will prepare reports, reports for this and that, those are merely progressive reports that will be assembled and given to the Chairman of Liaison committee and then comprehensive tabled in this Assembly for debate, that we are able to assess ourselves and set benchmarks for the Assembly.

So honourable members, Member for Charagita have said that we have recognized there is a serious problem, committee are facing problems and is not yours alone. The problems cuts across the board. So I think we can agree that we give this committee one and a half months and that takes us to the first week of November. We can put the matter on THURSDAY the 7<sup>th</sup> DAY OF NOVEMBER 2013 at 2.30 PM.

There being no other business, the House Adjourns at 10.55 pm to the same day at 2.30 PM

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