

REPUBLIC OF KENYA
MURANG'A COUNTY ASSEMBLY
THE HANSARD

Thursday, November 8, 2018

The House met at 2:40p.m.

[Temporary Speaker (Hon. Ruoho Wangechi) in the Chair]

PRAYER

STATEMENT

TENTATIVE BUSINESS OF THE ASSEMBLY FROM THE WEEK
COMMENCING TUESDAY NOVEMBER 13 TO NOVEMBER 15, 2018

Hon. Murigi Amos: Thank You Mr. Speaker, I will read the following Statement for the tentative business for the Assembly from the week commencing Tuesday November 13 – Thursday November 15, 2018.

Mr. Speaker sir, I wish to put the following Statement that, pursuant to Standing Order 45 (2) (a), the House Business Committee, at their last meeting, approved the following tentative business that will come before the Assembly from the week commencing Tuesday, November 13 to Thursday November 15, 2018 as contained in the program.

Tuesday November 13, 2018, morning sitting, Paper;

1. The Controller of Budget Annual County Budget Implementation Review Report for FY 2017/2018 by Chairperson Budget and Appropriations Committee.
2. Report on a visit to the Senate on 1st and 2nd August, 2018 by Chairperson, Delegated County Legislation Committee.
3. Report on Implementation status of the Murang'a County Alcoholic Drinks Control Act, 2014 by Chairperson Committee on Implementation.

Notice of Motion;

1. Adoption of the report on a visit to the Senate on 1st and 2nd August, 2018 by Chairperson, Delegated County Legislation Committee.
2. Adoption of the report on implementation status of the Murang'a County Alcoholic Drinks Control Act, 2014 by Chairperson Committee on implementation.

Response to Statements requested; response to a Statement requested on the status of mental health care in the County by Chairperson Health Services Committee.

Tuesday, November 13, 2018, afternoon sitting, Statements; response to a Statement requested on the Alcoholics Rehabilitation program by Chairperson Health Services Committee.

Motion; adoption of the report on training of committee mandate held at the Kenya Institute Of Highways and Building Technology, Kisii Training Centre from 5th To 11th August 05, 2018 by Chairperson, Public Works, roads and transport committee

Wednesday, November 14, 2018 afternoon sitting, Statements; response to a Statement requested on the use of wood fuel by tea factories in the County for tea processing by Chairperson Agriculture, Livestock and Fisheries Committee.

Motion; adoption of the report on a visit to the Senate on 1st and 2nd August 2018, by Chairperson Delegated County Legislation Committee.

Thursday November 15, 2018 afternoon sitting, Statements; tentative business of the Assembly from the week commencing Tuesday November 20 to Thursday November 22, 2018 by a member of the House Business and Rules Committee.

Motion; adoption of the report on implementation status of the Murang'a County Alcoholic Drinks Control Act, 2014 By Chairperson Committee on Implementation.

Thank you Mr. Speaker Sir.

MOTION

ADOPTION OF THE ANNUAL REPORT ON COUNTY ASSEMBLY BUSINESS FOR THE PERIOD SEPTEMBER 2017 TO OCTOBER 2018

Hon. Erick Kimani: Thank you Mr. Speaker. I wish to move a Motion that this House adopts the House Business and Rules select Committee annual report, on County Assembly business for the period September 2017 to October 2018, laid on the Table of the Assembly on Wednesday November 7, 2018.

Mr. Speaker, aware that the members have the report in their files, I beg that I may be allowed that members may go through it briefly because members have gone through the report. Honorable Speaker, the House Business and Rules Committee in the second Assembly undertook an assessment of County Assembly Business for the period September 2017 to October 2018.

Pursuant to Standing Order No. 165 (g) the Committee considered the scope of business transacted in the House and has compiled a report on the same.

Terms of Reference;

- i. To analyse and track the business transacted in the first session of the second Assembly
- ii. To identify the challenges of effective business dispensation and make recommendations on areas of improvement.

The members are there and we have the mandate of the Committee them on page four we have the acknowledgement. Honorable Speaker, this report was considered at length by the Committee in a sitting held on 26th October in Nairobi, and the resolution to adopt this Report was reached unanimously by members of the Committee.

The Committee wishes to sincerely thank the offices of the Honorable Speaker and the Clerk of the County Assembly for the support and services extended to the Members to enable the Committee complete this report. I am grateful for the Members of the Committee as well, for their diligence, commitment and competence in the completion of this task.

On behalf of the Committees, I now have the honour and pleasure to present this Report to the House for consideration and adoption. Thank you.

On page five we have the background, Mr. Speaker allow me to read the background then I will go to the other annex. Honorable Speaker, pursuant to standing order 22 operations of the second Assembly commenced with its official opening on September 21, 2017. The main business during this gazzeted sitting was the address by H.E the Governor, Murang'a County Government and election of the Deputy Speaker. This address by H.E. the Governor paved way for commencement of regular Assembly sessions.

The official opening of the Assembly was followed by several special sittings gazetted for purposes of transacting some business with timelines as contained in the County Assembly Standing Orders. These included the approval of memberships to various crucial Committees namely the House Business and Rules Committee, the Committee on appointments and the Committee on Selection within seven days of the opening of the second Assembly.

Honourable Speaker, the constitution and approval of the membership to the House Business Committee was paramount, since it is the Committee that set's on course implementation of the County Assembly Standing Orders and Assembly operations. Normal operations would not have commenced in the absence of the House Business and Rules Committee which is solely mandated with generating the County Assembly calendar of activities and programs.

In the special morning sitting on September 21, 2017, the County Assembly approved memberships to the House Business and Rules Committee, the Committee on Appointments and the Committee on Selection. The approval of the three Committees as soon as the second Assembly was opened is normally intended to align with the County Executive programs of appointing nominees to public offices to kick start operations in the County Executive Departments.

The Committee on Appointments is specifically mandated to consider for approval nominees for appointment the Members of the County Executive Committee (CEC's). On the other hand the Committee on selection was approved within seven days of the opening of the Assembly, and tasked with the responsibility of placing all members of the County Assembly in various sectoral and select Committees.

The formation of sectoral and select Committees signified the commencement of normal Assembly operations including vetting of nominees for appointment to the positions of Chief Executive Officers in the County Executive departments.

The House Business Committee has undertaken capacity building for Members of the County Assembly. The objectives of the capacity building workshops entailed;

1. To equip members with knowledge of their legislative, representation, oversight and budget making roles;
2. To educate members on the legal framework of County Governments operations;
3. To sensitize members on the devolved functions of County Governments;
4. To equip members with knowledge of the Committee system and their roles in Committee operations;
5. To impart skills on how to generate business for the House e.g. Drafting of motions, considering petitions report writing, generating Bills, etc...
6. To educate members on debating, communication and presentation skills.

Engagement of experts in capacity building that is 4.1; the House Business Committee has been holding regular sessions in the Assembly. That is pursuant to Standing Order No. 29. Regular Assembly sessions commenced on February 13, 2018 with the approval of the calendar of the Assembly by the House and a few papers which were laid. In spite of Committees commencing operations, the House was still grappling with shortage of business with some sittings taking as little as ten minutes.

We have 6.1 the calendar of the Assembly where The Assembly has held 73 sittings out of the 130 sittings approved in the gazetted calendar of the Assembly for the period under review.

On page eight we have a calendar that has been approved by this Assembly; we have the first session: first part; sitting days Tuesday 13th February, 2018 to Thursday 5th April, 2018.

We had a short recess Friday 6th April, 2018 to Monday 16th April, 2018. Sittings from 17th April and such, we had the first session second part from 3rd July, Tuesday. We had the short sitting and long recess, we had the third part which commenced on Tuesday, 2nd October to Thursday 20th October.

Mr. Speaker, on page nine , 6.1 that is where we have the County Assemblies sittings outside the precincts of the Assembly where the House Business and the Liaison Committee has been approving and the County Assembly has from time to time adjourned to allow member to participate in the following activities, they are there listed up to number 12.

On number 10, Mr Speaker for the review of the Assembly business for the period September 2017 to October 2018, second Assembly we had the administration of oath where during the preliminary special sittings of the second Assembly, the Clerk of the Assembly administered oath to the Members of the County Assembly, the Speaker and Deputy Speaker before taking office, also there have been the official opening of the Assembly where the Governor gave his address.

Messages; where pursuant to Standing Order No. 43 and 44 and within the period under review, the County Assembly has not received any message from the Senate, the Senator or the Governor for reporting by the Speaker and tabling in the House.

On petitions, there are only five Petitions out of the 22, have been dispensed with and reports forwarded to the petitioners and the respective County Executive Departments for implementation. So there is much work untouched ahead of this Assembly.

Only five Petitions have been dispensed, we have Papers tabled in the House during the period under review include; Committee reports, statutory budget policy documents eg. CIDP, ADP, CBROP, CFSP, Budget Estimates we also have quarterly/progress reports from the County Executive, Independent Government agencies report i.e. Controller of Budget reports on implementation of County Budgets, the Office of the Auditor General reports among others.

Mr. Speaker, out of the 77 reports tabled in the House, 33 have been adopted and forwarded to the County Executive for implementation.

Substantive Motions, noting that all resolutions in the Assembly are done by way of approving Motions, some Committees and individual members have sponsored substantive Motions in the House. In the period under review, the second Assembly has approved 18 substantive motions which have been forwarded to the County Executive for implementation. On special Motions, 17 special motions have been approved in the House pursuant to Standing Order No. 63 (1) in consideration of approval of public appointments. The special Motions sought a resolution to approve the appointments of Members of the County Executive Committee and the Chief Officers in the respective departments.

We have the procedural Motions, are Motions that may be moved without notice, the House has on several occasions adjourned to days other than the next normal sitting days pursuant to Standing Order No. 30 (3). This is in response to unforeseen and emerging issues requiring the attention of the members outside the Assembly. During the period under review, 10 procedural Motions have been moved to allow members participate in other activities outside the Assembly.

Request for statements, Mr. Speaker Out of the 15 Statements requested, only five have satisfactorily been responded to by the respective Chairpersons. On Bills, In the First Assembly the following Bills were passed and forwarded to the Governor for assent. We have:

1. The Murang'a County Alcoholics Drinks Control Bill, 2014;
2. The Murang'a County Tea Bill, 2014;
3. The Murang'a County Scholarship Fund (Amendment) Bill, 2014;
4. The Murang'a County Tourism Development Bill, 2016;
5. The Murang'a County Trade Licensing Bill, 2016;
6. The Murang'a County Rating Bill, 2016;
7. The Murang'a County Public Participation Bill, 2016;
8. The Murang'a County Revenue Administration Bill, 2016;
9. The Murang'a County Persons Living with Disabilities Bill, 2016;
10. The Murang'a County Statutory Bill, 2016

Mr. Speaker, during the period under review, the second County Assembly has only passed the following statutory legislations; The Murang'a County Supplementary Appropriation Bill No. 1 of 2018. Two, the Murang'a County Appropriation Bill No. 2 of 2018. However, some proposed legislations are however under pre-publication scrutiny stage by sectoral Committees or at the Government printers awaiting publication.

Bills awaiting publication are;

1. The Murang'a County Health Bill;
2. The Murang'a County Agriculture Development Bill;
3. The Murang'a County Cultural and Heritage Bill;
4. The Murang'a County Storm Water Bill;
5. The Murang'a County Emergency Fund Bill;
6. The Murang'a County Finance Bill, 2018

The Committee after making this report and sitting on deliberations the Committee observed;

1. The County Assembly is still experiencing shortage of business in the House despite various capacity building workshops for members and Committees
2. There has been limited initiative by members in generating plenary business;
3. There has been over-reliance in substantive Motions, Petitions and requests for Statements as the main sources of business
4. There has been delay by some Assembly Committees in generating reports of as outputs from workshops, study tours, fact finding visits, consultative meetings and other activities for debate in the House
5. Apart from statutory legislations namely the County Appropriation Bill, the County Assembly is not generating any Bills on devolved functions aimed at addressing gaps and solving problems for the County residents.
6. With regards to Bills, the County Assembly has a shortage of professionals in legal drafting who should assist Committees and individual members to formulate proposed legislations
7. The Committee observes that there is limited research by members of the Assembly on various business coming before the Assembly resulting to limited contributions which compromise the quality of debates in the House;

8. There are perennial delays and negligence by some Committee Chairpersons in seeking and issuing timely and satisfactory responses to statements requested by members. Some statements requested have taken up to 5 months without response, with Chairpersons constantly requesting for additional time to respond once the statements are due
9. Committees directed to undertake consideration of some urgent matters of County importance should ensure they report back to the House within the stipulated period due to the nature of the issue. For instance, the tripartite Sub-Committee approved to undertake consideration of the issue of the proposed Mitumbiri Sanitary Land Fill has not tabled its report in the House, noting with concern that it commenced the task in July 2018.
10. Noting the sensitive issues of water touching on the County and National Governments, the relevant Committee on Water has been proactive and has taken up the matter in accordance with its mandate. It is expected that the Committee will introduce debate on the matter on the floor of the House through reports, Bills and other oversight tools.
11. Lack of a substantive Chairperson of the Liaison Committee is hampering consistent and effective follow up on Committees activities and implementation of its other mandates as provided for in Standing Order No.205. The Committee notes that during the recess period between 31st August to 1st October, 2018 the Liaison Committee did not convene to approve schedules of regular Committee sittings, hence Committees did not transact any business during the period. This in return resulted to shortage of business for the House once the Assembly resumed.
12. With all the business that is approved in the House and forwarded to the County Executive for implementation, there is limited reporting by the Implementation Committee on the extent implementation of Assembly resolutions including the extent of operationalization of enacted Laws.

Mr. Speaker, I am just concluding, we have the Committee recommendations, they are several, allow me to read; That in line with their roles, members of the Assembly should be more proactive in their representation, oversight, legislation and budget making mandates,

1. That to reduce overreliance on statements and substantive motions which are not binding to the County Executive, the Assembly should focus more on enacting Laws which are binding and will stand the test of time. In addition, the Office of the Clerk should fast track on Bills already forwarded to the Government printers awaiting publication;
2. The County Assembly Service Board should consider recruitment of professional legal drafters who should assist the Assembly in generating Bills for the County;
3. That the Liaison Committee pursuant to standing order No. 205 (d) MUST hold Committees to account by ensuring that Committees are submitting reports as required. Further pursuant to standing order No. 205 (2) (a), the Liaison Committee should also review policies of Committees and stipulate disciplinary measures to be taken against passive, redundant and undeforming Committees that do not generate any business for the House;
4. That Members of the Assembly should endeavor to utilize available resources and personnel to research and analyze information on issues coming before the House so as to create vibrant debates and sustain active plenary sessions;
5. That once statements are requested, Committee Chairpersons should immediately undertake to investigate and obtain accurate information on the statements before

responding in the House. Further, Committee Chairpersons should NOT purport to respond to statements on behalf of County Executive Members but should own the responses;

6. That salient matters of County importance should be given the prominence they deserve and reports tabled in the House within a strict stipulated period. Further pursuant to Standing Order No. 207 (4) (b), the tripartite Sub-Committee considering the issue of the proposed Mitubiri Sanitary Land Fill should endeavor to Table its report in the House before the Assembly adjourns for the long recess commencing 6th December, 2018.
7. That to legally address the issues of water in the County, the Water Committee should as soon as possible report to the House their consideration of the water issues for debate. Further the Committee is encouraged to introduce a Bill in the House addressing the devolved functions of water distribution, management and regulation of sewerage and sanitation services.
8. That pursuant to Standing Order No. 201, the Committee on implementation should keep track of all adopted resolutions of the House and inform on their implementation status through regular reports to the House.
9. That the Committee recommends appointment or election of a substantive Chairperson of the Liaison Committee to ensure consistency in implementation of its mandate.

Last, the County Assembly should have continuous capacity enhancement for members and Committees to boost their skills in generating business. There should also be more training on debating in the House.

Thank you, Mr. Speaker, since report is self-explanatory, I request Hon. Lucy who is a member of House and Rules Business Committee to second the motion.

Hon. Lucy Ngugi: Mr. Speaker I stand to second the Motion and urge all the members to try and bring more business for approval to the House Business and Rules Committee and also inform them that the current offices including the legal who help us draft the motions and Bills are open and ready to help us do some of these things. Even where we do not have something new to do may be as a bill, we can domicile existing national laws to our County for devolution purposes. Thank you, Mr. Speaker Sir, I second the Motion.

(Question proposed)

Hon. Mwangi Kiiru: Thank you Mr. Speaker, as I stand to support the Motion, I need to caution the Speaker that my name is Kiiru Mwangi, one year down the line, I do not represent Gitugi I represent Gaturi ward.

I stand to support the report by the House Business and Rules Committee and also commend them for the work that they have done. However, I wanted to make few observations on the report possibly for their reference.

Mr. Speaker as we have been having complaints here of the Assembly having less business because the Committees are not generating enough businesses and I want to draw their attention to their recommendation number one and number seven. I think as a Chair Finance Committee I can say we have had the report that we forwarded to the office of the clerk for approval and they have never been approved. So I am urging the Committee of House Business we are having car loan and mortgage report that we forwarded to office of the clerk for approval so that it can be

brought to the House Business Committee. That is a report we prepared in October and office of the clerk should expedite the same. And I believe that is one of the issues that should be looked into by the same Committee.

Two as much as we are saying that there are salient matters of the County importance as a Committee of Finance we have also written to the office of the clerk and secretary to the Board more than four times requesting for Assembly financial statements and they have not been forthcoming. We have only taken time hoping that they are compiling them but they are not forthcoming. And these are some of the businesses that we need to expedite as Finance Committee. Because members of House Business, the clerk sits in that Committee and the Majority Leader is the mover of this Motion let us have that statement any time and we are ready to go and generate business for this house.

If you look at the observations, they made in page 10 (7) (e) we only receive financial statement from executive and right now this financial year we have already received the first quarter but we have never received first quarter of last financial year from the County Assembly. So as much as the Committees are being blamed for not doing their work, the administration of this Assembly is also sleeping on their job. And we cannot keep on pushing because the next step will be very detrimental to this Assembly because if we issue a summon everybody knows what a summon means and we do not want to go back to where we were in those days of fighting, we want to do our business in peace.

As we also seek to have professional legal drafters in Bills and Motions. We as a Committee, I remember also in Budget we requested that this Assembly needs to employ fiscal analyst. These are some of the people that are supposed to help the Committees do some of their work. These are experts and most of the members might not be able to analyse some of these statements. We have made this recommendation several times as Finance Committee and also in Budget Committee because I also sit in that Committee. We need this fiscal analyst to be employed to help members carry out their mandate on financial issues.

And two the Audit Committee that was advertised we have written to the Board and we have not gotten any response and I wish that the House Business as well deals with that.

Finally, Mr. Speaker, as much as Committees are expected to perform, let them also be facilitated to do their work. That is also another very important point that needs to be considered. As much as you want to work, you want to go to Nairobi and you cannot fuel your car to Nairobi. How do you expect me to go to Nairobi and do what you expect me to do? Facilitation of these Committees should be done in time. I understand the previous Assembly was doing their work. With that Speaker I support the report. Thank you very much.

Hon. Milkah Ngari: Thank you Mr. Speaker. I also want to make few remarks regarding the report. Well, it is a good report but I want to dwell in recommendation number ten; that the Committee recommends appointment of a substantive Chairperson of Liaison Committee. I would want this House to learn a lesson from what came about for the Committee to lack a Chairperson. In as much as we receive a lot of political balkanization, kindly members let us be firm. If you have to eject a person from any of the seat let us have in mind what are the consequences of us doing that because we lost that seat out of a lot of political interests and members were very much into it.

You see what we are experiencing right now, we are complaining that the Committee does not have a leader and that is one of the reasons why this House is failing in executing its

mandate. Members let us be very careful, if you want to eject just eject with a lot of thoughts of what is going to come after that. Are we going to be the same person who will be complaining that for lack of that seat some work is not being done? Let us be very careful on that one.

Mr. Speaker I would also want to lobby for Water Committee, as my colleague Hon. Kiiru Mwangi has said, we lack facilitation. As Water Committee we have had a lot of work to do but we do not receive financial support on the same. From our schedule we have been working like every other day apart from Sunday and Saturday. Water Committee is very vigorous, we have a lot of work to do but we do not have financial support we should get and I am sure our Chair will be following that. So, I will ask relevant bodies that is the Budget Committee, Finance Committee, Liaison, the Speaker and the Clerk to give us full support so that we can be able to do what is expected of us. Otherwise as Hon. Kiiru has noted we are not able to do what we are supposed to do because we do not have financial support.

Further on, in the Committee observation number one, regarding the landfill, I would want the members to have a lesson. When that Committee was formed none of us got in their minds where the funds for that Committee will be coming from. It is only after we have already worked about three months later is when you are told that the money will be gotten from the Committees and the Chairpersons of relevant Committees do not want that one to happen because we have got other work to be done in those Committees that is Water, Health and Lands Committee.

It is also a lesson to us as members as you go to form any ad hoc Committee can you have in mind do you have funds for the same. Otherwise you are likely to go for one year without payment because we do not know where that fund will come from. That is one of the challenges we are experiencing in this landfill Committee and that is the reason why we have not brought any report yet. We clearly do not have any financial support, I beg it be looked into carefully and members have in their minds what are the implications of actions that they take, let's not just do it for the sake of doing it. Otherwise, Mr. Speaker I stand to support. Thank you.

Hon. Murigi Amos: Thank you Mr. Speaker, as I stand to support this report I also conquer with my colleague who have contributed. We are aware that the performance of this Assembly for the last one year has been wanting since it is below average. We require to pull up our socks, because I believe that was a learning session. I hope the coming year will be better and the Assembly will be able to execute its constitutional mandate.

Nevertheless, there are issues which require to be considered seriously. The Assembly Service Board have been mentioned which is mandated in running this Assembly but it has contributed over 70% of the failure of the particular Assembly and more so on how they landed into the office because all of them landed in that office through dubious ways and in one way or another will need to be corrected.

There are some members there who are unable to perform their duties because they are not facilitated. I know the cases of the nominated members of this County Assembly (MCAs), the 18 MCAs. There was recruitment of administrative officers and out of 15, three never got these staffs; Hon. Wambui Njoki, Hon. Cathryn Mwangi, and Hon. Flasia Nduta, they never received these officers who should be assisting them. This is application of double standards and should not be applied in this honorable Assembly and should be corrected.

We have also seen some of the issues and when you look at the performance of this Assembly for the last one year: Hon. Speaker is a good friend of mine and I also represent him because he voted for me since he hails from my ward. I will give him this unsolicited support if the performance of this Assembly will be below 30 in the following year, the Hon. Speaker should pack and go and resign so that he can preserve his legacy. This is because if we get the way we are getting we will be able to destroy so many

years of accumulated years of hard work. This is at stake if nothing is done regarding the running of this Assembly.

I also take into consideration the performance of us the members of this Assembly; this is because we require some time to forge unity of purpose which has been lacking in this Assembly. The executive have been able to disintegrate this Assembly and I am not blaming the executive. This is because even if I am the Governor today I would behave the way they are behaving today since any particular Governor would wish to have a weak Assembly like this one we are having today. This is the desire of any Governor if he has to succeed. It is our responsibility that we require to put this Assembly together because very soon we are becoming laughing-stock as an Assembly and I believe there is time to correct what has been done. Sometimes it is disheartening taking into consideration what happened here some three months ago about the passage of the budget.

This will go into the history of this country because this is the only Assembly which passed the Budget without following the due procedure and the framework. I remember we passed the estimates without even passing the Annual Development Plan (ADP) and the County Integrated Development Plan (CIDP). This is laughable and it should be the last time we are going to do this, taking into consideration members are complaining that nothing has been done. We have tried to talk of itemized Budget which is a provision in Public Finance Management Act (PFMA) but nobody could listen. Today we are saying nothing has been done but we had an opportunity of fixing issues if we had an itemized Budget. We are now already in the second cycle of the next Budget and I hope we are not going to repeat the mistake we did last time.

What I will definitely do once I see Hon. Speaker--- I have already led by example because I have resigned as a Leader of Majority party for the sake of harmony in this Assembly. The board and the speaker should follow suit so that we save this honorable Assembly. Thank you I support.

Temporary Speaker (Hon. Ruoho Wangechi): Hon. Lilian Kabaya.

Hon. Lilian Kabaya: Thank you Mr. Speaker, I wish to congratulate the House Business and Rules Committee for job well done. However, I take issues with their finding and their recommendations with regards to laws in this House. When you look at page 12 of the report there were 10 Bills that were passed by the previous Assembly; clearly they were a vibrant lot. Only two of the got an assent from the executive we cannot follow on the assentment of these laws anymore because the time which they were supposed to be assented to has lapsed.

What we can do as a House is to have these rules gazetted as they are, they are supposed to be operational. Looking around at this Assembly look at the numbers members are demotivated because we believe even if we pass any law they are not going to be assented to and if they are they are not going to be implemented by the executive. That is why we are so demoralized; the issue of facilitation and the issue of doing a job so well only to get to the finish point and find that your work was all in vain. The office of the Hon. Speaker is mandated to gazette these laws. The implementation and Delegated County Legislation Committees has written to the office of the Hon. Speaker with a copy to the office of the clerk several times asking for gazettment of these laws, nothing has been done.

You chair this Committee as the Committee came up with these recommendations it was fully aware that these jobs rest with the office of the Hon. Speaker. What has the Committee done to ensure the laws are gazetted? The Committee is asking us to come up with more Bills will they end up like this? Will the next Assembly be reading about them as we are now? How can people come up with such substantive Bills covering trade, tourism, public participation, revenue administration, the very issues that are affecting our County and then we sit on them.

We have the power the executive does not make law we do as the House. Kindly protect the dignity of this House, have these laws gazetted even to generate business to the other Committees. You cannot blame a Committee like Delegated County legislation which rely on regulations made from the very laws that has not been gazetted. On what basis do you ask them to generate business? That is my opinion we have to do something if we are to restore the law making capacity and the authority of this House.

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Thank you, I support.

Temporary Speaker (Hon. Ruoho Wangechi): Hon. Waithira Ndung'u.

Hon. Waithira Ndung'u: Thank you Mr. Speaker, I stand to support the Motion but I have some observation as Hon. Lilian Kabaya has talked about complaining on the Committee which can do their part yet nothing is done. On Committee observation point four, which is talking about us bringing business to the House after going for fact finding and after doing our Petitions. I want to bring to your attention that there are some Committees who go for fact finding about a Petition but the minute they call the County Executive Committee member (CECM) to the Committee so as to give their recommendations. I am sorry to inform you that some Committees keep on calling them and they never come to respond to those reports. How then do you report to this House?

My CECM comes to my Committee thus I will be able to bring something to this House. Yesterday there are some who had called them they cannot come. What do you think they will bring here? They will not just keep quiet and wait but what we have been told by Hon. Lilian Kabaya we have the power to work on it. About facilitation, Hon. Milkah Ngare talked about some work they are doing and may be ask the Committee on Liaison. Some of our members of the finance said we cannot give the finances to facilitate the *ad hoc* which was there, why? Because we do not have money---

(Hon. Murigi Amos on appoint of order)

Temporary Speaker (Hon. Ruoho Wangechi): What is your point of order?

Hon. Murigi Amos: Thank you Mr. Speaker, I want to draw to your attention on lack of quorum.

Temporary Speaker (Hon. Ruoho Wangechi): Serjeant –At- Arms ring the bell for ten minute.

(Quorum Bell rang)

Temporary Speaker (Hon. Ruoho Wangechi): Serjeant- At- Arms confirm the number.

(Serjeant- At- Arms confirmed the number)

[Temporary Speaker (Hon. Ruoho Wangechi) confirmed lack of quorum]

ADJOURNMENT

(Members consulted loudly)

Temporary Speaker (Hon. Ruoho Wangechi): Order! members! Pursuant to our Standing Order 37 (2) (a), this House stands adjourned until Tuesday, November 13, 2018 at 9:30a.m

The House rose at 3:35p.m.