

REPUBLIC OF KENYA
MURANG'A COUNTY ASSEMBLY
THE HANSARD

Thursday, 9th March 2023.

The Assembly met at 2:51 p.m.

[The Temporary Speaker (Hon. Hanna Wairimu) in the Chair]

PRAYER

PAPER

REPORT OF WATER AND IRRIGATION ON DEPARTMENTAL WORKPLAN

Hon. Edwin Wairagu: Thank you Madam Speaker, I want to lay on the Table;-

That, the Report of the sectoral Committee on Water and Irrigation on the Departmental Work plan for the FY 2022/2023 be laid on the Table of the Assembly today Thursday, March 9 2023.

Thank you.

(Hon. Eliud Wairagu laid the Paper on the Table)

The Temporary Speaker (Hon. Hanna Wairimu): Next Order.

**REPORT OF THE TRADE, INDUSTRIALIZATION, CO-OPERATIVE
MANAGEMENT, TOURISM AND WILDLIFE COMMITTEE ON A WORKSHOP ON
MODALITIES OF PROMOTING TRADERS IN THE COUNTY**

Hon. Kabera James: Thank you Madam Speaker, I want to beg; -

That, the Report of the Trade, Industrialization, Co-operative Management, Tourism and Wildlife Committee on a workshop held from January 31, 2023 to February 2, 2023 on modalities of promoting traders in the County through trade fairs and exhibition be laid on the Table of the Assembly today Thursday, March 9, 2023.

Thank you.

The Temporary Speaker (Hon. Hanna Wairimu): Lay the Paper on the Table.

(Hon. Kabera James laid the Paper on the Table)

STATEMENTS

APPROVED BUSINESS FOR THE PERIOD MARCH 14, 2023 TO MARCH 16, 2023.

Hon. Morris Ngunu: Thank you Madam Speaker, I beg to issue the following Statement; that pursuant to Standing Order 46 (2) (a) the House Business and Rules Committee at its last meeting approved Business that will come before the Assembly from the week commencing Tuesday, March 14 to Thursday, March 16, 2023 as per attached program.

On March 14, morning sitting, there is a Paper on the Report Auditor General on County Revenue Fund that is the County Government of Murang'a for the year ended June 30, 2022. There is also another Paper on Report on revised pending bills and payment plan for the year ending 2022/2023. Another Paper, Report of pending Bills verification Committee that will be laid by the Chair Finance and Economic Planning Committee.

There is also a notice of a Motion: Report on the departmental work plan and proposed water projects for the year 2022/2023 to be laid by the Chair Water and Irrigation Committee.

A notice of Motion on Report on modalities of promoting traders in the County through trade fairs and exhibition. Notice of Motion; mitigation of societal moral decadence through homosexuality, a personal Motion by Hon. Elizabeth Wambui Kimorori/Wempa. Finally, there is adoption of Report on the status of County sport facilities.

Madam Speaker, on Tuesday, March 14, 2023, afternoon sitting there is a Petition for construction of an Early Childhood Education Centre (ECDE) centre at Kerito area Kangari ward to be committed by the Hon. Speaker.

There is also Paper; Murang'a County ambulance policy headed by the Chairperson Health Services Committee. There is also Papers; Report on status of community- based projects to be Tabled by the Chair Public Works, Roads and Transport Committee. There is also Papers of Report of the Auditor General on County Assembly of Murang'a for the year ended June 30, 2022, Chairperson Public Investment and Accounts Committee. Number five, there is Papers; Report of the Auditor General on County Executive of Murang'a for the year ended June 30, 2022, Chairperson Public Investment and Accounts Committee.

Number six, is notice of Motion, adoption of Report of the status of the community-based projects to be handled by the Chairperson Public Works, Roads and Transport Committee.

Madam Speaker, there is also a Motion on mitigation of societal moral decadence through homosexuality, personal Motion by Hon. Elizabeth Wambui MCA Kimorori/ Wempa Ward.

On Wednesday March 15, afternoon sitting, number one, we have Papers; Report of solid waste management in the County, Chairperson Energy, Environment, Forestry and Natural Resources Committee. Number two, we have Papers; Report on implementation status of budgeted programs for the department of Water, Irrigation and Natural Resources Committee for the year 2022/2023 as at December 31, 2022, Chairperson Committee on Implementation.

There is notice of Motion; Report on status solid waste management in the County, Chairperson Energy, Environment Forestry and Natural Resources Committee. Number four, is notice of Motion, adoption of Report on status of implementation of budgeted for the department of Water, Irrigation and Natural Resources for the year 2022/2023 as at December 31, 2022, Chairperson on Implementation.

There is Motion, adoption of the Report on status of community- based projects to be handled by Chairperson Public Works, Roads and Transport committee. Another Motion a Report on induction workshop of the Agriculture and Livestock Services Committee held in Nairobi from November 24 to December 1, 2022, Chairperson Agriculture, Livestock and Fisheries Committee.

On Thursday March 16, 2023, afternoon sitting, there is a Paper to be laid by the Chairperson Health Services Committee, a Report on a field visit undertaken at Mitumbiri health centre in Kakuzi/ Mitumbiri Ward. There is a notice of Motion on Report on a field visit undertaken at Mitumbiri health centre in Kakuzi/Mitumbiri Ward by the chairperson Health Services Committee. There is a schedule of Statement, a Statement on the approved business of the House for the week commencing April 4, 2023 to April 6, 2023. There is also a request for Statement on lack of Ambulance at Gikono dispensary, a Statement by Honourable Pauline Njeri Muchiri, a nominated MCA.

There is also a Motion by the chairperson the Water services and Irrigation Committee on adoption of a Report on the departmental work plans and proposed projects for the year 2022 to 2023 another Motion by the Chairperson Public Investment and Accounts Committee on a the Report of induction training by the Auditor General held in Hotel Waterbuck Nakuru from

December 12, 2022 to December 15, 2022, and finally, Madam Speaker, there is a notification of a short recess of the adjournment Assembly from 16th March 2023 to 4th April 2023 in accordance with the Assembly Calendar.

MOTION

NOTING THE CONTENTS OF REPORT OF THE PUBLIC INVESTMENT AND ACCOUNTS COMMITTEE ON INDUCTION WORKSHOP

Hon. Alex Ndunda: Madam Speaker, I beg to move the following Motion;-

That, this Assembly notes the contents of the Report of the Public Investment and Accounts Committee on the induction workshop held from November 22, 2022 to November 24, 2022 laid on the Table of the Assembly on March 07, 2023.

The Report is in the Members' files and I invite all the Members to go through the major issues mentioned in the Report. The Murang'a County Assembly strategic plan places capacity development at the centre of improving services delivery in this Assembly. The Public Investment and Accounts Committee recognizes that it is the major avenue through which this County Assembly executes its oversight mandate provided for in Article 185 of the Constitution and Section 8 of the County Governments Act 2012. The Committee is therefore dedicated to diligently carry out a thorough unbiased scrutiny of the financial statements of the County executive, County agencies and County investment entities in the County of Murang'a.

To realize this aspiration, the Committee has adopted a continuous learning model of operation. This is geared towards creating a vibrant oversight committee that is fully informed of the dynamics in public finance, accountability and overall system improvements to ensure prudent use of our taxes. Honourable Speaker, the Report before this House is a product of this continuous learning approach that the Committee has adopted.

Madam Speaker, upon placement of members to the Public Investments and Accounts Committee, the members underwent an induction training facilitated by consultants with vast experience in the operations of the Public Accounts and Investment Committees in the Commonwealth jurisdiction. The training was an eye-opener to the members on the best practices in executing their mandate as a committee.

Honourable Speaker, from the experiences and information gathered during the training, the Committee made the following recommendations the County Assembly should enhance the capacity of the Public Investment and Accounts Committee through capacity development, human resource and provision of designated rooms. This will be a great boost to the pursuit of continuous result-based oversight function in the Assembly. Number two, that the County Executive Committee Member (CECM) in-charge of Finance should appoint accounting officers for each county department as a statutory requirement that will apportion responsibility accordingly. This will make and improve the role of public audit as a systems improvement mechanism.

That, the County Assembly should appropriate sufficient budgetary allocations for the committees to enable them to effectively dispense their mandate. It is now my privilege to call upon one of the Committee members, Honourable Loise, to Second my Motion.

Hon. Loise Mary: Thank you Madam Speaker, I stand to second the Motion.

(Question proposed)

The Temporary Speaker (Hon. Hanna Wairimu): Honourable Members, the Floor is now open for debate. Yes, Hon. Pauline.

Hon. Pauline Njeri: Thank you Madam Speaker, I stand to support the adoption of the Report on the induction workshop of Public Investment and Accounts Committee. I wish to state that I am a new member and I am very happy to join this Committee. I feel this is where I fit best because what I know so far is that this Committee is the watchdog Committee in everything that happens in the County.

Therefore, I feel that is where I fit best. However, I highly request that the new members who have joined different Committees, I being one of them who joined the PIC/PAC Committee we can be inducted. Right now, we are discussing the Motion on induction that they went through, but. someone like me I have not been inducted, yet I am in that Committee. I would highly request and urge that this be put into consideration so that the new members who have joined different Committees can be inducted so that we can actually know what our roles are as members of the Committee are so that we can continue doing the watchdog activities in our best of our ability. Thank you, I support.

The Temporary Speaker (Hon. Hanna Wairimu): Honourable Morris.

Hon. Morris Ngunu: Thank you Madam Speaker, when Honourable Pauline stood and said she has not been inducted, I had to look at the back of the page to confirm indeed if she signed the Report. Nevertheless, it is important to note that the induction was meant to be for all members and I hope since she never attended the induction, she was never paid for the trip. Having said that, I stand to support the Motion for induction of Public Investment and Accounts Committee. Being a member of the Committee, the induction could not have come at a better time. This is one of the sensitive committees of this House. Being a watchdog Committee, it requires a lot of support from all the other Committees because they have to work hand in hand.

It is out of this induction I was able to realize that this Committee can only work within the recommendations or the grey areas raised by the Auditor General but the recommendations they have to make they have to be passed to the relevant select Committee for follow up and implementation of the recommendations from this committee. I want to urge all the members from all committees especially the chairs, that the Committee of Public Investment is joined together with all the other committees at the hip. I want to isolate one of the case where this Committee is taking up a matter on a water company.

This Committee at some point is tied to go all the way to the end, but for its mandate to be fully realized in this House, they have to work together with the Committee for Water so that some of the grey issues that have been raised, it is only the Committee for water can be able to follow it up. This Committee has to work hand in hand with the Committee of Finance; some of the recommendations they have to give the chair of Finance with his Committee has to take it up and follow it up to the end so that some of the loopholes especially in financial workflow for it to be strengthened, it has to be implemented by the relevant Committee. I therefore, support the Motion.

The Temporary Speaker (Hon. Hanna Wairimu): Honourable Wairagu.

Hon. Edwin Wairagu: Thank you Madam Speaker, I stand to support the Motion; however, I would like to be guided whether Honourable from Rwathia ward, is properly dressed. I need to be guided whether he is in order to be in the House the way he is, before I proceed.

(Hon. Morris Ngunu rose on a point of order)

Hon. Morris Ngunu: Thank you Madam Speaker, I may not quote the Standing Order but I can stand for member for Rwathia, he just came from the gym therefore he is properly dressed.

Hon. Edwin Wairagu: Thank you Madam Speaker, then it appears that everybody when I go to gym I can come with my tracksuit and this is a House of decorum. My point of view is, it is not in order for Chief Whip to support honourable member from Rwathia knowing very well if he is from gym, he has not taken a shower, I would presume so.....*(laughter)*..... All what I am saying is this, if honourable Rwathia is coming from gym he is not properly dressed. Therefore, allow me to vacate from this seat to go to another seat because I may not stand the odour but anyway it is good.

However, I stand to support the Motion but there are some clarifications that the chair would clarify to me. Section 3, although the document is not numbered, so it is very difficult for me to refer which page, but I can say section three, then I jump to section number five. I will say this, we have been told and we know for sure that the PIC/PAC Committee is the watch dog, even what they have written here. But I would want to know whether they are able to follow up those Members because watchdog means that you watchdog everywhere. You are like a watchman. That is my understanding. And therefore, they should know, these Chairmen of these Committees, do they attend their Committees? Do the Members attend the Committees because as it is now, consecutively, if you do not attend four consecutive meetings as what actually they have written here, failure to attend meetings, it is good for you to note that, if a Member fails to attend four consecutive sittings of a Committee without the written permission of the Chairperson of the Committee, some actions shall be taken.

Madam Speaker, I need to be advised or told whether they have watchdogged, they have been good watchmen to these 10 or five Committees, whether Members attend, whether there is that consequence, whether there is that representation, whether there is that oversight the Members do because that is our work. Therefore, if they call them watchdog, let them be watchdog and advise us whether Members do and if they have done that, what are the probable actions. What actions have they taken, because since the time we were sworn in I tend to think that there are Members who have consecutively missed meetings for over four times. So, perhaps he can advise that through your guidance.

The Temporary Speaker (Hon. Hanna Wairimu): Okay, point noted. The Chairperson will answer for you later. Another person to contribute. Yes, Hon. Kibaiya.

Hon. John Ngugi: Madam Speaker, I rise to support Motion and I want to acknowledge that I was a Member of that Committee though I never attended any meetings, not that I did not want to but my Committee Finance falls in the same cluster as the PIC/PAC and I would like to thank the Leader of Majority (LOM) for noting that anomaly and correcting it.

(Hon. Grace Nduta rose on a point of order)

The Temporary Speaker (Hon. Hanna Wairimu): Point of Order?

Hon. Grace Nduta: Thank you Madam Speaker, I am just asking if it is in order for Member for Gatanga to address this House with his hands in his pocket.

Hon. John Ngugi: Madam Speaker, I would like the gentlelady to provide evidence that indeed I was pocketing. Suffice to say the Hon. Ndunda is probably the only watchdog in that Committee because, that Committee, generally, should be assigned to Members of the opposition and the Hon. Ndunda is the only Member of opposition in this House. So, I do not know how effective his Committee is but I know the Hon. Member is equal to the task.

Madam Speaker, the PIC/PAC is very integral in the running of the Assembly and, indeed, the Executive because they are the ones who are supposed to detect anomalies in the system, the bottlenecks in the system, they are the ones supposed to identify systemic failures and actually, they are supposed to advise in subsequent budget making processes so that we can fix and amend those things that are not right as it has been expressed by the Member for Gitugi.

So, I recognize that the Committee Members, some of them are alluding that they are new, not well inducted but I am beseeching the Committee Members of the PIC/PAC to take their jobs seriously because if they did, they will really help the sectoral Committees to do their jobs properly and also to fix some of the systemic problems that we have. Right now, we are in the budget making process and if the PIC/PAC were done with looking at the previous year budgets, maybe they would have given us recommendations that would have helped us or that would have made this budget making process for this session smoother than probably it will be. So, I support that they should be inducted further and I beseech that, as the Member for Gitugi, and I keep repeating

that alluded, they take their job seriously because if they did there would be some consequences to some of the things that already have happened. Thank you, Madam Speaker.

The Temporary Speaker (Hon. Hanna Wairimu): Hon. Mirara.

Hon. Moses Musa: Honourable Speaker, I stand here to support this document and I am looking at the recommendations and these people are just asking to be facilitated so that they may not be disenfranchised in terms of what they are intending to do. And I stand with them to make the correct implications regarding to what the Committee intends to do. Thank you.

The Temporary Speaker (Hon. Hanna Wairimu): Hon. Mwangi, Nginda ward.

Hon. John Mwangi: Thank you Madam Speaker, I stand to support and I have just one recommendation I would like to add, because of Hon. Pauline nominated member from Nginda, I may request the induction be done twice per year or twice in between when we enter the office and induction be done away from Murang'a County, it may be done at Mombasa or away like Nakuru. Thank you.

The Temporary Speaker (Hon. Hanna Wairimu): I call now the mover to respond.

Hon. Ndunda Makau: Thank you Madam Speaker, again for giving me this opportunity to respond. Madam Speaker, let me take this opportunity to thank all the Members that have contributed to this Motion. I know there are some queries which need to be answered. I will start with the induction of Members which was raised by Hon. Pauline. It is true there is need for induction and as a Chair of Committee, I know that recently I was added some new members in the Committee who were not inducted and there is a need for them to be inducted. This was caused by a situation whereby when we were doing this placement, I being one of the members of select Committee, we were not aware that some of the Members would be elected as Chairs and so this affected because all the Members who were in my Committee, they were also in the Budget Committee which is in the same cluster and they meet in the same time, so there was that reshuffle. That is the time these new four Honourable Members were handed to my Committee so there is a plan for them to be inducted.

Madam Speaker, responding to the Hon. Morris, I want to thank your contribution towards the Committee, you are one of the Members and going to the issue raised by Hon. Wairagu, I would like to inform you that the PIC/PAC Committee, this is a Committee that deals with Auditors Reports only so we cannot go down investigating who is not signing the registers in the

Assembly. I would like to read our mandate so that you can understand and also any other Member. The mandate of this Committee is scrutiny of the financial statements of the County Executive, County agencies and the County investment entities in the County of Murang'a. I know we are mandated to audit this Assembly but it is only the financial statements. Soon we are going to ask for the Auditors Reports for the Murang'a County Assembly and I don't think in any way we are going to capture any absenteeism in this because it is only the financial matters that are captured in these reports.

Madam Speaker, I would like to inform Hon. Wairagu that there is the House Business and Rules Committee which can work on this and also, we have the Powers and Privileges, it is also a Committee that can discipline Members who are not doing their work as it is expected.

Hon. Kibaiya has also raised a concern that this Committee can help the Finance Committee and department when it comes to budget making. It is true, I agree with you because all the budget reports or the budget is prepared by the executive. I want to assure you in the next few days because I have seen the calendar of the Assembly whereby, we are going to Table the executive Report which captures everything including all these budgets. So you are welcome in the Committee when we are perusing these executive audit reports so that we can see whether they have adhered to the budget estimates, the CIDP, the ADP and all the rest. You are welcome.

Honourable Speaker, let me take this opportunity again to thank those members who have contributed and also urge them to pass this Motion. Thank you, Madam Speaker.

(Question put and agreed to)

ADJOURNMENT

The Temporary Speaker (Hon. Hanna Wairimu): Honourable Members there being no other Business, this House now stands adjourned until Tuesday, March 14, 2023 at 9:30 a.m.

The Assembly rose at 3:31 p.m.