

REPUBLIC OF KENYA
MURANG'A COUNTY ASSEMBLY
THE HANSARD

Thursday, 21st September 2017

The House met at 9:30 a.m.

(The Speaker Hon. Nduati Kariuki in the Chair)

PRAYERS

COMMUNICATION FROM THE CHAIR

The Speaker (Hon. Nduati Kariuki): Hon. Members, as you are aware, this special sitting was convened in accordance with the law for the purpose of transacting very crucial business of the Assembly.

Pursuant to standing order 20, the largest party or coalition of parties in the Assembly is required to elect a member of the Assembly belonging to the party or coalition of parties to be the Leader of the Majority Party; (b) a member of the Assembly belonging to the party or coalition of parties to be the Deputy Leader of the Majority Party.

Pursuant to standing order no. 20 (6), I wish to confirm that the party did submit their decision of hon. members elected to the positions vide a letter dated September 08, 2017. The elected party leadership is as follows:-

1. Leader of Majority Party - Hon. Erick Kamande Kimani

(Applause)

2. Deputy Leader of Majority - Hon. Joyce Wambui Njoki

(Applause)

3. Chief Whip - Hon. Simon Mwaura Wamwea

(Applause)

4. Deputy Chief Whip - Hon. Ruth Wambui Karanja

(Applause)

The Speaker (Hon. Nduati Kariuki): I wish to notify hon. members that the House as currently constituted does not have a minority party. Pursuant to the County Assembly standing orders an 'Assembly party' as defined means a party or a coalition of parties consisting of not less than five percent of the membership of the Assembly. According to my calculations, those are about three members.

I now confirm that the Assembly of Murang'a does not have a minority Assembly Party. Five per cent of the membership translates to three members. Apart from Jubilee Party, there are only two other parties namely the Democratic Party and the Maendeleo Chap Chap which have two and one members respectively.

Consequently and since there is no minority Assembly party, this House does not have a Minority Leader, a Deputy Minority Leader, a Minority Whip and a Deputy Minority Whip.

For the purpose of selection into the committees and all other businesses, I will treat all members as members of Jubilee or associated with Jubilee; there will be no discrimination. In any case, the Democratic Party and Maendeleo Chap Chap are associated to Jubilee and I know in the heart of even the independents are Jubilee at heart and they went independent for the convenience of the elections, they will be treated as members of Jubilee and they will not be discriminated.

However, a few have asked whether they can form a caucus of independent members and I have told them to put that to me in writing, and I will decide whether it is legal and convenient for them to be treated as an opposition party. Otherwise, as at now, we shall treat them as Jubilee members and this has been agreed by the Jubilee leadership that they are ready to take them on as Jubilee leaders. I now confirm to the Assembly that at the moment we do not have a minority Assembly.

Membership to select committees, Hon. Members, standing order 165, 166 and 198, requires that the following committees be constituted as soon as a new Assembly is convened.

1. The House Business and Rules committee – standing order no. 165
2. The Committee on Selection – standing order no. 166
3. The Committee on Appointments – standing order no. 198

These are the committees that must be immediately elected since this will give us an opening to start other businesses of the house including appointment to the other committees; I wish to confirm that the Leader of Majority has submitted the names of the Hon. Members who have been placed to serve in the three committees. The Leader of Majority shall move a motion of approval of the membership of the aforementioned three committees.

Hon. Members please note that besides the three committees whose memberships shall be approved today due to their set timelines in the standing orders, the County Assembly consists of other sectoral and select committees as follows; we shall have committees on;

1. Agriculture, Livestock and Fisheries
2. Education and Child Welfare, Research, information technology and E- Government.
3. Water, Energy, Forestry, Environment and Natural Resources
4. Governance, labor and Social Welfare, Justice and Legal Affairs.
5. Land, Housing, Physical Planning and Settlement.
6. Health Services.
7. Youth, Culture, Gender and Social Services.
8. Public Works, Roads and Transport.
9. Trade, Industrialization, Cooperative Management, Tourism and Wildlife.
10. Finance and Economic Planning

SELECT COMMITTEES

1. Committee on Delegated County Legislation
2. Committee on Implementation
3. Budget and Appropriation Committee
4. Powers and Privileges Committee
5. Liaison Committee.
6. Public Accounts and Investment Committee

The Speaker (Hon. Nduati Kariuki): Honorable members; what I am trying to explain to you is that there are very many committees to fill, if you are not in any of the committees, I can assure you that all of you are qualified to serve in the committee, but a few had to be selected to serve in the Assembly and this could not have been everybody. All the other members who are not in this committee have a wide choice to choose from and a member will be expected to serve in at least 3 committees. It will help the members, secretariat and the selection committee if the members indicate where they are best suited to serve and where they can use their talent best. We have many Talents in this house, health, Technology, IT. There are a lot of talents in this house. And these talents will be very useful in this committee.

If you apply to be a member of a committee, it will be only for guidance since positions have to be distributed evenly and one may not necessarily be in the committee he wishes to be. If we do this, we might find that all people are in one committee and there are committees without people. It is good for members to state where they can serve best but it will not be automatic for you to be in that committee. I hope this is clear.

Hon. Members, pursuant to Article 179 (2) (b) of the Constitution of Kenya, 2010, section 8 (1) of the County Governments Act, 2012 and Section 7 (1) of the Public Appointments (County Assemblies Approval) Act 2017, the Governor Murang'a County, through a letter Ref: MCG/GOV/ST/2/1(1) dated September 15, 2017, submitted a list of six (6) nominees for appointment to the positions of County Executive Committee Members (CEC'S) as follows;

This is important because the law requires these members to be appointed within 21 days since the date when the members of the County Assembly were sworn in. That day ends on 25th Monday next week. After receiving the names from the Governor we had to call for this urgent meeting. The members to be vetted and later approved are as follows;

1. Gerishon Nyagia Reuben – Department of Education, Youth and Sports
2. Sarah Thecla Masaki – Department of Land, Housing and Physical Planning
3. Eunice Nyambura Macharia – Department of Public Service
4. Joseph Mbai – Department of Health
5. Paul Ng'ang'a Macharia – Department of Water and Irrigation
6. David Waweru Wakaba – Department of Finance and Economic Planning

Hon. Members, pursuant to section 7 (4) and (5) of the Public Appointments (County Assemblies Approval) Act 2017, the Clerk through an advertisement in the Daily Newspapers on Sunday 17, 2017 notified members of the public on the time and place for the approval hearing. In this regard and pursuant to section 7 (3) of the Public Appointments (County Assemblies Approval) Act 2017, the Committee on Appointments will undertake vetting/approval hearing of all the nominees on Monday September 25, 2017 in the County Assembly Chambers, Assembly buildings. Subsequently, members are put on notice that there will be a special sitting on Monday September 25, 2017 at 2:30 p.m. for consideration and adoption of the report of the committee on appointments on the above mentioned.

Lastly Honourable Members, standing order no.16 (1) requires that within 30 days after the swearing in of the Speaker, the Assembly is required to elect a Deputy Speaker from amongst its members who shall preside over any sitting of the Assembly in the absence of the Speaker. Pursuant to Article 178 (2) (b) of the Constitution of Kenya 2010, as read together with section 25 of the Elections Act 2011 and County Assembly standing order no. 16, the Clerk declared a

vacancy in the office of the Deputy Speaker of the Murang'a County Assembly on September 15, 2017.

Consequently, interested Members of the County Assembly were required to collect nomination forms and return them by Tuesday September 19, 2017 at 2:00 p.m. Hon. Members, I wish to confirm that the following candidates were validly nominated for the position of Deputy Speaker of the County Assembly, as at the close of the nomination period:-

1. Hon. Nahashon Gachuhi Mwirigi
2. Hon. Samuel Kihurunjo Mwangi

Hon. Members pursuant to standing order no. 16 (3) the procedure for electing the Deputy Speaker shall, with necessary modifications be the same as that prescribed for election of the Speaker.

The last item today shall be an address by the Governor, pursuant to standing order 42(2), I wish to direct that the address by the Governor as scheduled in the order of business will be dispensed with at 12.00 pm today. Thank you very much Honorable members.

NOTICE OF MOTION

ADOPTION OF MEMBERSHIP TO THE HOUSE BUSINESS COMMITTEE

Hon. Erick Kimani: Mr. Speaker, I wish to give a notice of motion that pursuant to Standing Order number 165, this Assembly adopts the following members of the county Assembly to be members of the Assembly's house business and rules committee.

1. Hon. Leonard Nduati Kariuki, MCA - Chairman
2. Hon. Erick Kamande Kimani, MCA - Leader of Majority Party
3. Hon. Deputy Speaker - to be elected today on Thursday at 9:00a.m.
4. Hon. Simon Mwaura Wamwea, MCA- Whip
5. Hon. Caroline Wairimu Njoroge, MCA
6. Hon. Peter Maina Mweri, MCA
7. Hon. Isaac Mwangi Kamote, MCA
8. Hon. Charles Mwangi Ng'ang'a, MCA
9. Hon. Passy Njeri Kangatu, MCA
10. Hon. Ruth Wambui Karanja, MCA
11. Hon. Ibrahim Ngundo Maina, MCA
12. Hon. Amos Mwirigi, MCA.

ADOPTION OF MEMBERSHIP TO THE APPOINTMENTS COMMITTEE

Hon. Erick Kimani: I wish to give a notice of motion, pursuant to standing order 198, this Assembly adopts the following members of the county Assembly to members of the Assembly committee on appointments;

1. Hon. Leonard Nduati Kariuki, MCA - Chairman
2. Hon. Erick Kamande Kimani, MCA - Leader of Majority Party
3. Hon. Zablon Machugu Nduati, MCA
4. Hon. Sospeter Nyoko Muriuki, MCA
5. Hon. Gerald Wambugu Mwangi, MCA
6. Hon. Cathryn Wanjiku Mwangi, MCA
7. Hon. Jane Wanjiru Muigai, MCA
8. Hon. Pelagiah Muthoni Maina, MCA

(Hon. Peter Mweri rose on a point of order)

Hon. Peter Mweri: I think we need clarification on order number 8, the order is written notion; I have never heard this English before.

The Speaker: Thank you, this is a typographical error, it is a motion not a notion.

Hon. Erick Kimani: Thank you Hon. Mweri, Mr. Speaker, with your leave, I wish to repeat the notice of motion, there was some interruption.

The Speaker: I think you had already read it; it is just a matter of giving the notice.

ADOPTION OF MEMBERSHIP TO SELECTION COMMITTEE

Hon. Erick Kimani: I wish to give the notice of motion that pursuant to standing order number 166, this Assembly adopts the following members of the Assembly to be members of the following committee on selection;

1. Hon. Erick Kamande Kimani, MCA - Chairman
2. Hon. Jeremiah Kongo Kihara, MCA
3. Hon. Sammy Mwangi Waweru, MCA
4. Hon. David Irungu Macharia, MCA
5. Hon. Francis Kibe Kamau, MCA
6. Hon. Morris Thuku Gathoni, MCA
7. Hon. Anne Wangari Kigo, MCA
8. Hon. Ruth Wambui Karanja, MCA
9. Hon. Duncan Muturi Kamau, MCA
10. Hon. Dinah Muthoni Kagiri, MCA

MOTION

ADOPTION OF MEMBERSHIP TO THE HOUSE BUSINESS COMMITTEE

Hon. Erick Kimani: Mr. Speaker, I wish to move the following motion;-

That, pursuant to standing order number 165; this Assembly adopts the following Members of the County Assembly to be members of the Assembly's House Business and Rules committee.

1. Hon. Leonard Nduati Kariuki, MCA - Chairman
2. Hon. Erick Kamande Kimani, MCA - Leader of Majority Party
3. Hon. Deputy Speaker -to be elected today on Thursday at 9:00 a.m.
4. Hon. Simon Mwaura Wamwea, MCA- Whip
5. Hon. Caroline Wairimu Njoroge, MCA
6. Hon. Peter Maina Mweri, MCA
7. Hon. Isaac Mwangi Kamote, MCA
8. Hon. Charles Mwangi Ng'ang'a, MCA
9. Hon. Passy Njeri Kangatu, MCA
10. Hon. Ruth Wambui Karanja, MCA
11. Hon. Ibrahim Ngundo Maina, MCA
12. Hon. Amos Mwirigi, MCA.

Thank you Mr. Speaker, I wish to call Hon. Caroline Wairimu to second the motion.

Hon. Caroline Njoroge: I second the motion and urge the members to approve the following motion. It is good for the members to learn that this House cannot operate without the

House Business committee because there is no business that can be transacted in the House without the committee.

(Question proposed)

Hon. Peter Mweri: Honourable Speaker, I wish to take this opportunity and congratulate the leader of the majority for coming up with this list, I must confirm that the list is well balanced; it has catered for all the parties, regional balance and even the nominated members.

As you said before, we must start from somewhere and it is good as you said that there are many other sectoral committees and other members will be part of them. I request the honourable members to support this list so that we can start off with the business of the house. I support.

Hon. James Karanja Kabera: Thank you Hon. Speaker, balancing has been well done, but we do not have a member by the name Amos Mwirigi in this House, as read by the leader of majority party in the list of members of House Business committee.

The Speaker: Sorry.

(Hon. James Karanja Kabera, took his seat)

The Speaker: Thank you for that correction, before you go; for the purpose of record and Hansard just mention your name.

Hon. James Karanja Kabera: My name is James Karanja Kabera, Member of County Assembly Kamahuha ward.

The Speaker: Anybody who comes to speak, mention your name and your ward.

(Question put and agreed to)

MOTION

ADOPTION OF MEMBERSHIP TO COMMITTEE ON APPOINTMENTS

Hon. Erick Kimani: Thank you Mr. Speaker, I beg to move the following motion;- That, pursuant to standing order no. 198, this Assembly adopts the following Members of the County Assembly to be members of the Assembly's committee on Appointments :-

1. Hon. Leonard Nduati Kariuki -Chairman
2. Hon. Erick Kamande - leader of majority
3. Zablon Machugu
4. Sospeter Nyoko Muriuki
5. Gerald Wambugu Mwangi
6. Cathryn Wanjiku
7. Jane Wanjiru Muigai
8. Pelagiah Muthoni Maina

I now call honourable Stephen Mwangi Chege to second the motion.

Hon. Stephen Chege: Thank you Mr. Speaker I request the members to support the motion so that we can move on. I second the motion.

(Question proposed)

(Question put and agreed to)

ADOPTION OF MEMBERSHIP TO SELECTION COMMITTEE

Hon. Erick Kimani: Thank you Mr. Speaker I beg to move the motion;-

That, pursuant to standing order no. 166, this Assembly adopts the following Members of the County Assembly to be members of the committee on selection.

COMMITTEE ON SELECTION

1. Hon. Erick Kamande
2. Hon. Sammy Mwangi Waweru
3. Hon. David Irungu Macharia
4. Hon. Francis Kibe Kamau
5. Hon. Morris Thuku Gathoni
6. Hon. Anne Wangari Kigo
7. Hon. Ruth Wambui Karanja
8. Hon. Duncan Muturi Kamau
9. Hon. Dinah Muthoni Kagiri

I wish to call honorable Gathoni wa Macharia to second the motion.

Hon. Gathoni wa Macharia: Thank you Mr. Speaker, I second the motion and request the honorable members to support the same for onward movement.

(Question proposed)

(Hon. Francis Kibe Kamau rose on a point of order)

Hon. Francis Kibe Kamau: Thank you Mr. Speaker, I just have a concern that one member is appearing in two committees.

The Speaker: There is no rule against that.

(Question put and agreed to)

PROCEDURE FOR ELECTION OF THE DEPUTY SPEAKER

The Speaker: Honorable members we have come to a point in our order paper where we elect the deputy speaker and I now direct the clerk to conduct the election in accordance with the law.

(Procedure for election of Deputy Speaker was read)

(The ballot box was displayed, empty and unlocked)

(The Serjeant-At-Arms locked the ballot box)

ELECTION OF THE DEPUTY SPEAKER

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

Hon. Jeremiah Kongo Kihara	Kanyenya-ini Ward
Hon. Joel Muriigi Muhuha	Kariara Ward
Hon. John Kairu Kimani	Kigumo Ward
Hon. John Mwangi Mungai	Muthithi Ward
Hon. John Ruoho Wangechi	Kinyona Ward
Hon. Joyce Wambui Njoki	Nominated
Hon. Lilian Nyaguthii Kabaya	Nominated
Hon. Lucy Nyambura Ngugi	Nominated
Hon. Milka Gathoni Ngari	Nominated
Hon. Morris Thuku Gathoni	Kiru Ward
Hon. Moses Muriigi Gikonyo	Gaichanjiru Ward
Hon. Nahashon Gachuhi Mwirigi	Gatanga Ward
Hon. Passy Njeri Kang'atu	Nominated
Hon. Pelagiah Muthoni Maina	Kakuzi/ Mitubiri Ward
Hon. Peter Mburu Muthoni	Kagundu-ini Ward
Hon. Peter Muiruri Githuka	Mugumo-ini Ward
Hon. Ruth Wambui Karanja	Nominated
Hon. Sammy Waweru Mwangi	Ithanga Ward
Hon. Samuel Kihurunjo Mwangi	Gitugi Ward
Hon. Sarah Njeri Njoroge	Nominated
Hon. Simon Mwaura Wamwea	Ng'araria Ward
Hon. Sospeter Nyoko Muriuki	Mugoiri Ward
Hon. Stanley Mburu W. Muhia	Makuyu Ward
Hon. Stephen Mwangi Chege	Nominated
Hon. Zablon Machugu Nduati	Nginda Ward

(Hon. Gerald Wambugu rose on a point of order)

The Speaker: Yes

Hon. Gerald Wambugu: Mr. Speaker sir my name is omitted on that list.

The Speaker: How come?

Hon. Gerald Wambugu: I should be appearing as number 23 but I have been omitted.

The Speaker: That is very serious, have you completed calling out the names?

(Hon. Charles Kahoro and Hon. Gerald Wambugu who proposed Nahashon Mwirigi. Hon. Silas Kiiru Mwangi and Hon. Ibrahim Maina who proposed Samuel Kihurunjo did not vote)

(Their votes were added to their nominees' tallies)

The Speaker: Yes, that is correct.

(Hon. Stephen Chege rose on a point of order)

The Speaker: Yes

Hon. Stephen Chege: I thank you Mr. Speaker, MCA Murarandia nominated a candidate and he has voted.

The Speaker: I did not get you point Honourable Member, kindly repeat the point.

Hon. Stephen Chege: I thank you Mr. Speaker, I have been corrected. I think I was wrong.

(Laughter)

Hon. Stephen Chege: It is MCA Gaturi who nominated a candidate and not MCA Murarandia, they share a name.

The Speaker: Exactly. In fact you said he is a candidate and he is not.

(Hon. Charles Kahoro Ruga and Hon. Ibrahim Maina approached the table as agents of Hon. Nahashon Gachuhi and Hon. Samuel Kihurunjo respectively)

(Ballot box unlocked, ballot papers examined and counting done)

RESULTS

Hon. Nahashon Gachuhi Murigi	27 votes
Hon. Samuel Kihurunjo Mwangi	25 votes
Absent	1

(Second round of voting ordered as no candidate met the threshold)

(The ballot box was displayed, empty and unlocked)

(The Serjeant-At-Arms locked the ballot box)

(The ballot papers were issued to the Members and they proceeded for second round of voting)

(Hon. Members were asked not to move in and out of the Chamber)

(Voting continued)

(Two Hon, Members acting as agents proceeded to the Table)

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

RESULTS

Name	Votes
Nahashon Gachuhi -	23
Samuel Kihurunjo -	30

(Applause)

(The Speaker declared Hon. Samuel Kihurunjo Mwangi duly elected Deputy Speaker of the Assembly and directed him to walk to the Table to take oath of allegiance)

ADMINISTRATION OF OATH

(Hon. Samuel Kihurunjo took the oath of office of Deputy Speaker of Murang'a County Assembly)

(Applause)

The Speaker (Hon. Nduati Kariuki): Hon. Members, first of all, I wish to heartily congratulate Hon. Samuel Kihurunjo Mwangi for being elected the Deputy Speaker. I welcome you to the Speaker's panel; it is a big and demanding responsibility but I am sure that you are up to the task. I will give you all the support you need as my Deputy. God bless you.

(Applause)

The Speaker (Hon. Nduati Kariuki): I also wish to congratulate and thank Hon. Gachuhi for your willingness and for offering yourself to serve in this demanding position. Thank you very much and may God bless you too.

ADJOURNMENT

The Speaker (Hon. Nduati Kariuki): Hon. Members, we shall now take a short break for about half an hour and we shall then resume; this is not an adjournment but a break. We shall resume in half an hour's time for the official opening of the Assembly.

Thank you very much.

The House rose at 11:30 a.m.