



# REPUBLIC OF KENYA

## NYANDARUA COUNTY ASSEMBLY

### ORDER PAPER



SECOND ASSEMBLY  
(No. 039)

SECOND SESSION-FIRST PART

WEDNESDAY, 9<sup>TH</sup> MAY 2018 AT 9.00A.M.

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ORDER OF BUSINESS

#### Prayers

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Paper
  - i. **Hon. Samuel Mathu Wainaina (Chairperson, Water, Environment, Tourism and Natural Resources Committee)**

The Report of the Committee on Water, Environment, Tourism and Natural Resources on the status of Leshau- Karagoini Self Help Water Project

- ii. **Hon. Simon Mbogo Mburu (Chairperson, Transport, Energy and Public Works Committee)**

The report of the Committee on Transport, Tourism and Public Works on the departmental budget implementation for the FY 2014/2015- 2016/2017 and status of County machinery

6. Notices of Motion
  - i. **Hon. Edinald Wambugu King'ori (M.C.A., North Kinangop Ward)**

Mr. Speaker Sir, I beg to give notice of the following motion;

**Aware that** the Constitution of Kenya 2010, under Article 11, recognizes culture as the foundation of the nation and as the cumulative civilization of the Kenyan people and nation;

**Further aware** that there is need to promote all forms of national and cultural expression through literature, the arts, traditional celebrations, science, communication, information, mass media, publications, libraries and other cultural heritage;

**Considering that** there is imminent need for the people of Nyandarua County to identify and secure their cultural identity and heritage through historical and cultural monuments as a way of safeguarding and realizing the ideals and principles which are their common heritage;

**Further considering** that the establishment, recognition and preservation of the historical and cultural monuments will not only pursue a policy of common action designed to safeguard and encourage the development of culture but also to preserve the relevance of our forefathers and other significant persons and events in the creation of history and pave way for future generations;

**Noting that** on construction the monuments as valuable and historical icons will be a matter of the County's protection and care;

**Now therefore**, this House does resolve that:

- a) The County Executive Committee does establish a Committee to carry out, among others:
  - i. Policy formulation to give effect to Article 11 of the Constitution;
  - ii. Identification of existing monuments in the County;
  - iii. Identification and recommendation of suitable monuments to be erected in honour of the County's notable prominent personalities and events; and
  - iv. The sites for erection of such monuments.
- b) The County Executive Committee does set aside a budgetary allocation for the erection; care and maintenance; and protection of County monuments.

Thank You Mr. Speaker Sir.

7. Statements

8. Motions and Bills

Motion

i. Hon. Simon Sambigi Mukuria (M.C.A, Githirio Ward)

Mr. Speaker, Sir, I beg to move the following motion;

**AWARE** that pursuant to Article 187 of the Constitution of Kenya, 2010 a function or power of government at one level may be transferred to a government at the other level by agreement between the government if –

- (a) the function or power would be more effectively performed or exercised by the receiving government;
- (b) the transfer of the function or power is not prohibited by the legislation which it is to be performed or exercised .

**CONCERNED** of the deplorable conditions or in some cases the lack of physical facilities in the primary schools in the county such as class rooms, toilets, dormitories, libraries, etc.

**APPRECIATING** that improving the facilities or constructing such facilities, where appropriate, would be performed more effectively by the county government thus generally improving service delivery.

**NOTING** that the Basic Education Act No. 14 2013 does not prohibit the transfer of such function from the national government to the county government;

**FURTHER NOTING** the said Act in fact anticipates under section 26, the transfer by the national government to county government, the function of infrastructural development for primary and secondary schools.

**NOW THEREFORE** this House does resolve –

- (a) THAT the Nyandarua County Government does, pursuant to Article 187 of the Constitution; Section 26 of the Basic Education Act and all other applicable laws, petition the national government for a transfer to itself, the function of infrastructural development in primary schools situated within its boundaries; and

(b) THAT the said petition/request be undertaken within thirty (30) days of this resolution.

Thank You Mr. Speaker, Sir.