

**REPUBLIC OF KENYA**  
**MURANG'A COUNTY ASSEMBLY**  
**THE HANSARD**

Monday, 4<sup>th</sup> September 2017  
 (SECOND ASSEMBLY- FIRST SESSION)

*(Convened by notification vide legal notice on Kenya Gazette)  
 (The Assembly met at 9:13 a.m. at the Murang'a County Assembly chamber, on Monday 4<sup>th</sup>  
 September 2017, it being the first sitting of the Assembly)*

*(The proceedings were opened with a prayer read by the Clerk of the Assembly (Mr. Chris Kinyanjui))*

**COMMUNICATION FROM THE CLERK OF MURANG'A COUNTY ASSEMBLY**

WELCOME TO MEMBERS OF COUNTY ASSEMBLY AND NOTIFICATION OF PLACE AND  
 TIME OF FIRST SITTING OF THE COUNTY ASSEMBLY

**Clerk of the County Assembly (Mr. Chris Kinyanjui):** Hon. Members of the County Assembly, it is my pleasure to welcome you to this occasion of the first sitting of the second assembly of Murang'a County Assembly.

Hon. Members MCA standing order no. 4 (2) (a) provides that: on the first sitting of a new county assembly after a general election the clerk shall (a) read the notification of the convening Assembly as published in the gazette.

Pursuant to this provision of the standing orders I now present to you the notification as published in the Kenya Gazette.

THE CONSTITUTION OF KENYA  
 MURANG'A COUNTY ASSEMBLY STANDING ORDERS  
 FIRST SITTING OF THE COUNTY ASSEMBLY

**Clerk of the County Assembly (Mr. Chris Kinyanjui):** Notice is given to the general public and all elected and nominated of MCA's that pursuant to standing order no.4 (1) of the Murang'a County Assembly standing orders, " I Mwangi wa Iria, Governor of Murang'a county, appoint the first sitting of Murang'a County Assembly shall be held at Murang'a County Assembly chambers, Murang'a on 4<sup>th</sup> September 2017 at 9:00 a.m."

The legal notice is dated 23<sup>rd</sup> August 2017 and is signed by the Governor.

**PAPERS LAID**

LIST OF GAZETTED MEMBERS OF COUNTY ASSEMBLY

**Clerk of the County Assembly (Mr. Chris Kinyanjui):** Pursuant to standing order 4 (2) (b), on the first sitting of a newly elected County Assembly; pursuant to the Governor's notification, the clerk shall lay a list of names of the persons elected as members of County Assembly on the Table of the Assembly.

*(The Clerk to the County Assembly (Mr. Chris Kinyanjui) laid the list of members on the Table)*

**COMMUNICATION FROM THE CLERK OF MURANG'A COUNTY ASSEMBLY  
PROCEDURE TO BE FOLLOWED IN ADMINISTRATION OF OATH OR  
AFFIRMATION OF OFFICE**

**The Clerk of the County Assembly (Mr. Chris Kinyanjui):** Hon members, standing order 4 (2) requires that on the on the first sitting of a newly elected County Assembly, pursuant to Governor's notification under Article 126 (2) of the Constitution, the Clerk shall administer the oath or affirmation of office provided for in the first schedule of the County Governments Act, to all MCAs in the order set out in paragraph (3) which provides that: the Clerk shall administer oath or affirmations of office to MCAs in alphabetical order; but shall make such arrangements as may be necessary to enable any member with disability to enjoy precedence.

The following order of precedence shall be used

- (1) Members with the longest cumulative period service in the assembly and in the previous local authority
- (2) All other members of the County Assembly.

Hon. Members, it is important to observe that standing order 4 (4) provides that, pursuant to Article 74 of the Constitution, no persons shall assume or perform any function of office before taking and subscribing to the oath or affirmation of office provided for under paragraph three.

Standing order 4, paragraph five, further provides that when the clerk is administering the oath or affirmation of office to members, and before the clerk has administered the oath or affirmation of office to the Speaker, any question arising in the Assembly shall be determined by the clerk who shall during that period exercise the power of the Speaker.

Hon, members pursuant to Article 74 of the Constitution of Kenya and standing order 4 (2) (c) I shall now proceed to administer the oath or affirmation of office to all members here present in the order of precedence, that is set out in the standing order 4(3).

In order to facilitate this process, the name of each member shall be called out, when called out, the members shall proceed to the podium on my right and there upon shall have an option to take the oath or affirmation of office as they may choose and in accordance with their respective religion persuasion.

After taking the oath or affirmation of office, the member shall proceed to subscribe to the oath or affirmation of office at the table on my left, signing the oath book; we shall not use the table on my left instead we shall use the podium to sign the oath or affirmation of office.

Members are now ready to commence the process, I will ask the Clerk-at- the-table to call the names in the order of precedence.

**ADMINISTRATION OF OATH/AFFIRMATION**

*(The oath/affirmation of office was administered to the following members)*

Isaac Mwangi Kamote Waciama *(The member was not in the House when his name was called out)*

Erick Kamande	Kahumbu Ward
Peter Murigi Ngugi	Muruka Ward
Peter Mweri Maina	Rwathia Ward
Murigi Amos	Kimorori/Wempa Ward
Charles Kahoro Ruga	Kangari Ward
Charles Mwangi Ng'ang'a	Ichagaki Ward
Cyrus Kiiru Mwangi	Gaturi Ward

Daniel Chege Mwangi	Ruchu Ward
David Irungu Wa Gathoni Macharia	Kambiti Ward
David Ng'ang'a Kiiru	Murarandia Ward
Duncan Muturi Kamau	Mbiri Ward
Francis Kibe Githuka	Kihumbu-ini Ward
Francis Kibe Kamau	Ithiru Ward
Gerald Wambugu Mwangi	Kamacharia Ward
Ibrahim Ngundo Maina	Muguru Ward
Jecinta Wangari Ng'ang'a	Township Ward
James Karanja Kabera	Kamahuha Ward
Jeremiah Kongo Kihara	Kanyenya-ini Ward
Joel Murigi Muhuha	Kariara Ward
John Kairu Kimani	Kigumo Ward
John Mwangi Mungai	Muthithi Ward
John Ruoho Wangechi	Kinyona Ward
Morris Thuku Gathoni	Kiru Ward
Moses Murigi Gikonyo	Gaichanjiru Ward
Nahashon Gachuhi Mwirigi	Gatanga Ward
Pelagiah Muthoni Maina	Kakuzi/ Mitubiri Ward
Peter Mburu Muthoni	Kagundu-ini Ward
Peter Muiruri Githuka	Mugumo-ini Ward
Sammy Waweru Mwangi	Ithanga Ward
Samuel Kihurunjo Mwangi	Gitugi Ward
Simon Mwaura Wamwea	Ng'araria Ward
Sospeter Nyoko Muriuki	Mugoiri Ward
Stanley Mburu W Muhia	Makuyu Ward
Zablon Machugu Nduati	Nginda Ward

*(The oath/affirmation of office was administered to Hon. Isaac Kamote who was not in the chambers when his name was initially called out)*

Isaac Mwangi Kamote Waciama

Wangu Ward

**The Clerk of the County Assembly (Mr. Chris Kinyanjui):** Hon. Members, this is just to confirm that all members present have sworn and subscribed to the Oath/ Affirmation of office because the next business will require that any member who has not been sworn-in will not participate in the election of the Speaker. If there is any member present who has not been sworn-in, we will now proceed to swear them.

Hon. Members, it has been confirmed that every member present has been sworn-in. Allow me to take this opportunity to congratulate you all on your accession to the office of Member of County Assembly in accordance with Article 74 of the Constitution of Kenya.

### COMMUNICATION FROM THE CLERK

#### PROCEDURE TO BE FOLLOWED WHEN ELECTING THE SPEAKER

**The Clerk of the County Assembly (Mr. Kinyanjui):** Hon. Members, standing order no.6 (1) provides: "A Speaker shall be elected when the County Assembly first meets after a general

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election and before the County Assembly proceeds with the dispatch of any other business, except the administration of the Oath or Affirmation of office to members present.” Hon. Members, this is what we have just undertaken.

Hon. Members, pursuant to the standing orders, a number of activities were required for the election of the Speaker before this first sitting. I will proceed to detail each such activity and the manner in which we have complied with the standing orders.

Firstly, standing order no.7 (1) requires: “Upon the Governor notifying the place and date for the first sitting of a new Assembly pursuant to standing order 4 (*Proceedings on Assembly of a new Assembly*), the Clerk shall by notice in the Gazette notify that fact and invite interested persons to submit their nomination papers for election to the office of Speaker.”

Hon. Members, vide *Gazette* Notice No.8395 dated 30<sup>th</sup> August, 2017, the Clerk of the County Assembly of Murang'a invited persons to submit their nomination papers for election to the office of Speaker,

Secondly, hon. Members, standing order no.7 (5) requires that:-“The Clerk shall maintain a register in which shall be shown the date and time when each candidate’s nomination papers were received and shall ascertain that every such candidate for election to the office of Speaker is qualified to be elected as such under Article 193 of the Constitution.” I hereby confirm that a register has been maintained in accordance with the requirements of this standing order.

Thirdly, hon. Members, standing order no.7 (6) requires that:-“Immediately upon the close of the nomination period provided for in paragraph (2), the Clerk shall-

- a) publicize and make available to all Members, a list showing all qualified candidates; and
- b) Make available to all Members, copies of the curriculum vitae of the qualified candidates. “

Hon. Members, I hereby confirm that a list showing all qualified candidates was publicized and was made available to all Members. I further confirm that I made available to all Members copies of the curriculum vitae of the qualified candidates. On Friday September 1, 2017 at around 5pm the office of the clerk was served with a court order in the matter of chief magistrate court at Murang'a court petition no.1 of 2017, Hellen Ndiko Kagia, Mary Mbura Makau and Joseph Nduati Ngugi versus Independent Electoral and Boundaries Commission. Three petitioners obtained the following orders:

- 1) That notice be issued to the respondent of the petition immediately
- 2) That the respondent be served with the petition for mention immediately interparty on 12<sup>th</sup> September 2017
- 3) That orders to issue on prayer one should extend that it is pending further orders of the court.
- 4) That the notice to issue to the clerk of Murang'a County Assembly
- 5) That the executive officer to cause a copy of the petition to be filled with the judicially committee' dealing with elections immediately

For avoidance of doubt prayer one reads as follows: “An order barring the swearing in of the nominees to the County Assembly of Murang'a until this petition is heard and determined”

Further the County Assembly is bound by the Constitution of Kenya, all court orders received are to be obeyed, failure to obey a court order is a serious offence in Kenya known as contempt of court, this Assembly shall therefore implement the said court order.

Section 3 of the County Governments Act, amendment act no.2 of 2016 states as follows:

”(3) The principal act, county government act 2012 is amended by inserting the following new sections immediately after section 7: A County Assembly shall not be fully constituted for the first seating after a general election unless all the members provided for under paragraph b and c of article 177 (1) of the Constitution have been dully nominated and their names published in the gazette.

(2) Sub-section one shall not apply where the nomination of members of the county assembly under paragraph (b) and (c) of article 177 (1) of the Constitution is subject of a court order stopping or otherwise pending the nomination of the member.

(3) Despite subsection one a county shall be deemed and dully constituted for the first seating notwithstanding the death on or before the first seating of the County Assembly of a member nominated under paragraph (b) and (c) of article 177 (1) of the Constitution. The drafters of this Act seem to have had at mind the situation in Murang’a County Assembly today.”

Pursuant to section 7 (a) paragraph two of the amended County Governments Act, this Assembly is fully and dully constituted.

The court order as read indicates that the nominated members of the county assembly of Murang’a s gazette by the Independent Electoral and Boundaries Commission vide *Gazette Notice Vol. CXIX No. 124* dated September 28. Pursuant to article 177 of the Constitution 2010 are barred from being sworn in as members of this county assembly until the said petition is heard and determined.

Consequently the members of this County Assembly as gazette by the Independent Electoral and Boundaries Commission (IEBC) vide *Gazette Notice Vol. CXIX No. 124* dated September 28. Pursuant to article 177 of the constitution 2010 are barred from being sworn in as members of this County Assembly until the said petition is heard and determined. However, there is no order stopping the barring the swearing in of the elected members and we have just concluded that.

Pursuant to standing orders 7(6), the following persons were qualified when we closed the nomination period on Saturday at 9am to the speaker of the County Assembly of Murang’a.

1. Charles Njuru Kihara
2. Humphrey Kimani Njuguna
3. James Nyutu Ngugi
4. Leonard Nduati Kariuki
5. Simon Mwangi Kamau

However the court order in the chief magistrate court petition 1 of 2017 Hellen Ndiko Kigia and two others versus the Independent Electoral and Boundaries Commission have a major implication for the candidates for the position of Speaker of the county assembly. Standing order No. 7 (6) provides as follows:-

“The nomination papers of a candidate shall be accompanied by the names and signatures of at least two Members who support the candidate and a declaration by them that the candidate is qualified to be elected as a Member of Assembly under Article 193 of the Constitution and is willing to serve as Speaker of the Assembly.

The name of and Signature of one of the members who nominated Hon. Humphrey Kimani Njuguna and Mr. Charles Njuru Kihara for the Speaker’s position are nominated members, for Charles Njuru Kihara, he was proposed by Morris Thuku Gathoni a member elected by Democratic Party DP and seconded by Milkah Gathoni Ngari who is a nominated member of this Assembly through the Democratic Party.

Humphrey Kimani Njuguna was proposed by Samuel Kihurunjo Mwangi the member for Gitugi who is an independent candidate and Lucy Muthoni Ngugi who is a nominated member from the Jubilee party.

All the nominated members have not been sworn in as members of the county Assembly consequently they cannot nominate any member for a position of the county Assembly, therefore the nomination of Humphrey Kimani Njuguna and Charles Njuru Kihara is consequently null and void.

The only validly nominated candidates for the office to the election of a speaker are Joseph Nyutu, Leonard Nduati Kariuki and Simon Mwangi Kamau. For avoidance of doubt, Joseph Ngugi Nyutu was proposed by Zablon Machugu Nduati the member for Nginda and seconded by the member for Kamahuha, James Karanja Kabera. Leonard Nduati Kariuki was proposed by David Irungu Macharia member for Kambiti and seconded by John Ruoho Wangechi from Kinyona who is an independent candidate and Simon Mwangi Kamau was proposed by Stanley Mburu Muhia from Makuyu from the Democratic Party and Peter Mburu Muthoni who is the elected member from Kagundu-ini Ward Jubilee party. All the members that I have read for this candidate have been sworn in and therefore they are members of this house.

Pursuant to Standing Order 7(3)6, only the three candidates shall appear in the ballot paper. Pursuant to Standing Order number 10, a candidate may by written notice from the Clerk withdraw his or her candidature after the close of nomination period before a ballot is stated. We want to categorically state that none of those candidates that I have mentioned have withdrawn and they are still in the race. Standing Order number 8, provides that the election of the Speaker shall be under Secret ballot. We shall now proceed to the ballot for the election of a Speaker. Standing Order number 8 paragraph 2 says that the Clerk shall at the commencement of this ballot cause the ballot box, empty and unlocked to be displayed to the Assembly and shall in the presence of the Assembly lock the ballot which shall thereafter be kept in full view of the Assembly until the conclusion of the ballot. Honourable members, I therefore direct the Serjeant-At-Arms that the ballot box, empty and unlocked be displayed to the Assembly.

*(The Serjeant-at-Arms displayed the ballot box, empty and opened)*

Honourable Members, I want to draw your attention to Standing Order number 8(4) of the Standing Orders of this Assembly, it reads as follows;

“for the purpose of paragraph 3, which I am about to read a member who have appended his/her signature pursuant to Standing Order number 7 (3) shall be deemed as having elected that candidate and shall be excluded from voting but his/her vote will be added to the votes of the said candidate.”

For your information, Standing Order number 8 (3) requires that the Clerk shall issue not more than one ballot paper to each member who comes to the table to obtain it and each member who wishes to vote shall proceed to the booth on my right or the designated area provided by the Clerk for that purpose and located next to or within a reasonable distance from the ballot box and shall while there mark the ballot by placing a mark in the space opposite the name of the candidate for which the member wishes to vote, fold the marked ballot paper before leaving the booth area and place the folded ballot paper in the ballot box.

*(The Serjeant-at-Arms locked the ballot box)*

We do have a booth in the prescribed format. The booth is from the Electoral and boundaries commission and the ballot box as you see it here. The polling booth is on my right, pursuant to this Standing Order, I now direct that a ballot paper be issued to each member who comes to the table to obtain it. To facilitate this process, the name of the member shall be called out, the member shall come to the table, the table is where the Clerks are, and obtain a ballot paper. Each member shall then proceed to the booth, which is clearly marked. While there, mark the ballot paper and fold it. The member will then place the marked ballot paper into the ballot box. We are now ready and we shall commence the voting. I ask the Sergeant at arms on that end to come to the side, that area should be free of everybody. Members, we shall walk at the right hand side of the booth, mark the ballot and proceed to the ballot box. We shall commence the voting process, so Clerks at the table;

### ELECTION OF THE SPEAKER

*(The ballot papers were issued to the Members and they proceeded to vote)*

**The Clerk of the Assembly (Mr. Chris Kinyanjui):** At this point, I would like to remind you that the members who nominated the members are deemed to have voted for them, so we will add their votes at the end, you find that there are six people who have not voted but they have voted by nominating the candidates who are running.

I wish to call any member who wishes to be an agent, because of the space that we have here, I will ask Zablon Machugu Nduati who proposed Mr. Joseph Nyutu Ngugi and David Irungu Macharia who proposed Leonard Nduati Kariuki and Hon. Stanley Mburu Muhia who proposed Simon Mwangi Kamau to stand up. These will be the agents for the candidates participating in the elections today. I will proceed to the table where we shall do the counting. The members can approach the table, so that they are closer. I will ask the Clerk Assistants who will help us with the counting to approach; I think you will stand in a way that the people behind you can see.

I now direct the ballot box to be opened and the contents be put on the table and there shall be a clerk to take the votes for each of the candidates, One Clerk will call out and prominently display the ballot paper and say loudly the person who is marked in the ballot paper. Francis you will call out and show each ballot.

*(The Clerks-at-the-Table opened the ballot box and proceeded to count the votes)*

*(The Clerk announced the results of the first ballot)*

NAME	VOTES
Joseph Nyutu Ngugi	11
Leonard Nduati Kariuki	19
Simon Mwangi Kamau	05

**The Clerk of the County Assembly (Mr. Chris Kinyanjui):** Honourable members, pursuant to standing order 9(1) which states that a person shall not be elected Speaker unless supported in a ballot by votes of two-thirds of all the members, two- third of all the members in this House are 23 votes. None of the candidates has gotten 23 votes and therefore no Speaker has been elected by that ballot.

*(The ballot papers were collected and sealed)*

The standing orders require that, I urge members to switch off their phones, under standing order number 9(2) if no candidate is supported by two-thirds of all the members, a fresh election shall be held and in that election the only candidate shall be the candidate/candidates who receives the highest votes in the ballot referred to in paragraph one.

The candidate /candidates whom in that ballot receives the second highest number of votes and in that second ballot the person who receives the highest number of votes in the fresh election shall be declared the Speaker, hon. member, that is under standing order number 9(2).

We will therefore proceed to hold a fresh election; in that election the only candidate shall be Honourable Nyutu Ngugi and Honorable Mr. Leonard Nduati Kariuki; we will conduct the ballot in the same manner that we did the first round. Therefore, I will urge the Serjeant -At-Arms to display the ballot box, empty and unlocked.

*(The Serjeant-at-Arms displayed the ballot box, empty and opened it)*

**The Clerk of the County Assembly (Mr. Chris Kinyanjui):** Show it to the whole House.

*(Ballot box taken round for all to see)*

**The Clerk of the County Assembly (Mr. Chris Kinyanjui):** Yes, so I will now ask the ballot to be locked and kept at the view of the Assembly. As I said standing order number 9 (4) the candidate who receives the highest number of votes in the fresh election shall be declared the Speaker.

For purposes of members of this Assembly who had nominated Honorable Mwangi Simon Kamau, they are now free to elect a member of their choice, however, the two members who nominated Honorable Joseph Nyutu and the other two members who nominated Honorable Nduati Kariuki will not be issued with ballot; they shall be deemed to have voted for their respective nominees.

Therefore, we are now ready to commence and the names will be called out again, you will come to the table and proceed in the same manner as we did last time. Proceed

*(The Serjeant-at-Arms locked the ballot box)*

*(the ballot papers were issued to the members and they proceeded to vote)*

*(Voting concluded)*

*(The Clerks-at-the-Table opened the ballot box and proceeded to count the votes)*

*(The Clerk announced the results of the second ballot)*

NAME	VOTES
Joseph Nyutu Ngugi	14
Leonard Nduati Kariuki	21

**The Clerk of the County Assembly (Mr. Chris Kinyanjui):** Honourable members, pursuant to standing order 9(4), we have just held second round of election and pursuant to



standing order number 9(4), I now declare Honourable Leonard Nduati Kariuki as the duly elected Speaker of the County Assembly of Murang'a.

*(The ballot papers were collected and sealed)*

I now direct the Serjeant-at-Arms to search for Leonard Nduati Kariuki and bring him to the chambers. I will ask the people who nominated Honourable Leonard Nduati Kariuki to wait for him at the door and to escort him for swearing in when he arrives.

*(Hon Nduati Kariuki was escorted to the Chambers by the Chief Sergeant at Arms)*

**The Clerk of the County Assembly (Mr. Chris Kinyanjui):** Congratulations. We shall now proceed to swear the Speaker elect for Murang'a County Assembly.

*(The Clerk of the County Assembly administered the Oath of office to Hon. Nduati Kariuki)  
(Applause)*

*(The Speaker, Hon. Nduati Kariuki then took the Chair, and the Mace, which before lay under the Table, was placed upon the Table)*

### **COMMUNICATION FROM THE CHAIR**

#### **SUBMISSION OF THE SPEAKER TO THE WILL OF THE HOUSE**

**The Speaker (Hon. Nduati Kariuki):** Hon. Members of the County Assembly of Murang'a (MCAs), the Clerk of this County Assembly, your excellencies, representatives of political parties present, members of clergy, members of staff, members of the press, distinguished ladies and gentlemen; first, I thank God the Almighty for this great favor He has reposed in me.

Hon. Members, I am greatly humbled, honored and highly privileged by your wise decision to elect me as the Speaker of the County Assembly of Murang'a. I hereby humbly submit to the will of this Hon. House and thank you all for believing in me.

Through the just concluded democratic process, you have bestowed on me immense confidence and trust; rest assured that I do not take it for granted. I see myself here as a blessing to this second Assembly, albeit with great responsibility; to my worthy opponents, thank you for upholding a high degree of democracy.

I have to thank the Clerk of this Assembly, for professionally guiding this House during the on-going transition period. His priceless and unconditional counsel will further be valued in future. There is no doubt, whatsoever, that a lot of effort has been put towards making this historic day a success. We cannot ignore the reflection of the hard work put in by all the stakeholders, especially the members of staff of this Assembly.

Hon. Members, for the last few months, our country has witnessed a highly competitive electioneering period. Campaigning is not easy; selling one's manifesto is expensive and demanding. Allow me, therefore, from the very beginning, to convey my sincere congratulations to the entire membership of this House for your successful election.

On 8<sup>th</sup> August 2017, Wanjiku's voice was loud and clear; that she has entrusted you, Hon. MCAs; to be her representatives in this Hon. House for the next five years; that mandate is

enshrined in the Constitution of Kenya, 2010. Once again, Hongera- congratulations for winning your seats.

Allow me to, on that note; recognize Members of the first Assembly who clinched back their seats. This will be their second term as ward representatives; we have Hon. Isaac Kamote representing Wangu ward, Hon. Erick Kamande representing Kahumbu ward, Hon. Peter Murigi representing Muruka ward, and Hon. Peter Mweri representing Rwathia ward, I trust that these experienced ones will mentor the up-coming MCAs.

For us all, it is a unique opportunity to serve our dear county. I look forward to maximizing the opportunities for every Hon. Member to contribute. I believe that I have been placed on this platform so that every Hon. Member can catch my eye; that is the term we use; you catch the Speaker's eye before you speak.

I, therefore, pledge to be fair to all and seek your understanding in advance for every ruling that the Chair will make, as provided for by the standing orders of this House.

This is a House of Rules and Procedure. I need to caution the new entrants that the highly procedural nature of County Assemblies calls for an equally high level of commitment to the rules and procedures of this institution.

Hon. Members, in exercise of the powers conferred by Article 124 of the Constitution of the Republic of Kenya, and section 14 of the County Governments Act No 17 of 2012, the First Assembly of Murang'a County, by resolution, adopted the standing orders that we have been provided with. I encourage all of us to internalize the standing orders and make a personal commitment to always abide by them.

Prepare and present issues of interest as guided by those rules, apply the debating time well; your brilliant visibility will ultimately affect your re-election. I look forward to, not a vociferous House; but a serene, composed and a House of healthy debates.

I will meet with various leadership of Murang'a and seek support of the experienced lawmakers to help you deliver. Scholars opine that a comprehensive mentoring and induction process is vital for improved performance. I second that serious learning will therefore have to be undertaken to sharpen your debating competencies in order to function optimally.

Hon. Members, every one of you is in this Hon. House as provided for by Article 177 of the Constitution of Kenya. Under my leadership, this Chamber will develop systems and values of high discipline, tolerance, accommodation, honesty and openness.

To the majority, as you are aware, we have an Assembly that is heavily dominated by you. However, we also have with us Hon. Members who clinched their seats as independent candidates. I caution the majority, who won their seats through the Jubilee ticket that there is need to be guided by high ethical consideration so that we do not relapse into ultra majoritarianism, a trait of the tyranny of the majority. In the National Assembly, they call it the tyranny of numbers.

To those who may feel that they belong to the minority, even though most parliamentary business is organized on majoritarian principle, the time-honoured rights of minority to transparent, open, frank, fair and honest debates so as to make your case and offer constructive alternatives will be valued under my stewardship.

All of you, irrespective of gender, religion, party affiliation, age or tribe, must be guided by the mandate given to the government; to establish a vibrant society anchored on the principles of fairness and equality of opportunities. As the legislative arm of this county government, we will be expected to offer the requisite inspiration, guidance and confidence. Therefore, it is our duty

to conduct ourselves with decorum, consistently observe the due processes and uphold the rule of law, legality and the culture of constitutionalism.

Allow me, Hon. Members, to note that in the previous Assembly, we had three elected female MCAs out of a total of 35 elected Hon. Members. Today we have two female MCAs-elected and I congratulate them for being elected.

Very sad; I am deeply concerned about this tragedy, there is really no cause for rejoicing at that because it is a clear indication that our county is far behind the world in the affirmative action. Even as we agree that the Affirmative Action law is one of ways of using the law as an instrument of social engineering- and mischief correction- to ensure equality, our democratic development is not impressive at all in this regard.

Nonetheless, I particularly want to acknowledge and applaud Hon. Mary Waithira, a former nominated Member of this Assembly and now the newly elected Member of Parliament representing Maragua constituency.

It shows that Members of this Assembly can develop from being Members of the County Assembly to being Members of Parliament and even Members of the Senate.

Hon. Mary Waithira is a true reflection of the audacious women who are successful in the high strata of the male dominated political arena. This County Assembly prides in having created a platform that shaped the sharp debating competences, strong oversight and legislative skills posed by Hon. Mary Waithira.

We wish her God's blessings as she undertakes her new mandate; in fact, many people who have visited this Assembly in the past have acknowledged that the level of debate in this Assembly is sometimes higher than the level of the debate in the National Assembly, and that is a fact. I hope that will continue.

My plea, therefore, is that the female MCAs who are in this Assembly, be assisted to become effective role models in qualitative governance. I have some ideas I will share with the leadership towards realizing that objective as time goes by.

Indeed, there is a compelling need for a comprehensive study of the factors which militate against the effective representation of women in our County. The story of Hon. Mary Waithira should be an encouragement to all the MCAs seated here; that they should execute their roles in this Assembly with passion and without fear or favor. This County Assembly could be the stepping stone to your next big dreams and immense opportunities even at personal level.

A question worth asking is: what do the people expect from the MCAs? There is growing evidence that, public opinion is divided as to the role of MCAs in Kenya. A significant majority of Kenyans are of the view that MCAs should undertake development projects within their Wards. To others, MCAs exist to pay school fees, give funeral donations,- I am sure we have seen all these, and attend weddings and other social events.

Of concern is that debating, passing legislations and holding the County Executive Arm of Government to account rank low in the public perception of the role of MCAs. This accounts for the high attrition rate of MCAs across the Country. To counter this, I envisage a scenario whereby the Hon. Members of the Second County Assembly will take public participation exercises seriously and use such forums to help the masses understand on their key roles. In addition, I welcome the media to help in documenting and airing issues debated on the Floor of the House and in the Committees to create awareness, especially of the agendas before the House at any given sitting.

On that note, Hon. Members, and as you assemble here today, it is important to have a discourse on the re-establishment of the County Assembly with a sense of history. The first

Assembly existed after promulgation of the new Constitution of Kenya, 2010, and inception of devolution. There are 47 Counties in Kenya; hence we have 47 County Assemblies.

Each County Government has two Arms of governance; the Executive arm that is responsible for implementation of projects and the legislative arm to which you belong. The independence of the County Assemblies was conceived with the intent to accomplish the following roles; oversight, representation, legislation and budget making. That is your core mandate as provided for by the Constitution of Kenya.

Under Article 185 of the Constitution, the legislative authority of a County is vested in and exercised by its County Assembly. In addition, a County Assembly, while respecting the principle of separation of powers, exercises oversight for the County Executive Committee and any other Executive organ. I hasten to urge you to exercise high levels of integrity as you play your oversight role. Further, I look forward to a House that will enact laws that are constitutional and that will stand the test of time. Undoubtedly, promotion of good governance will require an Assembly that will effectively perform the three cardinal functions of representation, oversight regarding the executive, and law making. As for budget making process, your ability to control public expenditure, within the Regulations of the Public Finance Management Act (PFM), will be good service to our people.

Hon. Members, I am not under any illusion as I take the mantle of leadership of this House. The responsibilities ahead of us are enormous and challenging. The great expectations before us require exceptional commitment, focus, harmony and unity of purpose. The people of Murang'a anticipate for better lives under the devolved system of governance; hence there is no other option for us but, really, to succeed. As a matter of fact, devolution is envisioned to be the onerous challenge to take power and resources to the people.

Hon. Members, the key challenges in Murang'a County remain poverty, unemployment, poor road infrastructure, water shortage and lack of enough rural polytechnics. Others include lack of post-modern Early Childhood Development Centers, under-utilized cultural, trade and tourism diversity, and lack of health facilities, among others.

Allow me to remind you that that the Kenyan Vision 2030 which is the country's development blueprint aims at transforming Kenya into a new industrializing middle income country providing high quality of life. We have an obligation, therefore, to ensure that we make a contribution to this particular vision, especially in realizing the potential to promote growth and development at the Ward levels and to stir our rural economies. As an Assembly, this is only possible if we enact laws that will be tailored towards realizing the vision 2030 at the Ward levels. The Motions and Reports you adopt should reflect those goals and the devolved functions.

The First Assembly sought to establish its role as a key oversight public institution, despite facing myriad teething challenges. Strides were made and we congratulate them for the many Bills they enacted and the many Motions and Reports they adopted. Allow me to submit that Rulings of Speakers in the past will be captured to serve as guidance and precedents for the smooth operation of the House because institutions grow scientifically, systematically and with responsibility. Nevertheless, a huge task still remains ahead of us and I trust we shall rise to the occasion.

Hon. Members, the capacity and scope of the Committees of the Assembly deserve attention; they are the workshop of this Assembly. Should the Committees be weak, this Assembly will be seriously dented. Not only should your Committees be sharp in their routine tasks, but also, they should be vibrant and exercise singular initiatives in enquiring into all matters of public interest impartially. This inquisitorial power must be applied to its logical conclusion.

Through the Committees, I welcome all the Members to act within the law, proactively, responsively and with appropriate capacity on all the devolved functions, namely, issues relating to health, ECDE and polytechnics education, agriculture, access roads, tourism, revenue collection, cooperatives, forestry, trade, among others.

In conclusion, this County Assembly is for the people of Murang'a; we have to be honest, accountable, and responsive to their needs. We are true to the fact that there is need for a modern Chamber, committee rooms, library, among other essential structures that will create a parliamentary environment that is accessible, secure and transparent; I urge for your patience and understanding as that exercise is still going on.

Going forward, I believe that, together with the County Assemblies Forum (CAF), the Council of Governor's (COG), and the Societies of Clerks at The Table (SOCATT), we will unite in seeking the needed assistance for MCAs to, especially, improve their working conditions and welfare. It is very important to improve the welfare of MCAs; we should seriously better the lot of our MCAs.

Hon. Members, you enjoy immunity while on the floor of the House and immerse privileges which cannot be toyed with by any person, body or authority. I shall help to maintain this without fail, but allow me to quote our fore fathers who asserted that, "...to whom much is given, much is expected..." This dictum must guide us all because privileges come with responsibilities. If you abuse the trust, there will be consequences. A law maker cannot be, at the same time, a lawbreaker.

For example, charges of corruption and abuse of offices have been witnessed in the past against individuals in our country. That is why, at this earliest opportunity, I caution you against such vices. If you fall foul of the law, the set aside institutions mandated with tackling such issues will not be expected to spare you.

Our attitude will reflect our end results. For instance, our punctuality and attendance to the businesses of this House will be critical towards realizing our objectives. Indeed, and as I said earlier, it is our duty to conduct ourselves with integrity, decorum, consistently observe the due processes, uphold the rule of law, legality and the culture of constitutionalism.

Hon. Members, let us resolve to do something different in the lifetime of this Second Assembly. I urge for cooperation from all and sundry to make our stewardship a success. Allow me to halt my speech with a few lines that I borrow from the poem "If" by Kipling Rudyard, who incorporates words with profound meaning and inspiration to illustrate leadership attributes within a framework of character, integrity, courage, selflessness, stamina, composure, self-efficacy and accountability. I urge that you bear with me even if you are the type that enjoys, not, poetry, "If you can keep your head when all about you, Are losing theirs and blaming it on you,

If you can trust yourself when all men doubt you, but make allowance for their doubting too;  
... If you can talk with clouds and keep your virtue or walk with kings-nor lose the common touch, if neither friends nor foes can hurt you, if all men count with you, but none too much, if you can fill the unforgiving minute with sixty seconds' worth distance run, yours is the earth and everything that's in it, and- which is more- you'll be a man, my son!"

Thank you Hon. Members, God bless you all; God bless the County of Murang'a.

But, before I end completely, I would like to take this opportunity to say that as far as I can see, this is a new beginning for Murang'a. We have sorted out a lot things that caused turmoil in the last Assembly. I must say that the plans that His Excellency the Governor, who is here with us, has for this county, if backed by you, while at the same time observing the principles of

separation of powers, this county will be one of the top counties in five years' time; the plans are great; the major objective here is to uplift Wanjiku.

If we can take the Governor's words when he took his oath that he wants to increase the income of each and every household in the county, and if we can achieve that, all of you will be re-elected.

If that can happen in every ward, I can guarantee you that all of you will be elected back. Therefore, let us not allow the kind of turbulence that was seen in the last Assemblies, not just in Murang'a but over the country; there was constant fighting and turbulence between the Executive and the Assembly.

We are all working for Wanjiku, if we disagree, let us do so honestly and with reasons. Stand for your right but let your right be guided by reason and what is just and proper for Wanjiku.

### ADJOURNMENT

**The Speaker:** Hon. Members, having said all that, there is no further business today and this House now stands adjourned until such date as shall be notified, which will be very soon as there is a lot of work to be done. That date will be the next one of the House. God bless you.

Thank you very much Hon. Members.

*The House rose at 12:50 p.m.*