

COUNTY ASSEMBLY OF NAKURU**THE HANSARD****Thursday, 24th November, 2016***Assembly Building**The House met at 2.50pm**[The Temporary Speaker (Hon. Eunice Muriithi) in the Chair]***PRAYERS****COMMUNICATION FROM THE CHAIR****BILL**

NAKURU COUNTY FINANCE BILL NO. 6 OF 2016

(SECOND READING)

The Temporary Speaker (Hon. Eunice Muriithi): Thank you very much Members, I want to assume that everyone has a copy of the Bill that we are going to discuss today and you are kindly requested to keep it for further discussions even after this.

PAPER

BUSINESS FOR THE COMING WEEK

The Temporary Speaker (Hon. Eunice Muriithi): Thank you very much; Leader of Majority? The Whip?

MATTERS OF COUNTY IMPORTANCE

CAF MEETING IN MOMBASA

Hon. Moses Kamau: (On a point of Order) thank you Madam Temporary Speaker, I rise on Standing Order 36 that any Member may arise any time in his or her place and seek leave to move the adjournment of the House for the purpose of discussing a definite matter of County importance.

(Applause)

Madam Temporary Speaker, I rise to seek adjournment of this Session for the purpose of discussing a very important issue where all County Assemblies in Kenya have been requested to attend a very important forum in Mombasa. Thank you Madam Temporary Speaker.

(Applause)

Hon. David Malel: Thank you Madam Temporary Speaker; as I second this

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The Temporary Speaker (Hon. Eunice Muriithi): Order honourable Male! Have a seat; I have not asked for anyone to second yet. Order Members! Give me a minute as I consult.

(Loud Consultations)

The Temporary Speaker (Hon. Eunice Muriithi): Well Members, I will refer you to Standing Order 36 (2) that reads; a Member who wishes to seek leave to move the adjournment of the House shall at least two hours before the commencement of the sitting...

(Loud Consultations)

The Temporary Speaker (Hon. Eunice Muriithi): Order Member! Order! Order! Let me read! Give me time honourable Members! Order! Listen! “Hand to the Speaker notification of the matter but the Speaker shall refuse to allow the claim, unless the Speaker is satisfied that the Matter is definite, urgent and of County importance and may properly be raised in a Motion for adjournment of the House.

I will read for you the third section; “If the Speaker is satisfied in terms of paragraph 2 and not less than 10 other Members rise in their place in support, the Speaker shall nominate a time on the same day at which such Motion may be moved. So how many Members are there?

(All honourable Members stood up)

(Loud Consultations)

The Temporary Speaker (Hon. Eunice Muriithi): Order honourable Members! Have your seats ! Order honourable Steve! Sit down!

Hon. Stephen Kihara: Are you not satisfied that this issue is urgent?

(Laughter)

The Temporary Speaker (Hon. Eunice Muriithi): Listen to me; just have a seat. We shall nominate a few Members but first let us discuss the Bill that we have before us then we can discuss the definite matter of County importance.

(Loud Consultations)

The Temporary Speaker (Hon. Eunice Muriithi): Order honourable Members! You cannot overrule the Speaker. Do not worry, we are going to discuss after this Bill.

(Loud Consultations)

The Temporary Speaker (Hon. Eunice Muriithi): Clerk what is the next order?

(Loud Consultations)

The Temporary Speaker (Hon. Eunice Muriithi): Order honourable Members! Be seated!

(Some Members withdrew from the House)

The Temporary Speaker (Hon. Eunice Muriithi): You will definitely not discuss that matter while outside the Assembly, you will discuss it in the House so do not walk out. So be seated so that we can carry on.

(Loud Consultations)

The Temporary Speaker (Hon. Eunice Muriithi): Have a seat! Have a seat! Where is honourable Moses? All of you must get back. I am just hoping there is no media in this House.

(Loud Consultations)

The Temporary Speaker (Hon. Eunice Muriithi): Order! Order! We can carry on. Honourable Members order!

(Loud Consultations)

The Temporary Speaker (Hon. Eunice Muriithi): Okay, I have heard you; let us carry on with that matter and let no one walk out of the House until we are done with this Bill. It is also very important for us. Honourable Moses carry on.

Hon. Moses Kamau: Thank you Madam Temporary Speaker...

(Applause)

(Loud Consultations)

Hon. Moses Kamau: Madam Temporary Speaker as you are aware, there is a Forum called County Assemblies Forum (CAF) which advocates for issues of welfare for the Members of County Assemblies and Madam Temporary Speaker we are about to go for a long recess and we are almost going for elections.

We want to go for this Annual General Meeting to hear what the CAF has prepared for MCAs as they prepare for elections.

Madam Temporary Speaker, if we fail to attend this very important meeting, yet all other County Assemblies have been given an okay to go. We are aware that an invitation letter for the same has been given to the Members that we nominated to the Forum.

Madam Temporary Speaker we therefore want to know the status of this County Assembly whether we will also be going because if we fail to discuss this issue today and the Forum will be held next week, we shall not attend, so we want to be given permission to attend this Forum in Mombasa and we need clarification and honourable Malel is here for Secondment.

(Applause)

The Temporary Speaker (Hon. Eunice Muriithi): Okay, honourable Malel.

Hon. David Malel: Thank you Madam Temporary Speaker, as I second this Motion, you realize this is our final CAF meeting in this Country.

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Madam Temporary Speaker, we are not excluded out of the 47 Counties and I cannot see the rational whereby 46 Counties can attend the Forum with the absence of Nakuru.

In this regard Madam Temporary Speaker when we are heading to election I believe the most important discussions in that meeting will be of assistance to that election. Now that we are going for the long recess, we cannot come back and discuss it and so we cannot go before we know the final decision. From the mood of this House you can see Members have the Forum at heart. Thank you I second and support it.

(Applause)

The Temporary Speaker (Hon. Eunice Muriithi): Thank you honourable Malel; honourable Virginia.

Hon. Virginia Gicanga: Thank you Madam Temporary Speaker, I rise in support of the Motion. It is very important for us to go for that meeting bearing in mind that the Constitution says that an MCA's term is 5 years. Considering the elections are being held in August that means we will not have completed our term...

(Applause)

And I believe that is the only meeting that we can air our views and where we can know our fate for the months from August to March where our term is supposed to end. What is going to happen for the months which are on top? It is very important we go and join others, we talk as MCAs from the 47 counties so that we can deliberate on our welfare. It is high time because our term is almost ending, we should discuss so that we know our fate. Thank you.

Hon. John Gachiri: Asante, pia mimi najumuika na wenzangu kuunga mkono huu mjadala. Kama vile wenzangu wamesema. Ni vibaya sana siku ya leo tukimaliza bunge ya siku ya leo, kama hatujajua ya kwamba kama tunasafiri kule kujiuunga na wenzetu maana mkutano huu ni wa muhimu sana kwetu sisi, tumekua katika miaka minne katika kazi hii kwa hivyo tungeliomba ya kwamba kabla ata hatujafanya jambo lolote. Hilo swali lingelikua nila muhimu kama itawezekana ya kwamba tuwe nalo na jibu lake. Asante

Hon. Irene Chebichii: Thank you very much Madam Temporary Speaker for giving me this great opportunity. First of all even if we vote, we want the Clerk to come here first before we put it to question so that we can all agree so that he can assure us that he is going to facilitate us. We cannot continue before the Clerk comes here and gives us a total assurance that we are going to Mombasa.

(Applause)

(Loud Consultation)

The Minority Leader (Hon. Daniel Ambale): I am tempted to say otherwise but thank you very much Madam Temporary Speaker for giving me this time. I like the excitement that is coming up, but some things must remain straight. Well, I cannot speak on behalf of the Clerk neither can I

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Speak on behalf of the board but us Members of this Assembly who are my colleagues, I have some information that I think can help us to make a decision, and I am just giving the information that I have about this matter.

As of now unless otherwise, proven, the Assembly has no invitation to that effect.

(Loud Consultation)

This is simple English. Unless otherwise proven

(Loud Consultation)

You keep quiet, I am giving my information then you can make your decision.

(Loud Consultation)

Secondly the information that is currently in position is notification for the meeting. Stating that there would be a CAF meeting taking place in Mombasa as from 28th November 2016 and then with that notification it is stated that further details and information shall be provided to that effect. Upto now unless otherwise things happen, there could be an invitation but it is hidden elsewhere where I do not know.

Or there could be that someone has it here to provide it, but as we are speaking, there is no invitation to the effect and no information even identifying the venue of that meeting.

We are reliably informed that CAF intended to hold a CAF week for Members to deliberate on various issues, but as we are speaking only 15 County Assemblies have subscribed to CAF, so CAF is in shortage of funds to hold this meeting. So as we speak here we have a lady Member and a gently man who are sent to represent us in this matters of CAF

(Loud Consultation)

So I believe they are also here in CAF and they can give very correct information to the effect of the matters I am talking about.

(Loud Consultation)

I have said as a board Member and an MCA I would wish that we be the first to be there if there is that kind of meeting. There is need for further consultation not necessarily by me, even by you Madam Temporary Speaker and Members here so that we are not getting carried over by a wind, because up to now there is no invitation and there is also further information although not proven that this event may have been postponed. Thank you.

The Temporary Speaker (Hon. Eunice Mureithi): Thank you very much Hon. Members. There is...

Hon. Irene Chebichii: Madam Temporary Speaker, I happen to be a member of this County Assembly and before we came to this plenary session, we were with the representative who represents us in CAF Hon. Beatrice and I think there is a sabotage somewhere and it is like Hon. Beatrice has been hidden somewhere so that she cannot come and give out facts.

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(Applause)

She has the invitation letter and I am the one who printed it. They were two and she took them to the Clerk's office. So people should stop lying to us, our Clerk has the invitation letter and they have hidden Hon. Beatrice. We cannot continue before we get facts.

(Loud Consultation)

The Temporary Speaker (Hon. Eunice Mureithi): Order Members. Hon. Warothe. Let us have Hon Warothe and then I can give a way forward.

Hon. Jonathan Warothe: Madam Temporary Speaker, leo naomba kuchangia kwa lugha ya Kiswahili, kwa sababu nimesikitika sana kuona ya kwamba kiongozi wa bunge letu, kiongozi wa walio wacaheche akisimama hapa badala ya kutuongoza kwa hii maneno anakuja tu kushangaa kama sisi. Tunashindwa sasa yeye ni kiongozi wa ainagani. Mwanzo CAF iko tu umbali wa kupiga simu. Na kwa viongozi wa hii bunge kutuambia hamna ujumbe inaonyesha hamshughuliki.

Jambo linguine ni mambo ambayo yanafanyika kila mwaka na hili bunge lazima liwe na kalenda ya *events* na linajua ya kwamba ikifika tarehe kama hizi huwa tunaenda Mombasa. Kwa hivyo mungekua mumejitayarisha mapema na kwa sababu hii pesa iko kwa bajeti tungependa mutuambie huwa inaenda wapi kama hatutakua tunaenda mwaka ujao.

(Applause)

Haya mambo yote ni mambo yako kwa bajeti, mambo ya *subscription* ni mambo ya uongozi wa hili bunge kuhakikisha ya kwamba munalipa ili ile ada inastahili kulipwa. Sasa mukuambie hatujajiandikisha na CAF sijui munatwambia nini na tulipitisha bajeti ambayo inahusisha hayo malipo yote. Kwa hivyo kile tunaomba ni kwamba ifikapo jumatatu lazima tuwe Mombasa. Asante.

The Temporary Speaker (Hon. Eunice Mureithi): Hon. Members I wish not to take any more time, I want to give a way forward.

(Loud Consultation)

No! Let us not have... let us agree.

Order Members.

We give Hon. Florence then a way forward.

Hon. Florence Njoroge: Thank you very much Madam Temporary Speaker, it is our wish to let you know that our roles in this Assembly is to represent, and this is what we are doing and we should not be hindered. If there are so many people who want to contribute then they should be left to do so

(Applause)

I arise because when the Minority Leader stood to give information that he has, I just read that after all he belongs to the opposition...

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(Laughter)

So he is just there to oppose. At the same time, I was with the representative of this County Assembly at the CAF who is Hon. Beatrice, she showed us and she went ahead and printed a copy of the letter.

There is a circular from the CAF and at the same time the invitation letter.

Let us not go about beating the bush for no apparent reason. Let us talk facts that is why we are here, Kshs 3.5 million was paid to the same event. If it was paid why are we being denied to go and represent ourselves at the event?

(Applause)

Madam Temporary Speaker, I think at the end of the day; that is by Monday we will be headed to Mombasa. We have to represent this County. Otherwise, we are failing in our own roles of representation. Thank you

(Loud consultations)

The Temporary Speaker (Hon Eunice Muriithi) Yes hon Kuria; Order honorable Members! If you do not keep quiet so that we can hear his contributions. ...Aright, order Members!

Hon Stephen Muiruri: We are very happy

The Temporary Speaker (Hon Eunice Muriithi): Carry on

Hon Stephen Muiruri: Thank you Madam Temporary Speaker, I am little bit disappointed by the sentiments of our colleague, the Minority Leader Hon. Ambale, who happens to be an ordinary member of this CAF and County Assembly Service Board that is supposed to take care of the interests of this Members of County Assembly

(Applause)

He also happens to be a member of this County Assembly and if we are going to Mombasa he is going to accompany us and if there is anything we are going to enjoy along the way he will also be a beneficiary

The Minority Leader (Hon Daniel Ambale): (On a point of order) I am being harassed, Madam Temporary Speaker...

Hon Stephen Muiruri: Nobody is harassing you

The Temporary Speaker (Hon Eunice Muriithi): Members Order! One minute Hon Kuria, Members let us agree; kindly listen to his contributions; so be orderly

Hon Stephen Muiruri: At the same time nobody is harassing Hon Ambale as a member of the County Assembly Service Board

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The Temporary Speaker (Hon Eunice Muriithi): Continue with your contributions honorable Member.

Hon Stephen Muiruri: I think the position that maybe we would have been given would be whether we have exhausted the domestic travel and whether we are not going to Mombasa. Since we passed the budget, I think we have only gone out twice and I think there is still funds available for us to head to Mombasa. And mind you this will be the last domestic travel that we are going to make, that I can assure you. Because after going for a long recess we are going to come back on February and after that everyone will be busy doing campaigns for his or her seat. The Clerk should tell us if we are going to Mombasa or not. This is a far place and we need ample time to prepare ourselves so that we can travel to Mombasa on Sunday and maybe enjoy ourselves. Thank you Madam Temporary Speaker

The Temporary Speaker (Hon Eunice Muriithi): Thank you very much Members for that insight. But you are much aware that the discussions that you have had does not require me to put a question on it. You are also aware that we cannot make resolutions based on this debate. However, immediately after this, we can call for an informal sitting then we can discuss it out of the County Assembly. Kindly bear with the situation. That is entailed in our Standing Order.

(Loud consultations)

Members we have said we are going to have a *Kamukunji* after this where we can talk about this issue. Excuse me Members; you cannot have an answer to this from the Clerk right now. So let us carry on with the work ahead of us.

(Loud consultations)

The Temporary Speaker (Hon Eunice Muriithi): Order Members

I think we are going to start doing the necessary or I direct Sergeant-at-arms to act

(Loud consultations)

If you need a *Kamukunji*, we need to conclude the matters pending before the County Assembly; then we can do the rest after this.

PAPER

BUSINESS OF THE WEEK

The Chief Whip (Hon Leonard Korir): Thank you Madam Temporary Speaker; honorable Members, I want to lay before the floor a Statement informing the Assembly of the business for the week beginning 29th November, 2016.

Tuesday, 29th November 2016, in the afternoon sitting, there will be the Committee of the Whole House on the Nakuru County Urban Agriculture Promotion Bill 2015.

On Wednesday, 30th November 2016, in the morning sitting, there will be a Committee of the Whole House about the Nakuru County Finance Bill 2016

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On Wednesday 30th November 2016; in the afternoon sitting, there will be a Committee of the Whole House about the Nakuru County Flag Naming and Emblem Bill

On Thursday 1st December, 2016; resumption of the interrupted business; Committee of the Whole House about the Nakuru County Gender and Women Empowerment Bill 2015. That is the program of the week, thank you.

The Temporary Speaker (Hon Eunice Muriithi): Thank you very much the Majority Whip.

MOTION

ADJOURNMENT DUE TO LACK OF QUORUM

The Minority Leader (Hon Daniel Ambale): (Point of order) given that this House is lacking quorum and considering the situation and the current environment at this House, it appears that it would not be favorable enough for us to continue transacting business of the day. I therefore want to move a Motion that this House adjourns this sitting.

The Temporary Speaker (Hon Eunice Muriithi): Who is going to second that Motion?

Hon Samuel Tonui: I do second the Motion; judging by the mood of the House, I do concur that we need to adjourn so that we can discuss that matter of county importance in a *Kamukunji*.

The Temporary Speaker (Hon Eunice Muriithi): Thank you very much; Hon Gicamu

Hon John Gicamu: Thank you, I support the Motion that has been moved by the Leader of Minority, this is an important Bill and it needs to be discussed when Members are in their best mood and therefore I support that we adjourn this sitting.

(Question proposed)

(Question put and agreed to)

The Temporary Speaker (Hon Eunice Muriithi): Hon Members we stay adjourned until Tuesday, 29 November, 2016 at 2.30 pm

(House rose at 3.25pm)