

MURANG'A COUNTY ASSEMBLY

THE HANSARD

Thursday, 18th February 2016

The House met at 2:40 p.m.

(Second Chair Hon. Catherine Mugo in the Chair)

PRAYERS

MOTION

ADOPTION OF REPORT OF THE COMMITTEE ON IMPLEMENTATION ON IMPLEMENTATION STATUS OF THE MURANG'A COUNTY SYMBOLS ACT, 2015,

Hon. Charles Karina: Thank you Madam Speaker, I beg to move the following motion;-

That, this Assembly adopts the report of the committee on Implementation on implementation status of the Murang'a County Symbols Act, 2015, laid on the Table of the Assembly on February 16, 2016.

Madam Speaker, this report was considered at length by the committee in a sitting held on 2nd February 2016, where a resolution to adopt it was reached unanimously. In accordance to Section 4 of the County Governments Act, 2012, we are required to develop symbols of the county, namely, the County flag, the County Coat of Arms and the County Seal.

Pursuant to standing order no. 192 of the Murang'a County Assembly and Article 195 of the Constitution of Kenya, the committee, while executing its mandate, sought to engage the County Secretary of Murang'a County Government through various correspondences in various invitations to appear before it and provide information on the implementation status of the Murang'a County Symbols Act, 2015.

Madam Speaker, in a sitting held on 4th November 2015, the committee resolved to invite the County Secretary to appear before it on 18th November 2015 and provide information on the delay to implement the Murang'a County Symbols Act, 2015.

In the sitting held on 18th November 2015, the committee received an apology from the County Secretary for not attending to that meeting. He requested to be granted another day to appear before the committee. The committee resolved to have the County Secretary submit a status report before 23rd November 2015.

In a sitting held on 25th November 2015, the committee considered the implementation status submitted by the County Secretary on the Murang'a Symbols Act, 2015.

The Murang'a County Symbols Act, 2015, was enacted by this County Assembly on 28th April 2015. After intensive consultative meetings and public participation being undertaken, the Act was gazetted on 29th June 2015 under the Murang'a County Gazette Supplement No. 6 Act No. 2.

Madam Speaker, through various correspondences, the committee followed up with the office of the County Secretary that is in charge of implementing the County Symbols. The County Secretary informed the committee that the Murang'a County Symbols Act, 2015---

Second Chair: Hon. Karina, you are reading verbatim yet you have not sought the leave of the Speaker to do so. Can you summarise your observations

Hon. Charles Karina: Thank you very much Madam Speaker, I have gone through this report; that is why it appears as though am reading. All the same, I will go straight to the recommendations of this committee regarding the implementation status of the same.

Second Chair: You can summarise. I however do not want you to read verbatim.

Hon. Charles Karina: Thank you Madam Speaker, the committee on Implementation expects the full implementation of the symbols to be realised. The County

Assembly and other government entities should lead in adopting the symbols. The committee will continue to monitor the implementation status of the same Act. This committee recommended the following:-

1. That, the County Government should immediately seize the use of previous Symbols, in spite of bulk procurement and printing undertaken and fully adopt the gazetted Symbols.

2. That, in enhancing good working relationship, the Executive should ensure timely implementation of the enacted and gazetted Assembly legislation.

3. That, pursuant to Section 6 of the Murang'a County Symbols Act, 2015, the County Secretary should make regulations prescribing the manner in which the County Symbols may be applied for scrutiny and consideration.

Madam Speaker, I am happy to report that our County Assembly has implemented the same though it delayed for long.

We were very surprised to find out that even after adopting that Symbols Act, our County Assembly delayed before starting to implement the same. Once again, I request all the committee members to take a collective responsibility by monitoring the status of adopted resolutions of this Assembly because our committee deals with the timeline of 60 days after the adoption of any resolution of this Assembly. Therefore, each and every department should take a collective responsibility and ensure that the same is implemented as it should.

Finally, if you allow me, Madam Speaker, I will comment on the issue of requested statements. The committee and I have noted that most of the departments promise to respond to statements within seven to 14 days. That has become a song. I therefore urge the chairs of the committees to the relevant departments to adhere to the days they promise to respond. I urge this House to support---

Hon. Charles Kirigwi: On a point of order Madam Speaker; is it in order for the Hon. Member for Township to introduce another motion on the floor? What is he talking about chairmen complying with? Neither do I understand his motion nor do I think it is part of what we have on the Floor.

Second Chair: Hon. Karina was completely out of order but he realised and I think that is why he sat down.

Hon. Charles Karina: Thank you Madam Speaker for defending me, I was taking a collective responsibility for the implementation statuses of all the adopted resolutions of this Assembly. With that, I urge this Hon. House to adopt this report and call upon Hon. Muchemi to second this motion.

Hon. Anderson Muchemi: Madam Speaker, I stand to second the motion.

(Question proposed)

Hon. Samuel Wandia: On a point of order Madam Speaker?

Second Chair: What is your point of order?

Hon. Samuel Wandia: I seek to attract your attention to the manner in which the Member for Kamacharia is dressed. He is not dressed properly as is stipulated in our standing orders.

(Applause)

Second Chair: Hon. Machiri?

Hon. Joseph Machiri: Thank you very much Madam Speaker, for clarity purposes, it is well stipulated in our standing orders that, anybody standing on a point of order, should specify which standing order he or she is referring to. Further, and for clarity purposes, we should be told what decorum is---

Second Chair: Hon. Machiri, you have no right to address me like that.

Hon. Joseph Machiri: Madam Speaker, I am sorry.

Second Chair: You are out of order. Hon. Kirigwi, are you also on a point of order?

Hon. Charles Kirigwi: No, I want to support the motion and congratulate the committee. I also observe that being an institution; we need to walk the talk.

If you look at where you are seated Madam Speaker, there is no symbol showing that this county is called Murang'a. We need to have demonstrated that. We should have a county flag on the left like we have the national flag on your right.

Looking at our two senior most officers in the county, the Governor and the Speaker, they enjoy the privileges of driving in taxpayers vehicles. We need to have the county flag mounted on their vehicles as long as the vehicles remain with our number plates. If you look at where we usually hoist our flag, when this place was under the defunct municipal council, we had two flag posts and one is not in use. I suggest that from today, we should have the county flag hoisted at the Governor's place by tomorrow morning. I support.

Hon. Samuel Wandia: I register my appreciation to the county government of Murang'a and the Assembly for implementing the Symbols Act after a long time.

Further, I would urge the implementation committee that is the vehicle of this Assembly. Looking at all the motions that have been passed in this House, I do not know whether they usually follow up implementation. Now each ward has been promised that we are going to get pipes and fittings worth Kshs. 10 million, Madam Speaker, we passed a motion here that the county government should rehabilitate water intake points and build others to ensure the people of Murang'a get clean water.

As we talk, I hope the committee can tell us the level at which the county government has moved with implementation. There were two motions here urging this House to pass the motions for implementation and I hope the implementation committee will follow up.

I urge them to clear the basket and a change will be seen in this county, but if we remain the way we are, we may not get any results. I call upon the committee to wake up and inform this House the implementation progress on the motions by this House.

Second Chair: Mover to respond

Hon Charles Karina: I thank the members for the way they have contributed to the motion; there are several areas that those who have contributed have mentioned. Madam Speaker, I promise that this committee will look into it.

On the issue of the County Assembly not having a flag and the other issue of mounting the vehicles with the county flag, I promise this House that my committee will re-look at the Act to know whether there is an area we have captured the mounting of flags. If at all it was not captured, and since it is a good idea, we shall engage the County Secretary when drafting the regulations for the Act so that he can capture the issues of mounting the flag in the regulations.

The other issues regarding implementation status of all the adopted resolutions of the Assembly, I think I clearly stated here that it is the collective responsibility for all the committees, it is the duty of the sectoral committee to see the adopted report is implemented. I urge members to support the report.

(Loud consultations)

Madam Speaker defend me, there are members who are consulting loudly and I am unable to concentrate. I urge this House to support this report.

(Hon. Charles Kirigwi rose on a point of order)

Hon. Charles Kirigwi: Is it in order for this House to consider a report whose findings are not backed up by observations? I think the findings must be based from observations, I will request the mover to consider withdrawing the report and adjust this before we resolve. I seek your guidance.

Second Chair: Thank you Hon Kirigwi, I have also observed that this report does not have the observations of the committee. What is there is the implementation of the Murang'a County Symbols Act 2015.

Maybe whatever I have is different, but Hon. Kirigwi is right when he says that the findings should come from observations, but the committee has not shown us where they got the finding from, so if we were to allow this report as it were, it can be challenged. I want the chairman to respond on the same issue.

Hon. Charles Karina: Thank you Madam Speaker, I think I went through how we got this report. Maybe you could guide us on which standing order we are violating. This is a straight forward thing; the same Act is undergoing implementation

Second Chair: For me to be able to assist you, can you point out where are your observations as a committee

(Hon. Bernard Kariuki rose on a point of information)

Hon. Bernard Kariuki: Thank you Madam Speaker, I wanted to help the chair for Implementation with a bit of information.

The subject matter of the report may not necessarily require an observation because what they did was to evaluate whether the Act was implemented or not so there could be no observation on that, but bullet six has been able to give background information on the same because Madam Speaker this is not a site visit to Kahumbu it is information. Thank you.

Second Chair: Hon. Bernard, as much as I would want to agree with you, because what I have if you read from paragraph two, "through various correspondences the committee followed up with office of the County Secretary which is in charge of implementing county symbols. The County Secretary informed the committee that Murang'a County Symbols Act 2015 has already been operationalized. He has informed all the departments in the county executive to use all the symbols stipulated in this Act." To me from this how did they get the findings as a committee?

Hon. Charles Karina: Madam Speaker, as a role of this committee we basically deal with the report that is forwarded to us by the CEC and the person in charge of the county symbols is County Secretary. I think we have stated very clearly that we invited him and all the information he gave to us is well captured.

Second Chair: Hon. Duncan

Hon. Duncan Njuguna: Thank you Madam Speaker, is it in order for the mover of the motion instead of responding to what the chair is asking he is somehow explaining other issues. I do not see where the CEC is coming in.

In any case what he should be responding to is whether he is going to go by what he has said or he is going to withdraw the motion.

Second Chair: Hon. Karina addresses me only on the issue that has been raised by Hon. Kirigwi.

Hon. Charles Karina: Thank you Madam Speaker, on behalf of this committee, I would like you give us guidelines to see that this report is okay. We have done the best and I would urge this House to support the report the way it is.

Second Chair: Thank you Hon. Karina, we are learning from the national government to do things the right way. We are going to adjourn and we are going to have a ruling because

we have realised we are not doing things the right way and we are going to do things the right way.

So we are going to have a ruling on this matter on whether the report has been well done and we will have it on Tuesday next week at 2:30 p.m. We will have the ruling on whether the observations are right because we should have good precedent as a house the way things are supposed to be done, thank you.

So we will not put the question because we will have the ruling. Next order.

SUPPLEMENTARY ORDER PAPER

MOTION

ADPTION OF MEMBERSHIP TO THE HOUSE BUSINESS COMMITTEE

Hon. Peter Kihungi: Thank you Madam Speaker, I beg to move the motion;-

That, pursuant to standing order number 155 (1)(e), and in consultation with the Leader of majority party at the county, the following members have been appointed as members of House Business Committee for the fourth session of Murang'a County Assembly.

Hon. Leonard Nduati Kariuki	- Chairman
Hon. Moses Gachui Mungai	-Vice-Chairman
Hon. Peter Irungu Kihungi	-Member
Hon. David K. Gachuru	-Member
Hon. Bernard W. Kariuki	-Member
Hon. Duncan M. Njuguna	-Member
Hon. Caroline W. Njoroge	-Member
Hon. Catherine W. Mugo	-Member
Hon. Mary W. Kariuki	-Member
Hon. David Muhoro Njeri	-Member
Hon. Rebecca Wanjiru Mwicigi	-Member
Hon. Lucy Wangechi Njoroge	-Member
Hon. Jane Wanjiku Ndegwa	-Member
Hon. Erick Kamande Kimani	-Member
Hon. Samuel Ndehi Mwangi	-Member
Hon. Beth Wanjiku Ngugi	-Member
Hon. Florence Wangechi	-Member

Madam Speaker, according to standing order 155 (1) (e) in every session we are supposed to review the membership of the House Business Committee. This is not the responsibility of select committee but the responsibility of the party and Speaker and I request Hon. Bernard to second the motion.

Hon. Bernard Kariuki: Thank you Hon. Speaker, I want to take this opportunity to second this report and motion and congratulate the House Business Committee for being able to consult with the party on membership of this very important committee.

Madam Speaker, I want to appreciate that this committee is the most important committee; though all committees are equal but this one plays a very critical role because it is the same that has given us business as we sit here.

Members may also want to appreciate that political parties also play a very important role in this committee because members are appointed by the Leader of majority to this committee.

I call on members to support this membership; it is a very vibrant membership and being one in that committee Madam Speaker, it is one of the few committees where quorum is

always 100 % because membership is very passionate, very alive to the calling in that committee, very vibrant membership and I ask the members to support. Thank you Madam Speaker.

(Question proposed)

Hon. Charles Karina: Thank you Madam Speaker, I want to congratulate the mover of the motion for he has come up with a very good combination of members. I would like to urge members, as the chairman of the committee on implementation, now that we are coming to the end of term of both Budget and Public Investments and Accounts Committee (PIAC), we would expect good reports where we do not have discrepancies. So Madam Speaker I support this motion.

(Question put and agreed to)

ADJOURNMENT

Second Chair: Thank you, this House is adjourned to Tuesday next week.

The House rose at 3:16 p.m.