

MURANG'A COUNTY ASSEMBLY THE HANSARD

Wednesday, 15th July, 2015

The House met at 3:10 p.m.

(The Deputy Speaker Hon. Gachui Mungai in the Chair)

PRAYERS

PAPERS

REPORT OF THE DELEGATED COUNTY LEGISLATION COMMITTEE ON THE REVIEW OF THE ALCOHOLIC DRINKS CONTROL LICENSING REGULATIONS

Hon. Bernard Kariuki: Thank you Mr. Speaker, I beg to lay the following paper on the table of the Assembly;-

Report of the Delegated County Legislation committee on the review of the Alcoholic Drinks Control Licensing Regulations.

(Hon. Bernard Kariuki laid the paper on the table)

Thank you Mr. Speaker sir.

Hon. Deputy Speaker: Next order.

NOTICES OF MOTION

ADOPTION OF REPORT OF DELEGATED COUNTY LEGISLATION COMMITTEE ON THE REVIEW OF THE ALCOHOLIC DRINKS CONTROL LICENSING REGULATIONS

Hon. Bernard Kariuki: Thank you Mr. Speaker, I beg to give notice of the following motion;-

That, this Assembly adopts the report of the Delegated County Legislation committee on the review of the Alcoholic Drinks Control Licensing Regulations.

Thank you Mr. Speaker.

STATEMENTS

IRURI DISPENSARY AND MARAGUA MORTUARY

Hon. Boniface Njihia: Thank you Hon. Speaker, I am the chair of the Health committee and I stand to respond to a statement that was asked by Hon. Machiri concerning Iruri dispensary. We factored money for Iruri dispensary in this financial year's budget which this Assembly passed, it is now left to the County Executive Member (CEC) to implement. Thank you Hon. Speaker.

Hon. Deputy Speaker: Hon. Member for Kamacharia?

Hon. Joseph Machiri: Thank you very much Mr. Speaker, first and foremost, I thank the chair of the health committee, however, the questions were not well answered because there was also an issue of the rehabilitation of the Maragua district hospital mortuary which was also incorporated in the same statement I had requested for. It was on the cooler of that mortuary, therefore, it is better that he responds to both questions.

Hon. Boniface Njihia: Thank you Hon. Speaker, I was actually responding on the findings of the committee. We are yet to get a response from the CEC and I request to be given about seven days so that I can be in a position to respond adequately.

Hon. Deputy Speaker: Are you satisfied Hon. Member for Kamacharia?

Hon. Joseph Machiri: I am not yet satisfied because we had factored about Kshs. 5 million for Iruri dispensary and Kshs. 5 million for the cooler of the Maragua mortuary.

Where did that money go because it had been budgeted for? If we are to give him seven days for him to respond comprehensively, I will be a very happy person. Thank you.

Hon. Deputy Speaker: Hon. chair for health

Hon. Boniface Njihia: I will respond within the seven days.

Hon. Deputy Speaker: Next order

ENCROACHMENT OF ACCESS ROAD TO KAMUNE ACROSS NDURUMO TO THE RIAKABIRU TEA FACTORY IN MATHIOYA SUB-COUNTY

Hon. Eliud Gitau: Thank you Mr. Speaker, this is a response to a statement that was requested by Hon. Joseph Kimani Machiri who represents Kamacharia ward. He wanted to know if we are aware of the encroachment of the access road to Kamune across Ndurumo to the Riakabiru tea factory in Mathioya sub-county. I want to respond the statement just as received from the CEC:-

1. We are aware that the said access road has been encroached thus hindering direct access to the Riakabiru tea factory.
2. We have already requested the Ministry of Land, Housing and Physical Planning to carry out survey work to enable us estimate the quantities, scope of work and hence the cost necessary to carry out the work.

We are requesting the Hon. Member for Kamacharia to give us another 14 days to finalise this exercise. Thank you Mr. Speaker.

Hon. Deputy Speaker: The Hon. Member for Kamacharia.

Hon. Joseph Machiri: Thank you very much Mr. Speaker, I thank the chair for Public Works, Roads and Transport committee for that response. I however want to state categorically that it is of essence for him and the CEC concerned to visit the site and see the agony the people of Kamacharia are undergoing. Thank you.

MOTIONS

ADOPTION OF REPORT OF THE COMMITTEE ON IMPLEMENTATION ON THE IMPLEMENTATION STATUS OF THE RESOLUTIONS ADOPTED BY THE ASSEMBLY FOR THE DEPARTMENT OF LANDS, HOUSING, PLANNING AND SETTLEMENT.

Hon. Charles Karina: Mr. Speaker, I beg to move the following motion:-

That, this Assembly adopts the report of the committee on Implementation on the implementation status of the resolutions adopted by the Assembly for the Department of Lands, Housing, Planning and Settlement.

On behalf of the committee on Implementation, it is my pleasure and duty to present this report to the County Assembly. The report encompasses various resolutions passed by this Assembly. Since the inception of this Assembly, this committee has been devoted to following up with the relevant CEC Members on the levels of implementation on various resolutions passed by this Assembly.

The Department of Lands, Housing and Physical Planning was faced by numerous challenges during its first year of operation, including the lack of a CEC, Chief Officer, and other various professionals who would have ensured that various resolutions passed by the Assembly pertaining to the department were being implemented.

Mr. Speaker, there was also the challenge of inadequate funding for the department; thus resulting to low levels of implementation on various resolutions. In this regard, this committee invited the CEC Member for Lands, Housing and Physical Planning for two days. During the meetings, the CEC Member responded to about 17 adopted resolutions by the

Assembly. If you allow me, I will touch on the various reports for members to get the information.

The first report was on the visit to the squatters of Gachagi One farm in Ithanga and Muthanga farm in Kambiti. The CEC Member informed the committee that settling of squatters was the mandate of the national government, the county government had no land to settle them since the Transition Authority (TA) had not finalised the identification of land and liabilities. She also indicated that she had written a letter to the Ministry of Lands, Housing and Urban Development in Athi House requesting them to act on the matter. The only activity the county government was to undertake was to identify squatters and establish why Gachagi One in Ithanga ward and Muthanga farm in Kambiti ward agreements had not been settled for the squatters. The CEC Member also cited that there were financial constraints in undertaking that exercise.

The other report was on the visit to Ng'araria shopping centre that was adopted by this Assembly on 1st April 2014. The CEC informed the committee that there was an intense problem of encroached roads in Ng'araria shopping centre. The next course action by the CEC was to demolish the buildings along the encroached road to pave way for access roads. The CEC informed the committee that the level of implementation of that resolution was at 10% as the identification of the buildings to be demolished had already been done. The CEC Member indicated that full implementation of the recommendation would take effect by the month of October.

There was also the motion that was adopted on the Murang'a County Integrated Regional Development Proposal and the Strategic Plan Proposal for Urban Centres in Murang'a County. That motion was adopted by this House on 30th April 2014. The CEC Member informed the committee that, for a town to qualify for the cited plans, it should have a population of 2,000 people and above. The CEC Member cited that there was hindrance in implementation of the proposal since there were no adequate staff, such as physical planners, to undertake exercises such as development control. Another challenge was that the departmental budget of Kshs 350million had been slashed down to Kshs 58 million; thus difficult to implement the two proposals as the amount was inadequate. Therefore, the level of implementation of that proposal was rated at 20% for Kiharu estate and 5% for Kandara town.

There was also the motion by Hon. Kago that was adopted by this House on land banking. The CEC Member said that she had developed a policy but indicated that there was the challenge of lack of funds to identify land that the county government can acquire. In spite of the fact that there was a budgetary allocation for land banking in the financial year 2014/2015 of Kshs 200 million, but that money was being managed by the Finance and Planning department. The money was supposed to be referred back to the department of Lands, Housing and Physical Planning. The CEC Member informed the committee that the level of implementation of that resolution was about 0%.

The other report was on a visit at Karinga village in Kinyona that was adopted by this Assembly on 10th June 2014. The recommendation of the report by the CEC Member was that the implementation would be undertaken after a period of two months as the county government had only hired two physical planners and also owing to the fact that the fund would be provided in the budget of the financial year 2015/2016. The CEC Member said that the level of implementation of that resolution was at 0%.

There was also the report on the vetting of James Mitambo as the Chief Officer for the Lands, Housing and Physical Planning department that was adopted by this Assembly on 16th July 2014. The CEC Member informed the committee that James Mitambo declined the offer of the position of the Chief Officer, despite being approved by the County Assembly---

Hon. Deputy Speaker: Order! Hon. member, you are reading a speech

Hon. Charles Karina: Mr. Speaker, I asked for your indulgence from the beginning because this is a response that is touching on so many areas of the whole county. As you are aware, there have been issues of lands in the whole county. I am therefore---

Hon. Deputy Speaker: Hon. member, you should not read a speech but the Chair has allowed you to extract some parts of the report, as is provided for in our standing orders.

Hon. Charles Karina: Thank you Mr. Speaker, I will do so. The other report was on Manjuu in Gaichanjiru ward that was adopted on 28th July 2014. There was also the report on Kagundu-ini ward that was adopted by this Assembly on 30th July 2014. There was then the report on the scrutiny exercise of Kandara plots owners documents.

Mr. Speaker, as I stated earlier and as you are also aware, this department has been facing the shortage of staff; hence hindering it from implementing most of the adopted motions and resolutions of this Assembly. This committee came up with the following recommendations:-

1. That the CEC Member for Finance and Economic Planning considers additional allocation to the department of Lands, Housing and Physical Planning during the Supplementary Budget. This will help facilitate the undertaking of the implementation of the various resolutions passed by the Assembly and other activities in the county. This recommendation was informed by the fact that the CEC Member for Lands, Housing and Physical Planning cited budgetary constraint as a major hindrance toward the implementation of the various resolutions passed by the Assembly.
2. The CEC Member for Lands, Housing and Physical Planning should develop various policies such as in planning, land banking, and public land mapping that will guide the implementation of various resolutions by the Assembly.
3. The County Public Service Board should expedite on hiring of the Chief Officer for the department of Lands, Housing and Physical Planning who will aid in offering professional and technical advice to the department to guide in the performance of various critical activities, such as re-planning various towns in the county

(Hon. Duncan Njuguna rose on a point of order)

Hon. Duncan Njuguna: On a point of order Mr. Speaker

Hon. Deputy Speaker: Yes, Hon. Duncan?

(Hon. Charles Karina remained standing)

Hon. Deputy Speaker: Resume your seat, Hon. Member for Township

(Hon. Charles Karina resumed his seat)

Hon. Duncan Njuguna: Mr. Speaker, standing order 53 (b), provides that the following motions may be moved without notice: - motion for the adjournment of the Assembly or of a debate. I need your guidance because I would like to move a motion

Hon. Deputy Speaker: Order! Hon. Member, you were on a point of order and I thought that you wanted to state the order that may have been violated.

Hon. Duncan Njuguna: Mr. Speaker, it

Hon. Deputy Speaker: Order! Order, Hon. Member, you are out of order, continue, Hon. Member for Township.

Hon. Charles Karina: Thank you Mr. Speaker, I do not know why the able chair is in a hurry yet this is a report regarding his committee. I do not know whether he does not want me to inform this Assembly what we are doing

Hon. Deputy Speaker: Order! Order! Continue with the debate, Hon. Member!

Hon. Charles Karina: The CEC Member for Lands, Housing and Physical Planning should consider implementing various resolutions passed by the Assembly in phases as to eliminate zero rating levels of implementation---

Hon. Deputy Speaker: Order! Hon. Member, you are continuing to read a speech.

Hon. Charles Karina: Mr. Speaker

Hon. Deputy Speaker: Hon. Member, just resume your seat

(Hon. Charles Karina resumed his seat)

The Members of this Assembly are assumed to have this report with them, including the Chair, therefore, highlight the key issues.

Hon. Charles Karina: Mr. Speaker, I was almost through. I have memorised this report and that is why you are seeing as if I am reading somewhere.

(Laughter)

Finally, this committee has taken measures due to the problem that we have been having with the CEC Members. We recommend that this Assembly acts on those CEC Members who are not submitting reports to this Assembly. We have, however, noted the problems which the department of Lands, Housing and Physical Planning has been encountering, especially due to lack of staff. I urge the Hon. Members to adopt this motion and I call upon my able vice-chair to second this motion, thank you Mr. Speaker.

Hon. Esther Nyakio: Mr. Speaker, I stand to second this motion, thank you Mr. Speaker.

(Question proposed)

Hon. Deputy Speaker: Yes, Hon. Member for Kangari.

Hon. Anderson Muchemi: Mr. Speaker, I stand to neither oppose nor support this motion, pursuant to standing order 96 (1), and 53 (b), I move that the debate be adjourned to allow members debate the business on the supplementary order paper.

(Applause)

Hon. Deputy Speaker: Hon. members, it is the prerogative of the Chair to make a ruling on that. I rule that we continue with the debate. We are, however, going to limit the number of the members who are going to debate this motion. What is it Hon. member for Kariara?

Hon. David Muhoro: Thank you Mr. Speaker for your ruling, I actually stand to oppose this motion with the strongest words. I make a wakeup call to the committee on Implementation, we have seen the chairman struggle to move this motion because what he has presented to this House a statement of what has been asked; rather than the level of implementation the Executive has done on the resolutions adopted by this House. We are very discouraged because this committee is asleep. The committee has not been following to see to it that the motions and Acts we pass in this House are implemented.

Mr. Speaker, I challenge the chairman of this committee and the rest of the members to start working and ensure that the motions adopted by this House are implemented. They should be given a week for induction for them to exactly, know what is expected of them. We are also very discouraged with the department of Lands, Housing and Physical Planning. This

motion should not be accepted and this committee should be warned to, never again, bring such shoddy motions to this House, thank you.

Hon. Deputy Speaker: Hon. Member for Kinyona.

Hon. Charles Kirigwi: Thank you Mr. Speaker, I rise to support the motion and I must say that I am a member of the Budget and Appropriations committee and I saw quite a large amount of money allocated for the department of Lands, Housing and Physical Planning in this financial year's budget. Secondly, from the report and from what the chair has said, I find that the CEC is not realistic, she has committed to implement all these projects, yet most of them are almost at the level of 0%, except the one at 100% and the other one 50%. She has committed to do all these projects within two months and I do not think that is realistic.

If she is true to her words, she will finish within the two months she has purported on paper. However, I expect the chair for Land, Housing, Physical Planning and Settlement committee to bring to this Assembly a censure motion if the same is not implemented as per her commitment. We understand that the department has not had a CEC for some time. For the benefit of doubt, I will urge members that we adopt this motion and we give her timelines, if she will not have accomplished what she has put on paper within the first six months of this financial year, the next course of action is well stipulated by the law.

I think she would score zero if we were to rate her by the level of implementation of the adopted resolutions so far. She, however, came in late and we should therefore understand her for now. I urge members to look at it in the manner in which I am looking at it, thank you Mr. Speaker.

Hon. Deputy Speaker: Hon. Member for Kangari.

Hon. Anderson Muchemi: Thank you Mr. Speaker, I stand to support the motion and I am sure that Hon. Muhoro has not read the report because he has said that we do not know what we are doing. If you go to the report, we have stated the level of implementation for every motion. We have...

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

Hon. Charles Kirigwi: On a point of order Mr. Speaker, is it in order for Hon. Muchemi to respond as if he is the mover of the motion?

Hon. Deputy Speaker: He is not responding, the Hon. member is contributing by just quoting another member.

Hon. Anderson Muchemi: Thank you Mr. Speaker, I was saying that we have at least reported to this Assembly what the Executive has been doing by indicating the level of implementation of each resolution adopted by this House. We do not do implement; we follow what they are doing. We have now informed this Assembly the level of every business we have adopted here in relation to the department of Lands, Housing and Physical Planning.

Mr. Speaker, unless we give this department enough money, it will not be possible for the CEC Member to implement the requests made by the Hon. members. I therefore support this motion and urge all the members to support it so that we can proceed to the next agenda, thank you Mr. Speaker.

Hon. Deputy Speaker: Hon. Member for Gitugi.

Hon. Duncan Njuguna: Thank you Mr. Speaker, I am the chairman of Lands, Housing, Physical Planning and Settlement committee and I rise to support this motion. As per the six recommendations, including the first one on the budget issue, we are having a problem. It was through the Budget and Appropriation committee that we managed to be added Kshs 50 million to total to Kshs 108 million for the development of the projects that we have started.

It is true that we started with the settlement of the squatters and I thank this Hon. House because we did approve the appointment of the County Land Management Board which is a representative of the National Land Commission which is supposed to do that work. In actual fact, the department is not even supposed to do that; it is the County Lands Management Board that is supposed to settle the squatters.

It was in the month of June this year when they advertised for some few positions to be filled, among them the chief officer. So far, we have approved two appointed chief officers in this House, however, both of them did not report to work. It is therefore true that we are having inadequate staff. The physical planners, surveyors and the valuers are the next level after the CEC. We are also having the challenge of the structure in that department.

On the issues of the implementation of the motions that we have passed, the CEC requested to be given two months and with the budget of the financial year 2015/2016, I know that she will be in a position to implement them. She will also manage to re-plan most of the centres and we will have safe towns devoid of slums. I therefore support and add that we should support this department when the Supplementary Budget comes by adding more funds to help in the implementation of the adopted reports, thank you Mr. Speaker.

Hon. Deputy Speaker: Hon. Catherine.

Hon. Catherine Mugo: Thank you Mr. Speaker, I rise to oppose this report because, being a member of the Lands, Housing, Physical Planning and Settlement committee, I have looked at the report. I do not actually blame the CEC because she came late in the day. I personally feel that the county government has not been taking the land matters that are affecting our county seriously.

It is now 2½ years since we came to the County Assembly yet we are still complaining about the lack of staff and I feel that this is not an excuse to the citizens of our county. I do not know what we will tell them if, 2½ years later, we are still complaining that we have no chief officer or enough staff for a department that is very significant for our county. The department is critical because it deals with land matters.

On my part, and from what I have seen, I would say that they are at 20%. We visited Ng'araria ward sometime back and the recommendations that were made do not really need a lot of finances to be implemented. As much as I know that the Implementation committee does not have the mandate to implement, I feel that they ought to have pushed the county government and ensure adequate implementation of the adopted resolutions. I therefore oppose the report.

Hon. Deputy Speaker: Hon. Member for Mugoiri.

Hon. Kago Njoroje: Thank you Mr. Speaker, I stand to support the motion because everybody is aware that the department of Lands, Housing and Settlement in Murang'a county had no CEC in place for 1½ years. We vetted and approved the CEC just the other day and she has not worked for more than six months. Immediately she came in, she began making structures on how we can have human resource in place. Since then, she has managed to talk to the County Public Service Board to recruit professionals who will work in that department.

Mr. Speaker, we are therefore very sure that the department has already implemented at least, 20%. We know that we have not been allocating enough money for this department. Most of its budget has been under the department of Finance and Economic Planning and the CEC for Finance has not been keen on whatever has been happening. When the budget was under the department of Finance, the workings were under the department of Transport and Infrastructure. It was therefore very difficult to implement some of these things. The chairman has brought a very good report on exactly what is supposed to happen. It is now the work of the committee to know how they are going to act on whatever we have been told.

I urge members that we pass this motion so that we can question if they fail to implement. The committee can take up such questions. If we throw this report out, it will mean that no committee will have the base to question if the Executive fails to implement. Therefore, I agree with what the chairman has said and all the other members who have supported this report. We now have a budget of about Kshs 108million for this department. Bearing in mind that we only had Kshs 10 million in last year's budget, we could not be in a position to employ not even one professional, such as a surveyor or physical planner. Late last year, we put in place the County Lands Management Board that will work hand in hand with the CEC; hence be in a position to implement what we pass in this Assembly.

I support this good motion and I wish each department copies what this CEC has done and forward reports on what they have implemented so far. I am happy to see a CEC bring a report. I also saw the CEC in charge of Finance forward a report, but I have never seen reports from the rest. I am worried because there is a CEC who has stayed there for two years who we rated to having scored zero, yet, six months down the line, this CEC has compiled a report and has also worked on some of the resolutions we have adopted. I am therefore very grateful with this CEC. If she can be given enough man-power and a good budget, she is going to take this county where we need it to be. I support.

Hon. Deputy Speaker: Hon. Members, I can read the mood of the House and I want the mover to respond. We have very serious business ahead of us and everybody is eager to participate.

Hon. Charles Karina: Thank you Mr. Speaker, I thank the members for the way they have contributed to this motion. I however urge them to go and read the mandate of this committee because I have realised that any moment I stand before this House with a report informing them on the implementation level of the resolutions adopted by this House, they seem to assume that I am the implementer. The content of this motion is exactly what is on the ground and

Hon. Deputy Speaker: Hon. member, you want to continue debating? Respond.

Hon. Charles Karina: Mr. Speaker, I am just responding to the same because the content of this report reflects exactly what is on the ground. This committee put in a lot of effort to ensure that

Hon. Deputy Speaker: Order! Order! Hon. member, respond to the members' concerns and contributions.

Hon. Charles Karina: Mr. Speaker, I urge members to support this motion.

(Laughter)

(Question put and agreed to)

MURANG'A COUNTY APPROPRIATION BILL (BILL NO.5 OF 2015)

(Hon. Gachui Mungai left the Chair)

(First Chair Hon. Bernard Kariuki presiding)

COMMITTEE OF THE WHOLE HOUSE

(Order for the Committee read)

First Chair: Hon. members, you may resume your seats. We are in the Committee of the Whole House to consider the proposed amendments by the Hon. Governor on the Murang'a County Appropriation Bill No.5 of 2015.

The Hon. Governor has proposed three amendments to the Bill which we are going to consider independent of each other and the voting will be by roll call, therefore, every

member will vote by saying if he or she votes yes or no or abstain. The amendments are going to be moved by the Hon. Leader of Majority.

At this juncture, I request the Hon. Chief Whip to give us the two tellers, one teller will be for the Ayes while the other one will be for the Nays.

Hon. David Kabaka: Thank you Chairman, I give that role to Hon. David Muhoro for the Nays and Hon. Martin Mwangi for the Ayes.

First Chair: Can the tellers be near the Chair.

(Hon. David Muhoro and Hon. Martin Mwangi joined the Chairman at the Table)

First Chair: Hon. members, I want to, briefly, explain to you because this is the first time we are doing role call division. As I said earlier, the Governor has proposed amendments to the Murang'a County Appropriation Bill No.5 of 2015. If you vote yes, you will be agreeing with the proposed amendments and if you vote no, you will be rejecting the proposed amendments. I hope we are clear

CLAUSE TWO

(Question on the amendment proposed)

Hon. Peter Kihungi: Thank you Mr. Chairman, the amendment recommended by the Governor to the Murang'a County Appropriation Bill no.5 of 2015 indicates that the Assembly completely distorted the submitted Budget Estimates and created an entirely new budget. Therefore, the Executive is not able to approve the new budget emanating from the Assembly; hence the Assembly should do the necessary adjustments and revert.

Mr. Chairman, I read some disrespect to the Assembly in this statement. The Assembly did not distort the budget; it amended the budget. There is also misinformation because the Assembly did not create an entirely new budget; the Assembly reviewed and made the necessary amendments within the law. Therefore, those are issues I want to clear for the respect of this Assembly, thank you Mr. Chairman.

(Question put that Clause Two as amended be part of the Bill)

As I said earlier, we are going to vote by roll call. We are going to use the alphabetical order in calling out the names. Your name will be called out and you will say, 'I vote yes' if you agree with the amendments and you will say 'I vote no' if you reject the amendments.

First Chair: Hon. members, pursuant to standing orders number 73, I request that the bell be rung for ten minutes pending division.

(Division bell rung)

I now order the Serjeant- At- Arms to close the door.

(ROLL CALL VOTING)

Member	Yes	No	Abstain	Absent
1. Hon. Agnes Ndunge Mutwiwa		No		
2. Hon. Anderson Muchemi Waweru		No		
3. Hon. Bernard Wanyoike Kariuki		No		
4. Hon. Beth Wanjiku Ngugi		No		
5. Hon. Boniface Njihia Mbogo		No		
6. Hon. Caroline Wairimu Njoroge		No		

7. Hon. Catherine Wairimu Mugo	No	
8. Hon. Cecilia Wanjiku Gitu	No	
9. Hon. Charity Wangui	No	
10. Hon. Charles Mwangi Kirigwi	No	
11. Hon. Charles Mwaniki Karina	No	
12. Hon. Danson Mburu Muchoki	No	
13. Hon. David Kabaka	No	
14. Hon. David Muhoro Njeri	No	
15. Hon. Duncan Mwangi Njuguna	No	
16. Hon. Eliud Gitau Kabuthi	No	
17. Hon. Erick Kamande Kimani	No	
18. Hon. Esther Nyakio Munywoki	No	
19. Hon. Esther Wanjiru Ngugi	No	
20. Hon. Francis Kamande	No	
21. Hon. Isaac Kamote	No	
22. Hon. James Benson Kagoni	No	
23. Hon. James Kariuki Ngugi	No	
24. Hon. James Njoroge Kariuki	No	
25. Hon. Jane Wanjiku Ndegwa	No	
26. Hon. Jesse Mburu Gitau		Absent
27. Hon. John Kiarie Ngugi	No	
28. Hon. John Njoroge Gitau	No	
29. Hon. Joseph Kimani Gitau	No	
30. Hon. Joseph Kimani Machiri:	No	
31. Hon. Joseph Ndung'u Muchina	No	
32. Hon. Joseph Ndung'u Njogu	No	
33. Hon. Joseph Njoroge Mwangi	No	
34. Hon. Julius Maina Kimani	No	
35. Hon. Lucy Wangechi Njoroge	No	
36. Hon. Martin Mwangi Macharia	No	
37. Hon. Mary Waithira Njoroge	No	
38. Hon. Mary Watiri Kariuki	No	
39. Hon. Moses Gachui Mungai	No	
40. Hon. Njogu Peter Kariuki		Absent
41. Hon. Peter Irungu Kihungi	No	
42. Hon. Peter Muriigi Ngugi	No	
43. Hon. Peter Mweri Maina	No	
44. Hon. Rebecca Mwicigi	No	
45. Hon. Rosemary Wakuthii Njiine	No	
46. Hon. Samson Kago Njoroge	No	
47. Hon. Samuel Wandia		Absent
48. Hon. Samuel Ndehi Mwangi	No	
49. Hon. Wangechi Florence Nyambura	No	

First Chair: Hon. members, I am going to announce the results for that division, the Yes to the question zero the Nays to the question 46. The Nays have it

(Applause)

*Second Schedule**(Question proposed that Vote D-02 of the Second Schedule be part of the Bill)*

Hon. Peter Kihungi: Thank you Mr. Chairman, I propose that, in Vote D-02 Capital and Development expenditure for Murang'a County Assembly, Vote 072300 General administration, planning support services, over Kshs. 250 million was allocated cumulatively to provide Car and Mortgages loans to members.

I wish to clarify here because I am the Vice-Chair Murang'a County Assembly Service Board which is mandated to make the budget of the Assembly and I want to say that Kshs. 250 million is erroneous. They got the breakdown clearly as a board we had a refurbishment project which we had already contracted contractor, the executive did not release the money in time under the practice of budget we were force to re-budget for the refurbishment whereby the contractor is already on site. They did not release the money released by the controller of the budget for the project to the assembly I do not know how the money was spent.

Therefore to avoid cases with the contractor who is taking the project we reallocated the money. We have 100 million for the refurbishment which is already on going which is a re-budgeting as the executive did not release the money be June.

We had a budget for gratuity whereby the money was not also released and we had to re-budget for it in this financial year therefore Kshs. 50 million is for gratuity. The consideration we have done where we will distribute our money annually is only Kshs. 100 million for car loan and mortgage. I wanted to put that clarification as the vice-chair of the County Assembly Service Board.

(Question put that Vote D-02 of the Second Schedule as amended be part of the Bill)

First Chair: Hon. members, as I said before we are going to use the same procedure. If you agree with the ammendments you say 'I vote yes' if you reject you say 'I vote no' I hope we are clear on that, so we are going to repeat the same.

(ROLL CALL VOTING)

Member	Yes	No	Abstain	Absent
1. Hon. Agnes Ndunge Mutwiwa		No		
2. Hon. Anderson Muchemi Waweru		No		
3. Hon. Bernard Wanyoike Kariuki		No		
4. Hon. Beth Wanjiku Ngugi		No		
5. Hon. Boniface Njihia Mbogo		No		
6. Hon. Caroline Wairimu Njoroge		No		
7. Hon. Catherine Wairimu Mugo		No		
8. Hon. Cecilia Wanjiku Gitu		No		
9. Hon. Charity Wangui		No		
10. Hon. Charles Mwangi Kirigwi		No		
11. Hon. Charles Mwaniki Karina		No		
12. Hon. Danson Mburu Muchoki		No		
13. Hon. David Kabaka		No		
14. Hon. David Muhoro Njeri		No		
15. Hon. Duncan Mwangi Njuguna		No		
16. Hon. Eliud Gitau Kabuthi		No		
17. Hon. Erick Kamande Kimani		No		

18 Hon. Esther Nyakio Munywoki	No	
19 Hon. Esther Wanjiru Ngugi	No	
20 Hon. Francis Kamande	No	
21 Hon. Isaac Kamote	No	
22 Hon. James Benson Kagoni	No	
23 Hon. James Kariuki Ngugi	No	
24 Hon. James Njoroge Kariuki	No	
25 Hon. Jane Wanjiku Ndegwa	No	
26 Hon. Jesse Mburu Gitau		Absent
27 Hon. John Kiarie Ngugi	No	
28 Hon. John Njoroge Gitau	No	
29 Hon. Joseph Kimani Gitau	No	
30 Hon. Joseph Kimani Machiri:	No	
31 Hon. Joseph Ndung'u Muchina	No	
32 Hon. Joseph Ndung'u Njogu	No	
33 Hon. Joseph Njoroge Mwangi	No	
34 Hon. Julius Maina Kimani	No	
35 Hon. Lucy Wangechi Njoroge	No	
36 Hon. Martin Mwangi Macharia	No	
37 Hon. Mary Waithira Njoroge	No	
38 Hon. Mary Watiri Kariuki	No	
39 Hon. Moses Gachui Mungai	No	
40 Hon. Njogu Peter Kariuki		Absent
41 Hon. Peter Irungu Kihungi	No	
42 Hon. Peter Murigi Ngugi	No	
43 Hon. Peter Mweri Maina	No	
44 Hon. Rebecca Mwicigi	No	
45 Hon. Rosemary Wakuthii Njiine	No	
46 Hon. Samson Kago Njoroge	No	
47 Hon. Samuel Wandia		Absent
48 Hon. Samuel Ndehi Mwangi	No	
49 Hon. Wangechi Florence Nyambura	No	

First Chair: Hon. members I am going to read the results of the division. The Ayes are zero the nays 46, the nays have it.

(Applause)

Vote D-03 in the Second Schedule

(Question proposed that Vote D-03 of the Second schedule be part of the Bill)

Hon. Peter Kihungi: Thank you Mr. Chairman, I propose that under Vote D-03 (071300) an entirely new item had been introduced with an allocation of Kshs. 700 million which was not itemised as required by the budgeting principles contained in the Public Finance Management Act.

Mr. Chairman, I wish to clarify here for the aspect of the public and the media that it was not an entirely new item. It was a Ward Development Fund item where we have an Act passed by the Assembly. A fund does not need to be itemized at the initial stages its

itemization will come because it is a fund, money that has been consolidated so that the public can now say what they want the money to do.

I want to clarify for the public and media that we did not create a new item, it was a vote that is in Fiscal Strategy Paper by name it is not a new item Mr. Chairman.

(Question put that Vote D-03 of the Second Schedule as amended be part of the Bill)

First Chair: We are going to do exactly the same Hon. members, and I urge members to be within the chambers pursuant to standing order number 76(4) that during division, members shall maintain order in the Assembly and shall be in their designated seats and must remain seated until the result is announced.

And Hon. Members that is a very serious order for any member to violate, so I ask all the members to maintain order within the Assembly, thank you.

(ROLL CALL VOTING)

	Member	Yes	No	Abstain	Absent
1.	Hon. Agnes Ndunge Mutwiwa		No		
2.	Hon. Anderson Muchemi Waweru		No		
3.	Hon. Bernard Wanyoike Kariuki		No		
4.	Hon. Beth Wanjiku Ngugi		No		
5.	Hon. Boniface Njihia Mbogo		No		
6.	Hon. Caroline Wairimu Njoroge		No		
7.	Hon. Catherine Wairimu Mugo		No		
8.	Hon. Cecilia Wanjiku Gitu		No		
9.	Hon. Charity Wangui		No		
10.	Hon. Charles Mwangi Kirigwi		No		
11.	Hon. Charles Mwaniki Karina		No		
12.	Hon. Danson Mburu Muchoki		No		
13.	Hon. David Kabaka		No		
14.	Hon. David Muhoro Njeri		No		
15.	Hon. Duncan Mwangi Njuguna		No		
16.	Hon. Eliud Gitau Kabuthi		No		
17.	Hon. Erick Kamande Kimani		No		
18.	Hon. Esther Nyakio Munywoki		No		
19.	Hon. Esther Wanjiru Ngugi		No		
20.	Hon. Francis Kamande		No		
21.	Hon. Isaac Kamote		No		
22.	Hon. James Benson Kagoni		No		
23.	Hon. James Kariuki Ngugi		No		
24.	Hon. James Njoroge Kariuki		No		
25.	Hon. Jane Wanjiku Ndegwa		No		
26.	Hon. Jesse Mburu Gitau				Absent
27.	Hon. John Kiarie Ngugi		No		
28.	Hon. John Njoroge Gitau		No		
29.	Hon. Joseph Kimani Gitau		No		
30.	Hon. Joseph Kimani Machiri:		No		
31.	Hon. Joseph Ndung'u Muchina		No		
32.	Hon. Joseph Ndung'u Njogu		No		
33.	Hon. Joseph Njoroge Mwangi		No		

34. Hon. Julius Maina Kimani	No	
35. Hon. Lucy Wangechi Njoroge	No	
36. Hon. Martin Mwangi Macharia	No	
37. Hon. Mary Waithira Njoroge	No	
38. Hon. Mary Watiri Kariuki	No	
39. Hon. Moses Gachui Mungai	No	
40. Hon. Njogu Peter Kariuki		Absent
41. Hon. Peter Irungu Kihungi	No	
42. Hon. Peter Muriigi Ngugi	No	
43. Hon. Peter Mweri Maina	No	
44. Hon. Rebecca Mwicigi	No	
45. Hon. Rosemary Wakuthii Njiine	No	
46. Hon. Samson Kago Njoroge	No	
47. Hon. Samuel Wandia		Absent
48. Hon. Samuel Ndehi Mwangi	No	
49. Hon. Wangechi Florence Nyambura	No	

First Chair: Hon. members, the yes are zero, nays 46 and the nays have it.

(Applause)

Vote D-05

(Question proposed that vote D-05 of the Second Schedule be part of the Bill)

Hon. Peter Kihungi: Thank you Mr. Chairman, I propose that Vote D-05 (020200) key priority areas like road development programme have been allocated a paltry amount of Kshs. 115 million which compares most unfavourably to over Kshs. 250 million allocated cumulatively to provide car and mortgage loans to members.

Mr. Chairman, I want to clarify here because there is a lot of malice in this thing, being a member and a vice-chair to the County Assembly Service Board because this thing is coming to us as a board that we had allocated Kshs. 250 million for members' car loan and mortgages. Let me put it clearly that the executive has only two elected members and in this budget we have allocated Kshs. 50 million for the two members if that is the case. But we got a circular that the staff should also be considered and that is the concept that the executive did by allocating Kshs. 50 million.

I want to clarify again for the benefit of public and the media present that Kshs. 100 million in the Assembly development is the money that they never released when they got it from the Controller of Budget, the year has elapsed and contractor is already on site so under the principles of budget we had to reallocate the money.

Therefore, Kshs. 100 million in the development is for the on-going work whereby we were not able to pay because they have not released the money and the year has elapsed. The other Kshs. 50 million is for gratuity whereby good planning is we continually save for the members and Kshs. 100 million is considered mostly for the staff of the Assembly who are already considered in the executive because members have already taken and time is gone.

I want to clarify because this statement was to create malice. For members the critical thing in Ward Development is roads, that is why allocation of Kshs. 115 million for roads and Kshs. 700 million in Ward Development most will cater for the roads, therefore the roads are catered for. Thank you Mr. Chairman

(Question put that Vote D-05 of the Second Schedule as amended be part of the Bill).

(ROLL CALL VOTING)

	Member	Yes	No	Abstain	Absent
1.	Hon. Agnes Ndunge Mutwiwa		No		
2.	Hon. Anderson Muchemi Waweru		No		
3.	Hon. Bernard Wanyoike Kariuki		No		
4.	Hon. Beth Wanjiku Ngugi		No		
5.	Hon. Boniface Njihia Mbogo		No		
6.	Hon. Caroline Wairimu Njoroge		No		
7.	Hon. Catherine Wairimu Mugo		No		
8.	Hon. Cecilia Wanjiku Gitu		No		
9.	Hon. Charity Wangui		No		
10.	Hon. Charles Mwangi Kirigwi		No		
11.	Hon. Charles Mwaniki Karina		No		
12.	Hon. Danson Mburu Muchoki		No		
13.	Hon. David Kabaka		No		
14.	Hon. David Muhoro Njeri		No		
15.	Hon. Duncan Mwangi Njuguna		No		
16.	Hon. Eliud Gitau Kabuthi		No		
17.	Hon. Erick Kamande Kimani		No		
18.	Hon. Esther Nyakio Munywoki		No		
19.	Hon. Esther Wanjiru Ngugi		No		
20.	Hon. Francis Kamande		No		
21.	Hon. Isaac Kamote		No		
22.	Hon. James Benson Kagoni		No		
23.	Hon. James Kariuki Ngugi		No		
24.	Hon. James Njoroge Kariuki		No		
25.	Hon. Jane Wanjiku Ndegwa		No		
26.	Hon. Jesse Mburu Gitau				Absent
27.	Hon. John Kiarie Ngugi		No		
28.	Hon. John Njoroge Gitau		No		
29.	Hon. Joseph Kimani Gitau		No		
30.	Hon. Joseph Kimani Machiri:		No		
31.	Hon. Joseph Ndung'u Muchina		No		
32.	Hon. Joseph Ndung'u Njogu		No		
33.	Hon. Joseph Njoroge Mwangi		No		
34.	Hon. Julius Maina Kimani		No		
35.	Hon. Lucy Wangechi Njoroge		No		
36.	Hon. Martin Mwangi Macharia		No		
37.	Hon. Mary Waithira Njoroge		No		
38.	Hon. Mary Watiri Kariuki		No		
39.	Hon. Moses Gachui Mungai		No		
40.	Hon. Njogu Peter Kariuki				Absent
41.	Hon. Peter Irungu Kihungi		No		
42.	Hon. Peter Murigi Ngugi		No		
43.	Hon. Peter Mweri Maina		No		
44.	Hon. Rebecca Mwicigi		No		

45. Hon. Rosemary Wakuthii Njiine	No	
46. Hon. Samson Kago Njoroge	No	
47. Hon. Samuel Wandia		Absent
48. Hon. Samuel Ndehi Mwangi	No	
49. Hon. Wangechi Florence Nyambura	No	

First Chair: Hon. Members, the Ayes are zero, nays 46 and the nays have it.

(Applause)

Hon. Peter Kihungi: Thank you Mr. Chairman. I beg to move, that the Committee do report to the Assembly its consideration of the amendments recommended by The Governor to the Murang'a County Appropriation Bill No. 5 of 2015 and its approval thereof and have rejected the proposed amendments. Thank you Mr. Chairman.

First Chair: Hon. members I now put the question, which is that the Committee do report to the Assembly its consideration of amendments recommended by The Governor to the Murang'a County Appropriation Bill No. 5 of 2015 and its approval thereof and rejected the proposed amendments.

(Question agreed to)

(Hon. Bernard Kariuki left the Chair)

(Hon. Gachui in the Chair)

(Assembly Resumes)

Hon. Deputy Speaker: Order! members

Hon. Bernard Kariuki: Thank you Mr. Speaker, I beg to report that the Committee of the Whole Assembly has considered the amendments recommended by the Governor to the Murang'a County Appropriation Bill No. 5 of 2015 and its approval thereof and has rejected the proposed amendments.

The Committee of the Whole House has duly considered and looked at the proposed amendments, which the members of this august House have felt that if those amendments were carried through, the integrity, the dignity, the power of the people would have been watered down and these Hon. members in their wisdom, being the true representatives of the people have said their decision must stand and those amendments as proposed were not approved.

(Applause)

This is very important because the integrity of this House must be protected at all costs and I want to congratulate all members because this is one of my proudest days as a legislator because the power to make laws is vested in this Assembly under Article 185 of the Constitution and anybody who is doubting that would better go to court to challenge any legislation that we make.

But whether anybody goes to court and the court says our legislation is illegal that legislation will only have to start from this House. So whether anybody likes it or not, any legislation will have to come to this House and as an arm of Murang'a county government we made a decision and passed Murang'a County Appropriation Bill 2015, which we are not looking back.

The amendments that were proposed by The Governor were touching on the lives of the people. Article 176 of the Constitution requires that we must devolve the resources to most devolved unit which according to the County Governments Act 2012, is nothing other than the village unit, so we are not even supposed to take the resources to the wards but we

are supposed to take them to the villages. And that is what this Assembly wants; we do not want to be given money, we want the resources be devolved because it will be very wrong for us as a country to devolve central planning. If we get the resources from Nairobi and they come to the county to do central planning that is not the meaning of devolution. The meaning of devolution is to take resources from Nairobi so that when they come here we devolve them further to the villages.

This Assembly has spoken with one voice and I am very happy because this issue has become a unifying factor for the people of Murang'a. So, I urge the members to say a very loud yes to this question so that the people who reside up there can hear our loud voice Mr. Speaker,

(Laughter)

(Applause)

Hon. Peter Kihungi: I move the motion that the Assembly agrees with the committee on the said report. I am a member of this Assembly, I am part of the Integrity of this House and I stand to defend it.

One of the biggest problems with this is that the language that was used was disrespectful to the Assembly that represents the whole Murang'a. When the Governor says that we distorted the budget, it rules out our capacity and responsibility. We do not distort budgets, we are a parliament elected by the public, to come and make laws and respect the same laws, as an Assembly we make laws but we do not distort anything.

The contents of the letter was also untrue, it mentions another vote whereas it is clearly the Ward Development Fund cote. Mr. Speaker, you being the Chairman of the County Assembly service Board, when we say members are making 250 million and everything has been broken down clearly to the executive, how much is going to development in the refurbishment work going on in the Assembly whereas they have caused this since they failed to reallocate the money.

There is the 50 million allocated for gratuity, for continuous saving so that we will not create crisis in the last year, and even include the staff who have now qualified as per the circular that we got, the statements were also untrue and misinformed. Therefore Mr. Speaker, I stand with the Committee of the Whole House in the said report. I call Hon. Karina to second.

Hon. Charles Karina: Thank you Mr. Speaker, I stand to second.

(Question Proposed)

Hon. James Kagoni: I stand to support what the Committee of the Whole House has said. I will begin with what the Leader of Majority has said; the dignity of this House must be respected. It is bad to assume more than 50 people seated somewhere, all that they did was to distort. I think we need to be clear and united. What we do, we do not do so on our own behalf but on behalf of the members of the public.

It is important, because some of the comments recorded on the amendments proposed to this House, these members are not asking for 700 million to build mansions, the members are asking for the Ward Development Fund so that they can be able to build bridges, so that they can be able to construct nursery schools, so that they can do simple repairs in their wards, the things that they wake up every morning to. It is in order for the public to understand this, as we speak today, Murang'a will be ahead.

The member reporting on deliberations of the Committee of the Whole House has said it very clearly; we cannot move from a central government in Nairobi and then create another central government in Murang'a. We need to recognize why we have 35 wards in Murang'a,

so that the people of Kariara can be attended, so that people of Gaturi can be attended, so that people of Kiru can be attended.

If there was no need for further devolution and the Constitution and the County Governments Act 2012 goes further to even recognize the village units, how else do you assist people struggling with a certain foot bridge and their leaders are required to queue in a certain office and plead with some people to get money to attend to their own people? These are the things we are talking of.

We are delaying in development because we must queue, and this centralization is what we are killing with devolution, so that everyone can be equal in the eyes of the budget, so that they can be attended to accordingly. I am very proud because the youth from wherever they are can ask for what they need from their respective MCAs without coming to the office for support.

Hon. Deputy Speaker: Hon members as we continue to debate, I want to remind you that by the end of the day, we shall still cast our vote on roll call, so members should remain in the House, for the Chief Whip, those who are moving away should be called back. Hon. member for Kinyona

Hon. Charles Kirigwi: There is need for the executive, specifically the CEO of the county to engage a competent legal person to be his advisor on how to handle communication to the Assembly.

If you look at the memorandum sent to us, it was wanting. Looking at how memorandums are done in the National Assembly, there are no recommendations. If you look at vote B 02, you get 250 million allocated to car and mortgages so where will you take it? In vote D3 We allocated 700 million to a certain vote, the Ward Development Fund. A memorandum is not submitted this way.

If you allow me Mr. Speaker, borrowing from the national executive, the last sentence is usually a recommendation from the President. For instance, I recommend you delete this or you move this to this. I think going forward; the CEO of the county will be advised to get a competent legal person to advise him on legislative issues. I support

Hon. James Kariuki: This is an important day for us, the horse as bolted and there is no turning back. History would have judged us harshly if we would have behaved otherwise. I would like to congratulate the Leader of the Majority who came up with the idea of having all the chairmen of the sectoral committees to be included in the Budget committee, that changed the whole way of doing business, he also listened to us. I am happy because this Assembly has shown that it now has teeth, and that it can bite and do so very hard. The CEO of this county should learn that as Hon. Kirigwi has said, there is a certain way in which we must do things as the two arms of government in order to come up with a budget that is acceptable to all of us.

When we fought for this Constitution, the major pillar was devolution, for 20 years from 1990 we fought for devolution which is key. This Constitution would not be what it is without devolution and now that we have the Constitution with us we should obey it. Article 172 is very clear, the PFM Act the County Governments Act are very clear on how funds are supposed to be devolved all the way to Wanjiku so that she can benefit.

It is the work of all ten 47 Governors to think big, they are supposed to be thinking about processing industries, inter-governmental relations, and railway lines across counties, such big things. Can they live the small things that we are talking of like building bridges and classrooms for nursery schools and access roads to the MCAs, we are the people who know what is hurting Wanjiku on the ground. That is why we were adamant that these devolution funds come to us. We are not interested in management, all we want is Wanjiku's voice being

heard and respected. I am happy we have done so today; I think I will sleep a happy man today.

Hon David Muhoro: I rise to support this motion and say that in 2010, when we voted for this Constitution, the mind of the Kenyan people was devolution. It should also be communicated to the CEO and any other governor in this country that this is not personal money, there must be Wanjiku's voice at the county level. We have gone all over the county, listened to Wanjiku and acted in line with what she wants. If you go to our wards all over Murang'a, most people cannot understand why these counties exist. There is nothing being done. It is only by this new initiative we have taken as a House that we shall start being celebrated by Wanjiku, she will start embracing devolution.

With proper committees at the ward level, we shall see services being delivered to Wanjiku. I wish all these members will have good health because they have shown the world that they are committed to the mandate they we given by their electorate. As I support this motion I appreciate the members and more sincerely the committee of Budget, for once we shall realize a budget in this country. Thank you very much and, may Murang'a live forever.

Hon. Deputy Speaker: Hon. members we still have time; this is the best chance for any member with an issue to raise it. Hon. member for Mugoiri

Hon. Kago Njoroje: I stand to support, once in the Bible, there was a King called Pontius Pilate. When the Israelites wanted to kill Jesus, they went to him seeking permission, but Pilate could not see the sins that Jesus had committed for the 33 years that he had lived. Pilate had no power, he found the crowd adamant, not ready to release Jesus so they had to crucify Jesus, If Pilate did not allow them, the world could not have had a savior, so with the crowd going to Pilate and him agreeing we got a savior.

In our case, if the crowd of Murang'a cannot be heard by the King of Murang'a, we shall not be able to save Murang'a. We are the crowd who are saying that the Ward Development Fund must be brought to the people. If our Pilate today will not listen to us, Murang'a will go astray and will never achieve the development of the day.

If we can look at the story and relate it to today, that is why we brought public participation in our Constitution, that is why as an Assembly we are making a Bill. We have to consult them. I have heard the chairman of the budget say that there was a time that he had called the CEO of his County and requested that we have dialogue. By Undermining the spirit of public participation, we will be putting our county into the deep sea and none of us who will come after us will be able to take it out. It is the high time for the Governor to start listening and seeking advice.

In the case of Moses, when Jethro his uncle went to him and found Moses very tired and he could not be able to serve people. He told him to look for other servants who will help him do his work. In our case we have ministers, we are wondering, aren't they given a chance to advise our great man?

I support this and it is the high time that he Governor start thinking why people elected him. We listened to him and gave him votes, it is now for him to come back to us and listen to us so that he can know what the people demand and what the crowd is telling Pilate so that Jesus can be crucified and we the people of Murang'a can be saved by this Ward Development Fund and good budgeting practices, I support.

Hon. Joseph Machiri: I thank all the Hon. members for standing with my family through the trying times of my ailment. I rise to contribute this motion. This is a great day for us that will go own the annals of history in this Assembly.

I came straight from the ward so that I can be counted among those supporting this motion. This is very pathetic and as Hon. member for Mugoiri has stated there was an issue between Moses and Pharaoh and Moses was going to Pharaoh so that the Israelites could be

freed from slavery in Egypt but Pharaoh was adamant to let the people of Israel go. Many miracles were being performed by Moses and Pharaoh's henchmen would also do the same. This is the high time that this House has come for a marriage of convenience that we have totally agreed to say no to Pharaoh because for one there was Moses who is the chairman of Budget whereby we were sent as a delegation of six to the Governor several times to coerce him to let the Israelites, which is the Wanjiku on the ground to go free, but he said no because he thought we brought him here to campaign with the money from the national government.

(Laughter)

We cannot allow that Mr. Speaker. I might be out of order but this time we are very sad, this is very disgusting, primitive, uncouth, primitive, and barbaric, outdated to our county

(Laughter and Applause)

I came here on a platform in Kamacharia where I promised them certain things. It is very sad that we have taken several years to realize that we are very wrong as an Assembly. Woe unto you Assembly members for taking that long. There are some people but today it is a great day that even Hon. Kabaka is with us

(Laughter and Applause)

(Hon Anderson Muchemi rose on a point of order)

EXTENSION OF TIME

Hon. Anderson Muchemi: For convenience of the House, standing order number 31(4), a motion under deliberation can be added time. It is already 5p.m. I move we add debate time by 30 minutes. I call Hon. Caroline to second

Hon. Caroline Wairimu: I second

(Question proposed)

Hon. Charles Kirigwi: I oppose the motion. This Assembly is supposed to leave here at 5:30, we are just from the Whole House, and we have discussed and voted, there is nothing that warrants us to add 30 more minutes. I oppose, let us close at 5:30 p.m. 30 minutes are enough to accomplish what we want

Hon. Deputy Speaker: Any member with a different opinion?

Hon. Bernard Kariuki: I want to support the mover because this is a very weighty matter, a number of members want to contribute and whether the members contribute or not we will be on the safe side but not for us to prevent members from ventilating into this matter we will be on the safe side whether we use the time or not.

(Question put and agreed to)

Hon. Joseph Machiri: As I continue

Hon. Deputy Speaker: Order! Hon. members, we are still within the time. As the supporter of the motion has stated, it does not matter whether we extend with one hour and we finish within the next 20 minutes, we still have to go home, this is a very important issue. Order! Hon. member for Kakuzi/ Mitumbiri, you have something to say? Order! member for Kamacharia, you can continue.

Hon. Joseph Machiri: It is better we be hasty due to the voting at the end. I want to recall an instance so that this House can regain its lost glory and dignity. There was a day when our Hon. Governor whom I respect very much stood in Ihura and blasted the Hon. member for Wangu that roads are not meat to be eaten by the people.

And he realizes that there is nothing more important than roads in our wards and that is the reason why as the Budget committee, we gave him 115 million because roads was not meat, we deducted the money because we cannot always eat meat. That was an issue that eroded the dignity of the member in front of the public and hon. Kamote I sympathize with you very much

(Laughter)

As I had earlier stated, the essence of devolution is taking services closer to the people. I once had a landslide in Kamacharia ward, I knelt down for a month and I requested through a letter for the family to be assisted, but it took three months for the governor and his henchmen to give the money to those families which were very hungry, they had no blankets, they had nothing.

Hon. Deputy Speaker: Order! Hon. member, observe your language.

Hon. Joseph Machiri: Mr. Speaker, henchmen are the co-owners of this county.

Hon. Deputy Speaker: Hon. member, I am going to rule you out of order

Hon. Joseph Machiri: Let me continue because I am just about to finish.

Hon. Deputy Speaker: Finish

Hon. Joseph Machiri: it took three months to address that urgent issue, therefore, with the Ward Development Fund, when it comes to emergencies in our respective wards, we shall be attending to the matters swiftly. If it could devolve from the executive to the sub-counties, it would be better; I stand to sincerely support the motion.

Hon. Joseph Machiri: Hon. Catherine

Hon. Catherine Mugo: I want to state that the process of budget making is not just for the Assembly or even the executive; it is for everyone in Murang'a county. In this respect, I support the budget as we had presented it, and saying that we introduced new votes is not true because we conducted public participation in all the 35 wards. This has been enshrined in the Constitution that for any Act to be enacted, we have to go back to the people to get their views on what they would want us to put in the budget. All of us, the elected and the nominated members came back with the people's view that they want the Ward Development Fund. As we stand to vote No in the whole committee, we are saying so on behalf of our people.

Although we have been informed that the Ward Development Fund was a blank cheque, this was not the case. In the CIDP, we had laid down what we want done. It is now upon us to prioritize with our people and as such we will properly take care of the fund. The members are not asking for the fund for themselves, they know they are not implementers but they are asking on behalf of the people because the people said so when we sought their views. We are within our mandate and the Ward Development Fund is crucial because that is what the people of Murang'a want.

Hon. John Gitau: I rise to support the motion. Much has been said but allow me to state that there is a tendency of the executive not to follow what the people of Murang'a want. There is a kind of a trend, but today's voting has been a very clear indication and on that note I am going to quote Chinua Achebe, in his book, 'Things fall Apart' he said "Turning and turning round the widening gyre, the falcon cannot hear the falconer; things fall apart; the centre cannot hold; mere anarchy is loosed upon the world, the centre cannot hold, things fall apart." Thank you Mr. Speaker.

Hon. Deputy Speaker: Hon. member for Gaichanjiru, you reported, do you now want to contribute to the same report? Hon. members, whatever we are debating is the report reported to the House by the Chairperson of the Committee of the Whole House. It is good to clarify, that during the Committee of the Whole House, the members did not have time to debate, the

question was just being proposed, it is the high time for the members to comment. Member for Wangu.

Hon. Isaac Kamote: I stand to support the motion and as I stand here today, I am happy because of what has happened. I can recall on 21st May at Kahuro when I told the Hon. Governor that roads in our wards are in poor conditions and we would like to have the Ward Development Fund so that we can be able to attend to the challenges in our wards, I was blasted, abused and humiliated. Mr. Speaker, that scenario repeated itself on 1st June at Ihura stadium.

Hon. Deputy Speaker: Hon. member, you are not contributing, you are just discussing an event that was in some place.

Hon. Isaac Kamote: Mr. Speaker, all what I am saying is that after the two scenarios, today I am happy because a budget that caters for the Ward Development Fund has been accepted in the House and even the memorandum presented by the Governor has been rejected, I support.

Hon. Deputy Speaker: Hon. members, before I put the question I want to make a clarification that the question before us is the motion on a report that the Committee of the Whole House has rejected the amendments. I want to be clear as we move to voting that those who will be for the ayes are the ones supporting what you agreed in the Committee of the Whole House because the Committee of the Whole House rejected the amendments. I am not directing, I am clarifying. Those who will be supporting the report of the Committee of the Whole House will vote yes and those who will be thinking otherwise will vote no.

(Hon. Martin Mwangi and Hon David Muhoro rose)

Hon. Deputy Speaker: Hon. member for Kariara and Murarandia. Resume your seats as the Serjeant-At- Arms, ring the bell. I direct we will take vote as we did in the Committee of the Whole House.

(Division Bell rang)

Hon. Deputy Speaker: Hon. members as the bell rings, it is good to understand that the Hansard recording is important to any debate; especially a debate of this magnitude and that is why we wanted the members to air their views so that it can be captured in the Hansard.

(Question put)
(ROLL CALL VOTING)

Member	Yes	No	Abstain	Absent
1. Hon. Agnes Ndunge Mutwiwa	Yes			
2. Hon. Anderson Muchemi Waweru	Yes			
3. Hon. Bernard Wanyoike Kariuki	Yes			
4. Hon. Beth Wanjiku Ngugi				Absent
5. Hon. Boniface Njihia Mbogo	Yes			
6. Hon. Caroline Wairimu Njoroge	Yes			
7. Hon. Catherine Wairimu Mugo	Yes			
8. Hon. Cecilia Wanjiku Gitu	Yes			
9. Hon. Charity Wangui	Yes			
10. Hon. Charles Mwangi Kirigwi	Yes			
11. Hon. Charles Mwaniki Karina	Yes			
12. Hon. Danson Mburu Muchoki	Yes			
13. Hon. David Kabaka	Yes			
14. Hon. David Muhoro Njeri	Yes			
15. Hon. Duncan Mwangi Njuguna	Yes			

16. Hon. Eliud Gitau Kabuthi	Yes	
17. Hon. Erick Kamande Kimani	Yes	
18. Hon. Esther Nyakio Munywoki	Yes	
19. Hon. Esther Wanjiru Ngugi	Yes	
20. Hon. Francis Kamande	Yes	
21. Hon. Isaac Kamote	Yes	
22. Hon. James Benson Kagoni	Yes	
23. Hon. James Kariuki Ngugi	Yes	
24. Hon. James Njoroge Kariuki	Yes	
25. Hon. Jane Wanjiku Ndegwa	Yes	
26. Hon. Jesse Mburu Gitau		Absent
27. Hon. John Kiarie Ngugi	Yes	
28. Hon. John Njoroge Gitau	Yes	
29. Hon. Joseph Kimani Gitau	Yes	
30. Hon. Joseph Kimani Machiri:	Yes	
31. Hon. Joseph Ndung'u Muchina	Yes	
32. Hon. Joseph Ndung'u Njogu	Yes	
33. Hon. Joseph Njoroge Mwangi	Yes	
34. Hon. Julius Maina Kimani	Yes	
35. Hon. Lucy Wangechi Njoroge	Yes	
36. Hon. Martin Mwangi Macharia	Yes	
37. Hon. Mary Waithira Njoroge	Yes	
38. Hon. Mary Watiri Kariuki	Yes	
39. Hon. Moses Gachui Mungai	Yes	
40. Hon. Njogu Peter Kariuki		Absent
41. Hon. Peter Irungu Kihungi	Yes	
42. Hon. Peter Murigi Ngugi	Yes	
43. Hon. Peter Mweri Maina	Yes	
44. Hon. Rebecca Mwicigi	Yes	
45. Hon. Rosemary Wakuthii Njiine	Yes	
46. Hon. Samson Kago Njoroge	Yes	
47. Hon. Samuel Wandia		Absent
48. Hon. Samuel Ndehi Mwangi	Yes	
49. Hon. Wangechi Florence Nyambura	Yes	

Hon. Deputy Speaker: Hon. members, these are the results, we do not have abstinence, the nays are zero and the Ayes are 45, so the report of the Committee of the Whole House on the rejection of the amendments has been adopted unanimously

ADJOURNMENT

Hon. Deputy Speaker: Hon members, there being no other order, the House stands adjourned until tomorrow 2:30 p.m.

The House rose at 5:28 p.m.