

THARAKA NITHI COUNTY ASSEMBLY

THE HANSARD

30th May 2018

The County Assembly met at the

County assembly chambers in Kathwana at 9:15Am

The Speaker (Hon. D.J. Mbaya) in the Chair

PRAYERS

Hon.Speaker: Honourable members let's get seated.

COMMUNICATION FROM THE CHAIR

Hon.Speaker: Honourable members I take this opportunity to welcome you to this important sitting. Feel welcome and contribute to whatever debate that shall be. Thank you Honourable members.

PAPERS

COUNTY ASSEMBLY BUDGET RE-ALLOCATION FOR FINANCIAL YEAR 2017/2018

Hon.Gitonga: Thank you Mr Speaker. I hereby lay on the table of the house the County Assembly Budget re-allocation for financial year 2017/2018

(Paper Laid accordingly)

Hon.Speaker: Noted.

APPOINTMENT OF COUNTY LIQUOR LICENSING COMMITTEE

Hon.Muchiri: Thank you Mr Speaker. I hereby lay on the table of the house the appointment list of the County liquor licensing committee.

(Paper Laid accordingly)

Hon.Speaker: Noted

NOTICES OF MOTIONS

COUNTY ASSEMBLY BUDGET RE-ALLOCATION FOR FINANCIAL YEAR 2017/2018

Hon.Gitonga: Thank you Mr Speaker. I give notice of motion that this house approves the county assembly budget re-allocation for financial year 2017/2018.

MOTION ON ADJUSTMENT OF THE ASSEMBLY CALENDAR DATES

Hon.Muchiri: Thank you Mr Speaker. I wish to give a notice of motion on adjustment of assembly calendar dates.

Hon.Speaker: Thank you. Noted.

APPROVAL OF THE COUNTY LICENSING LIQUOR COMMITTEE

Hon.Muchiri: Thank you Mr Speaker. I wish to give a notice of motion that this house approves the County licensing liquor committee.

Hon.Speaker: Thank you Honourable majority leader.

STATEMENTS

STATEMENT ON THE COUNTY PURCHASING GRAINS FROM FARMERS

Hon.Speaker: Yes Honourable Dennis.

Hon.Denis: Thank you Mr Speaker. I wish to put a statement on purchasing of grains by the county Government from farmers. Farmers in the County are now stranded with their produce and the county Government has not made any effort to purchase the grains. Many farmers in Tharaka Nithi County are in the process of harvesting their produce and the Government had promised to buy the same produce from them. At what stage is the Government intending to help the farmers.

Hon.Speaker: Thank you honourable Dennis. Honourable members I refer the statement to the committee on agriculture, livestock and fisheries. Who is the relevant Chair?

Hon.Njagi: Thank you Mr Speaker Sir.

Hon.Speaker: How much time do you require to respond?

Hon.Njagi: twenty one days.

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Hon.Speaker: 21 days? Honourable Dennis are you comfortable with that? Receiving a response within the next 21 days

Hon. Denis: Honourable Speaker that is a long time. I am not comfortable.

(Point of information)

Hon.Speaker: Yes honourable Muthini.

Hon.Karangi: Thank you Honourable Speaker. I think this is a matter of urgency. Bearing in mind we have a lot of green grams in the market. 21 days they will be out of stock in the market. Thank you.

Hon.Speaker: Thank you. Honourable members let's not waste a lot of time on that. The Chair takes notice that the things are still going on and this is a matter of urgency. Honourable Njagi the Chair decree that you bring the response within the next 14 days. Thank you.

RESPONSE ON COMMITTEE OF AGRICULTURE, LIVESTOCK AND FISHERIES ON THE STATUS OF FARM INPUTS TO THE FARMERS BEFORE THE START OF THE LONG RAIN (Sought By Hon Samuel Muthini)

Hon.Njagi: Thank you Mr Speaker. Mr Speaker Sir allow me to read the report.

Hon.Speaker: Thank you Honourable Njagi.

Hon.Njagi: Report from the Agriculture committee on the status of the procurement of farm inputs before the long rains 2018. This report has been prepared by the department of Agriculture 1st March 2018.

Introduction

The County has allocated Ksh 22.5 million for the procurement of farm inputs for financial year 2017/2018 . The total amount was allocated for coming long rains. The sub County Agriculture officers were requested to prioritize their farm inputs requirements as has been the procedure. The input needs from the sub counties were then compiled by the county director of Agriculture and list submitted to the Chief officer to initiate the procurement process. The broad categories of inputs being purchased includes;

- Chemicals (Mashal, Duduthi,copper, glyphosphate) sprayers and protective clothing.
- Fertilizers (Nafaka plus, Agriculture lime)
- Seeds (Coffee seedlings, beans, cowpeas and sorghum)

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The chemicals are mainly for the control of army worms which is expected to affect production if not dealt with and considering its devastating effect last season. The seeds and fertilizers are to support the very poor farmers for planting in order to improve their livelihood and food security. The breakdown of farm inputs quantified for procurement and distribution to farmers during the long rains is shown in table 1. The table has got several columns. There is a column of type of input, the variety, quantity, schedule of distribution, points of distribution, source of inputs and target farmers.

Types of input	Variety	quantity	Schedule of distribution	Points of distribution	Source of inputs	Target farmers
coffee	Ruiru 11	60,000	Maara, Muthambi, Chuka	Through coffee societies	Coffee research station Ruiru	Farmers to cost share
	Batian	40,000	Maara, Muthambi, Chuka	Through coffee societies	Coffee research station Ruiru	Farmers to cost share
Green grams	N 26	21 Tons	Tharaka North, Tharaka South, Igamba Ng'ombe	All wards with the potential for growing the crops	Kenya Agricultural and livestock research organization (Katumani seed unit)	Each farmer to receive seeds for 1 acre but priority to the vulnerable. All wards instructed to constitute committee to oversee the distribution.
sorghum	Gadam	8.4 Tons	Tharaka North, Tharaka South	All wards	Kenya Agricultural and livestock research organization	Each farmer to receive seeds for 1 acre but priority to the vulnerable. All wards

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					(Katumani seed unit)	instructed to constitute committee to oversee the distribution
Beans	KAT B1 Mwiternania	4.8 Tons 2.4 Tons	Maara, Muthambi Igamba Ng'ombe i	All wards	Kenya Agricultural and livestock research organization (Katumani seed unit)	Each farmer to receive seeds 4 Kg but priority to the vulnerable. All wards instructed to constitute committee to oversee the distribution
Cowpeas	M 66	2.5 Tons	Maara, Muthambi	All wards	Kenya Agricultural and livestock research organization (Katumani seed unit)	Each farmer to receive seeds 2 Kg but priority to the vulnerable
Fall Army worm control chemical	Assortment	1,600 Litres	Whole County	All wards where attach is reported	Main suppliers through open tender	Priority will be given to areas with heavy pest infestation
Knapsack sprayers		60	Whole County	All wards where attach is reported	Main suppliers through open tender	Priority will be given to areas with heavy pest infestation
Planting	Non Acidic	3,600 bags of	Fertilizer consuming	Each farmer to receive	Mijigu mines and	Priority will be given to

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fertilizer		25 Kg	sub counties	25 Kg for half acre	fertilizer Co ltd, suppliers through open tender	the vulnerable farmers. Vetting will be done by ward committees
Coffee demonstration chemicals	Copper Glyphosate	2,120 Litres	Maara, Muthambi, Chuka	This will be used for teaching farmers	Main suppliers through open tender	The training will be done through coffee societies
Agriculture lime		3,000 bags of 50 Kg	Maara, Muthambi, Chuka	This will be used for teaching farmers	Main suppliers through open tender	The training will be done through coffee societies

Honourable members the seeds are being sourced from KARLO Katumani seed unit and Kenya seed company. The suppliers of fertilizer have been selected based on a competitive open tendering process.

Honourable members, that is the report from the committee of Agriculture, livestock and fisheries. Thank you.

Hon.Speaker: Thank you Honourable member for Chiakariga ward. Honourable Samwel Muthini are you comfortable with that response?

Hon.Karangi: Okay, Thank you Mr Speaker, I am comfortable with the report but the timing of the report is very poor, the committee has to pull up it's socks and know there is time for rains, time for harvest, time for threshing the *Ndengus* and time for buying the cereals. You realize Mr Speaker the response to the statement is coming a day when another statement is being sought on how we can purchase cereals in the county. You can just imagine what is happening. He is responding to a report before the long rains when a report is being sought on how we can purchase cereals. So I think the report is okay but my intention was not to get the report during the purchasing of cereals. It was getting a report when farmers can get the value of the inputs because even if we get good reports *bwana Chairman* he is my friend but next time please I beg you do good your timing. Thank you Mr Speaker.

Hon.Speaker: That is noted honourable Samuel Muthini.

Hon.Njagi: Thank you Mr Speaker Sir. As the Honourable member has spoken, I think before I started reading this report, I apologised to that effect and said that there was a time

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lapse because this report was printed on 1st March 2018. Actually that's the time they completed it but there was an omission of this report once in the order paper but next time I will make sure that with my clerk we stick on time. Thank you.

Hon.Speaker: Thank you. Honourable members there is a common legal statement that states that justice delayed is justice denied. So moving forward let's adhere to timelines. Thank you.

RESPONSE ON COMMITTEE ON YOUTH, SPORTS AND SOCIAL SERVICES ON THE OBSERVATION OF THE UNITED NATIONS INTERNATIONAL DAY FOR PERSONS LIVING WITH DISABILITIES

Hon.Speaker: Yes Honourable Dennis.

Hon.Denis: Honourable Speaker, I would like to inform you that my report is ready for presentation and.....

(Interjection By Hon Speaker)

Hon.Speaker: Is the mover present?

(A moment of Silence)

Yes Honourable Asumptah. Thank you.

Hon.Denis: I want to acknowledge the importance of this report. However, my committee never sat for endorsement. I have tracked the progress of the report from the CEC which is ready and I also deposited the same to the secretariat. However, because of the urgency of other activities that has been going on, my committee has not yet sat to endorse it so I request..

(Interjection By Hon.Speaker)

Hon.Speaker: Honourable Dennis are you ready or not ready?

Hon.Denis: I am ready.

Hon.Speaker: If you are ready proceed and give the response and forget about the background.

Hon.Denis: Thank you. Report on the observation of the united nations international day for persons living with disabilities on 3rd December every year. The annual observance on the observation of the united nations international day for persons living with disabilities was proclaimed in the year 1992 by the united general assembly resolution 47(iii). The observance of the day aims to promote the understanding of the disability issues and mobilise support for the dignity, rights and well-being of the people with disabilities. It also seeks to

increase awareness on the gains to be derived from the integration of the people with disability in every aspect of political, social, economical and cultural life. The County Government through its department of education, youth, sports, culture and tourism fully recognize the importance of mainstreaming people with disability issues. This has been done by inclusion of people with disability in various aspects and through support of buying equipments for those in need. During the previous celebration of the international day for the people with disabilities, the department was unable to play a big role due to budgetary constraints. In particular, last year celebrations on the 3rd of December 2017, it was not possible to give any support because the necessary county Government machinery was not in place. This includes the office of the Chief officer who are mainly the accounting officers of the department. The other main problem was lack of legal mechanism in form of an Act of Assembly that can provide for allocation for the funds for the various activities involving persons with disabilities. Thank you.

Hon.Speaker: Thank you Honourable Dennis. Honourable Asumptah are you comfortable with that response?

Hon. Asumpta: Yes I am comfortable Mr Speaker.

Hon.Speaker: Yes you are comfortable. Thank you. Proceed to the next order.

REPORT OF THE COMMITTEE OF YOUTH, SPORTS, CULTURE AND SOCIAL SERVICES ON THE STATUS OF STREET CHILDREN IN THE COUNTY

Hon. Denis: Status of children in Tharaka Nithi County: the role of county government in children welfare.

The constitution in schedule 4 part 2 section 9 requires county governments to be responsible for childcare facilities.

The children act number 8 of 2001 section 40-46 places an obligation on governments at the local levels to provide for children welfare services. The county governments as the successors to the defunct local authorities therefore have defined roles in the welfare of the children in their jurisdiction. The logic is that these children are born by the residents of the county who can be taxed to take care of their children.

Major issues in child welfare:

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Number one is child neglect and abuse; the children's department in 2016/2017 handled matters involving 1,723 children. This comprised 936 boys and 787 girls. 805 involved neglect while 7 were for sexual assault. Cases of FGM have declined but are still reported in some parts of Tharaka. The main causes of child neglect have been identified as drug abuse, alcoholism, family breakups, single motherhood and general poverty. Forms of abuse include sexual abuse, early marriages and FGM.

Recommended policy actions;

County government should support activities of volunteer children officers so as to enhance surveillance and reporting.

The county government can sponsor campaigns against drug abuse, and child neglect. This can be done by community leaders including volunteer children officers and the holding of public Barazas.

Carry out activities to raise income by most vulnerable groups.

Street children require multi-sectoral approach and county government is working on how to reach partners to help in dealing with street children.

Number two is Orphans and venerable children (Ovcs); The County has a population of 169,743 children as per the Bureau of Statistics projections. Of these 37,177 are orphans and venerable children as per 2009 census. Due the general poverty in the country most of these Ovcs have a problem in accessing basic services. The families hosting these children are also experiencing a huge burden. About 11,266 households are estimated to be hosting Ovcs.

Ovc Scholarships:

To support Ovcs in secondary schools the children department has allocated Ksh 1,320,000 for each constituency. Each student will have all fees paid for the year subject to a maximum of Ksh 15,000 for day schools and Ksh 30,000 for boarding schools. The process is being spearheaded by district children officers.

Recommended policy actions:

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The county government should start a cash transfer programme in locations not covered by the programme.

The county government should offer scholarship to orphans and venerable children in secondary schools colleges and universities.

The county government should set up some funds to sponsor Ovcs for vocational training.

The county government should build and furnish Ovcs home in Tharaka Nithi targeting every sub county to have one home.

The county government to partner with other agencies.

Number three, street children; Street children are a special category of children who spend time in the streets away from the control of guardians and parents. Some spend nights in the streets while others spend the night in their homes but spend the day in the streets. The major contributor to this phenomenon is urban poverty and general lack of support at the home level. There are also pull factors that tend to lure them to the streets. These include the relaxed atmosphere and availability of simple menial jobs. Currently the issue is more pronounced in Chuka Town than in other urban centres in the county. The number is likely to rise with increased urbanization. Recent survey by children's department found 25 street children in Chuka town and 10 street children in Chogoria all aged between 13-16 years. Other towns were not affected.

Current efforts

Collaborations between the county government and various national government agencies such as the children department, the police and the judiciary has seen the number of children in Chuka town go down drastically. However, due to push factors new children keep finding their way to the streets.

Recommended policy action;

The county government to put up a rescue centre for street children as most charitable children homes are reluctant to admit children who have been in the streets.

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It should be a policy of the county government that any child found loitering in the streets during school time be apprehended and put in a place of safety and the children department be informed. The same should apply to children spending nights in the streets.

The county government will set up a fund to support rescue activities. These should be funds to support the rescued children in education in terms of fees, foods, school uniform, and books and for vocational training.

Children out of school;

No comprehensive study on the number of children out of school has been done.

Recommended policy actions;

The county government will commission a study/research on children out of school so as to have reliable statistics for planning.

The county government should support activities to keep children in school such as school feeding on school levies.

Partners in children welfare

The under listed are partners working in matters affecting children in the county,

Alpha Plus Kamili, Plan International, Shepherd of Life, YWCA Development, Mutonga Development Programme, WHY united, Food for the Hungry,

Recommended policy actions;

The county government will endeavour to work with these partners so as to strengthen children's management affairs as they have long institutional experience in children programming.

Charitable children institutions (CCIs);

The following charitable children institution are operational in the county: Kenya Connection Kids in Meru South, Beth House in Meru South, Tumaini Children's' Home in Meru South

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Generation Children in Tharaka South, MEEG Centre for orphans in Tharaka North, St. Joseph Matiri Children's' Home in Tharaka South and Each one Feed one in Tharaka North.

All these are supporting a total of 168 children. The CCIs have offered a lot of support especially in the area of rescuing children in difficult circumstances. The CCIs have continued to play an important role in offering alternative care to children in difficult situations. The rules and existing regulations require charitable children institutions to be registered. Currently the government has supported connection teams to a tune of 176,000. The policy is to support only the registered institutions.

Recommended action plan;

As these institutions host children from the county and some risk closure by the children department, the county government will endeavour to support them so as to qualify for registration. This is because once they are closed the desperate children will still be a headache to the county government. The county government will work closely with these institutions to ensure that the children are fully provided for. It would also be appropriate to only encourage stable institutions such as well grounded churches and foundations to set up charitable children institutions as individuals own CCIs face problems of succession once the owners die. .

Other recommendations;

To establish a children's welfare office within the county government; Number two is to set land for the rehabilitation centre and children's remand home for care of children going through the justice system; Construction of children facilities in local police stations; Commission and preparation of a children policy in the county.

Thank you Mr. Speaker sir.

Hon. Speaker: Thank you honourable Denis. Honourable majority leader you sought this statement. Are you comfortable?

Hon. Muchiri: I am not comfortable Mr. Speaker sir. I want to thank the chair, youth for that comprehensive report on the children. My statement was very unique. I wanted solutions to the problem of the street children the county as at now. Here he has given us a very good

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narrative about the children welfare, the departments that are there, the children's officers, the solutions to these problems but as we speak I expected a short term solution to the street children in the county as at now. Since I have heard that we have 25 street children in Chuka, those are the ones I wanted provided with a solution now. A short term solution, know how best we can do with them. When we talk about building these centres, orphan rescue institutions, it is a long term solution. Mr. Speaker I am not comfortable.

Hon. Speaker: Before we proceed members...

(Honourable Gitonga attempted to catch the Speakers eye)

Yes honourable Gitonga.

Hon. Gitonga: Thank you Mr. Speaker. With due respect to my honourable chair in the committee of youth, sports and social services, I wish to observe the following...

Hon. Speaker: Before you proceed, note that the standing orders are specific... let me observe this honourable members; that matters concerning children are critical. And therefore pursuant to the standing order number 60 (3), I hereby allow members to seek clarification on that particular statement. So all members are free to seek clarification but when you do that, allow me to read the standing order number 60(3); *the speaker may allow members to seek clarification on a response to statement but a clarification shall only be limited to the subject of the original request for the statement.* Thank you, proceed honourable members.

Hon. Gitonga: Thank you Mr. Speaker. I was saying that with due respect to the honourable chair, Mr. speaker a very bad precedent has been set by the honourable chair whereby he has tabled the two responses to statements in this house without the scrutiny by our committee on youth whereby I am a member. And in that case Mr. Speaker I don't know if you will disallow those reports notwithstanding the fact that they have been tabled so that we can have an input and if we have anything that need to be clarified like the honourable Godfrey as stated that he is not comfortable we would have had the chance to look at the request the way it was and maybe seek further clarification. I wouldn't wish that any other committee chair tables responses to statements to this house without the due scrutiny of the committee members. This is because it beats the purpose as to why in the first instance that statement was referred to the committee. Those are my sentiments; I hope the chair cats accordingly.

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Mr. Speaker: No, a quick ruling on that, standing order 58(c) demands that *where a committee has either deliberated on the matters contained in the statement with the concerned county executive committee member, or has received a written response, may make a reply statement in the assembly on a day prescribed for response to statements.* So honourable Denis, did you ever deliberate these matters with your committee?

Were these matters deliberated by the committee?

Hon. Denis: Yes. I want to say this Mr. Speaker, I began by saying that my committee never...

(Interjection)

Hon. Speaker: On number two, did you ever receive any written response from the executive?

Hon. Denis: Yes.

Hon. Speaker: Was that response written deliberated by the committee?

Hon. Denis: No.

Hon. Speaker: Then if it was not I think your response is premature and I don't want you to get embarrassed. Can we reschedule? Can you seek for another day so that you first deliberate with the committee, you follow the standing orders, then you bring your response to this house?

Hon. Denis: Thank you Mr. Speaker and I request for 2 weeks.

Hon. Speaker: Thank you. But maybe you should apologize to the mebers.

Hon. Denis: Through your advice, I wish to apologize to members of my committee because of that mistake. It was not intentional. But again, because of the push from the honourable member...

Hon. Speaker: Honourable member do you seek to qualify your apology? It is taken, thank you.

(Laughter)

So let us proceed.

MOTIONS AND BILLS

COUNTY ASSEMBLY BUDGETARY REALLOCATION FOR THE FINANCIAL YEAR 2017/2018

Hon. Speaker: Yes honourable Gitonga.

Hon. Gitonga: Thank you Mr. Speaker. Pursuant to the Public Finance Management Act 2012 section 154, 2(a) and (c), and for the benefit of the members allow me to read and it states; *an accounting officer for a county government entity may reallocate funds between programs or between sub votes in the budget for a financial year but only if (a) provisions made in the budget of a program or sub votes are available and unlikely to be used.*

C, states; the total of all reallocations made to or from a program, or sub votes does not exceed 10% of the total expenditure approved for that program or sub vote for that year.

Therefore Mr. Speaker, the reallocation we are seeking is in compliance with the Public finance Management Act 2012.

Mr. Speaker sir, I hereby move the motion that this house approves the County Assembly budget reallocation for the financial year 2017/2018. Thank you Mr. Speaker.

Hon. Speaker: Honourable members I now propose the question that this house approves the county assembly Budget reallocation for the Financial year 2017/2018 in conformity with the provisions of the Public Finance Management Act 2012 and specifically section 154, 2(a) and 2(c). Thank you. Honourable members the floor is now open for debate.

Anyone to second the motion? Yes honourable Majority leader.

Hon Muchiri: Thank you Mr Speaker. I stand not only to support but also to give my input on this budget so that we can move some re-allocations. we may consider purchase of office generator. This is a serious problem that we have within our offices at Chuka, when there is power blackout there are no operations that take place in our offices. If i can recall very well during our public participation, we had a problem of electricity and we were to wait until we get an alternative to print the papers we were to use during that time. Secondly, purchase of

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vehicles for transport, i think this is a necessity in our assembly as we talk because we are very embarrassed. I being a leader of majority when we meet as leaders of majority i am the only person without an official car and the same case to the leader of minority .Mr. speaker we are supposed to be given what is entitled to us not as individuals but as an office since i have never seen another institution that is reallocating money for board meeting and committee allowances and increasing that allowance means it's timely because i believe maybe the audit committee had a lot of money allocated to them and they thought maybe it was good to reallocate it to other uses. So Mr. Speaker i stand to support it.

Hon speaker: Thank you honourable majority leader. Honourable Mwenda Gataya.

Hon Gataya: Thank you honourable Speaker . This reallocation is a clear indication that we cannot live in isolation as a county because quite a number of other counties across the board have embraced the amendments of trying to make sure that the leadership is well catered for that's why we have thought it very nicely to make sure that our leadership is in order and create a sufficient working space for Majority, minority and as you can see honourable speaker the board is quite prudent we are not mean that's why we have decided that we are supposed to slash budget that we can do things that are supposed to be catered for in the assembly. I support and urge the honourable Members to do the same .

Hon Speaker: Thank you honourable Mwenda Gataya. The floor is still open honourable members for debate. Honourable Samuel Muthini.

Hon Karangi: Thank you Mr Speaker. I also stand to support the adjustment, i would love to see my brother being in an official car together with my elder brother minority leader and also for other operations of county assembly to move on. I think it is a good idea and we should all embrace as honourable Members am also hoping that this one might have hindered the implementation of CAF resolutions so i hope with this reallocation the CAF resolutions, the 2013 SRC circular be implemented. I think now it is the right time we implement it very fast Mr. speaker i know you are able with your board members so i urge honourable Members to support this and after that the power will be.....

(Interjection)

Hon Speaker: Hon Muthini the board has heard you loud and clear.

Hon Karangi: Thank you Mr. Speaker.

Hon Speaker: Hon. Eng Njeri.

Hon Njeri: Thank you Mr. speaker sir. I support the proposal by honourable Muthini not only to implement the SRC proposal for 2013 but also to consider paying everything which is in arrears.

Hon Speaker: Thank you hon Njeri. Noted. Hon member for Mwimbi ward.

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Hon Kinegeni: Asante bwana spika. Yangu ni machache, nataka kuunga hii bajeti mkono sababu wakati nilitembea Turkana nilikuwa nabebwa na gari la kiongozi wa wengi bungeni. Kwa hizo siku zote nilikaa huko sasa naunga mkono sababu nataka hapa Tharaka Nithi tukuwe tunafurahia kiongozi wa wengi bungeni na kiongozi wa wachache. Kwa hivyo naunga mkono.

Hon Speaker: Thank you honourable member for Mwimbi ward. Honourable member for Chiakariga ward.

Hon Njagi: Thank you Mr. Speaker sir. Having gone through thisalthough we which i think is also because our leadership is good it is also very articulate for honourable member s to articulate various activities but the budget itself its well executed so i urge that we implement the way it is so that everything will be ok. So i stand to support.

Hon Speaker: Thank you. Hon members before we proceed allow me to welcome these members of staff and students of Ndagoni girls secondary school to this sitting, kindly note that this is a house of rules, observe silence but be keen and anxious to enjoy the debate as we proceed. Thank you.hon members lets proceed. Hon Denis.

Hon Denis: Thank you Mr. Speaker. The budget is good and i stand to support. This is all about giving the office more effective opportunity to serve well and when it is now implemented we shall be motivated as we serve our electorates and i also want to note it is a product of an exposure you have given because as hon. Members are stating out of interacting with other counties we have been having best practice some of these is a product we are seeing out of this budget so Mr. speaker i stand to support.

Hon Speaker: Thank you honourable Denis. Honourable member for Mariani.

Hon Kinyua: Thank you Mr. Speaker. I have done some observation. I am one of the members in the 1st assembly the case is in the court but i can't see any provisions for MCAs so i believe in the 1st assembly i don't know where the money was

Hon Speaker: Thank you honourable. Member for Mariani. Hon members the floor is still open for debate. I now call the mover honourable Gitonga to reply if he has any response to make.

Hon Gitonga: Thank you Mr. Speaker. Let me first assure honourable Mbogori that if everything is held constant, the salaries or arrears of the former MCAs will be taken care of within the stipulated time in this budget. What we have done is reallocating those volts funds that are not likely to be used between now and 30th June before the expiry of this financial year. So the honourable members should not be worried and further thank you for the support you have give to this motion we promise them as a service board that we shall offer quality service and in a timely manner once we implement the recommendations of this house on budget. Thank you members.

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Hon Speaker: Thank you honourable member for Nkondi ward. Hon members allow me now to put the question that this house approves the County Assembly budget reallocation for the financial year 2017/18 in conformity with the provisions of the public finance management act 2012 specifically section 154(2a &2c)

(Question put and agreed to)

MOTION ON ADJUSTMENT OF ASSEMBLY CALENDER DATE

Hon Muchiri: Thank you Mr. speaker sir. Pursuant to standing orders no 39(4) i move the motion that the house adjust its calendar by removing the second section second part(short recess) commencement from the 21st June 2018 to 5th July 2018 to allow the house to consider the budget estimates for the year 2018/19. I am moving this motion in consideration the budget is on the way and if we go to recess we won't have time to scrutinize it and may be adopt it. Therefore am moving a motion to remove the short recess from 21st June to 5th July. Thank you Mr Speaker.

Hon Speaker: Thank you Honourable member for Karingani ward. Any seconder to the motion. Hon Mwenda Gataya.

Hon Gataya: I support Mr. speaker. This is a critical time in our calendar we have a serious cycle and arrangements as an assembly we have serious matter we have to undertake and it's important as honourable Majority leader has said we adjust the calendar so that we can take care of the budget estimates.

Hon Speaker: Thank you honourable member for Mukothima ward. Honourable member for Chiakariga.

Hon Njagi: Thank you Mr. speaker sir. I also support the adjustment.

Hon.Speaker: Hon members allow me to propose the question that pursuant to standing orders 39(4) this house alters the assembly calendar second session, second part short recess from 21st June to 16th July 2018 to allow considerations of budget estimates for the financial year 2018/19. Hon members the floor is now open for debate. Honourable Njagi. You can now speak.

Hon Njagi: Thank you Mr. speaker sir for allowing me to contribute. We have got various things our county members raised for the improvement of their various activities for big reason you remember few minutes ago I was asked about what the ministry of agriculture is doing for the purchase of grains in the county market so having done this anytime also go through that question given to me and also the action to be taken. Thank you Mr Speaker sir.

Hon Speaker: Thank you Hon member for Chiakariga. Yes Hon Anita

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Hon Anita: Thank you Mr Speaker. I rise to support this that we adjust our calendar. Looking at our representation role I am reminded that this week we are looking at the ADP and after the rains our roads are in very pathetic situation and I don't know if we went for recess without having looked at the budgets that will cater for the repair of this roads I don't know what we are going to tell the residents that we represent why we did not pass the budget and we know what we were elected or nominated to do, and I believe also if we went for recess today when we come back it will be after June where the budget will also have expired that is the budget of 2017/18 and the community is looking at the service we are supposed to give an year after we came into this office to represent them. So I believe it is in the interest of this house and the residents of Tharaka Nithi County, the people we represent that we adjust our calendar so that we can have something to smile about when we go for the short recess.

I support.

Hon Speaker : Thank you Honourable Anita. Yes Hon Member for Mariani.

Hon Erastus: Thank you Hon Speaker, thank you. I stand to support the adjustment of the Assembly calendar and still Mr Speaker knowing that we are still waiting for the budget estimates of the financial year of 2018/19 and knowing that budget is a process and it has a lot workloads whereby we have public participations and the scrutiny of the budget therefore Mr Speaker I support the adjustment of the assembly calendar so that the budget can be approved before the end of the next month.

Hon Speaker: Thank you Hon Mbogori. Hon Members, the floor is still open. Yes Hon Engineer Njeri.

Hon Njeri: Thank you Mr Speaker I stand to support the adjustment of the calendar considering that the assignment that is before us is very important and very crucial to the county operations and our assignment and therefore it is necessary that we adjust the calendar. Thank you Mr Speaker sir.

Hon Speaker: Thank you Hon Njeri, Hon member for Igambang'ombe. Yes Hon Charles Nyaga

Hon Nyaga: Thank you Hon Speaker. I stand to support the adjustment of the calendar so that we can go through the budget and also to give the committees which have got queries time to respond as a committee to the many questions that are ahead of us. Therefore Mr Speaker I support.

Hon Speaker: Thank you Honourable member for Mitheru ward. Yes Honourable Gitonga.

Hon Gitonga: Thank you Mr Speaker. Noting that we have little time between now and 30th June, I strongly support the adjustment of the calendar dates so that the honourable members

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can have time to go through the budget estimates that we are expected to table in this house so as we go for recess in July probably after passing of the budget the honourable members can get time to inform their residents or constituents of the possible process we will have gone at that time so i support the adjustment of calendar dates.

Hon. Speaker: Thank you honourable Samuel Muthini, yes honourable Peterson Mwirigi.

Hon. Kathenya: Thank you Mr. Speaker sir I stand to support because we need to scrutinize the budget. Yesterday we almost slept scrutinizing the annual development plan; we need some good time so that we can know what is there for us thank you I support.

Hon. Speaker: Thank you honourable member for Gaanga ward. Any other contribution honourable members? Honourable members looking at the mood of the house allow me to put the question that pursuant to standing order number 39 (4) this house alters the assembly second session short recess from 21st June to 2nd July 2018 to 5th July to 16th July 2018 to allow consideration of the budget estimates for the financial year 2018 /2019.

(Question put and agreed to)

APPROVAL OF THE LIQUOR LICENSING COMMITTEE

Hon. Speaker: Yes honourable majority leader.

Hon. Muchiri: Thank you Mr. Speaker pursuant to the Tharaka Nithi County Alcoholic control act 2015, section 4(1) I move the motion that this house approves the following appointees to the county liquor licensing committee and I read them: we have Dr. Fredrick Kamundi as the county secretary as the chairman, Cornelius M. Muendo county public health officer, Mr. Isaac Kegode county commander, Kenya Police service, Mr. Kennedy M. Nyaema county commander, Administration police, Mr. Aggrey Karani chief officer, trade, industry and co-operative development as the secretary, Mr. M'Turuchiu Murungi as the county chairperson of the Kenya national Chamber of Commerce and Industry, Mr. Mwenda Riungu who county physical planner, Mr. Daniel Kauna Rugera who will be a a member, Mr.

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Jackline Kananu Njagi who will be a member and Mr. Gilbert Muriuki Mbuba who will be a member. Thank you.

Hon. Speaker: Thank you Honourable Majority leader. Honourable members I now propose the question that pursuant to the Tharaka Nithi County Alcoholic drinks control act 2015 section 4(1) this house approves the following appointees to the liquor licensing committee as provided for under section 4 of the act Dr. Fredrick Kamundi as the county secretary as the chairman, Cornelius M. Muendo county public health officer, Mr. Isaac Kegode county commander, Kenya Police service, Mr. Kennedy M. Nyaema county commander, Administration police, Mr. Aggrey Karani chief officer, trade, industry and co-operative development as the secretary, Mr. M'Turuchiu Murungi as the county chairperson of the Kenya national Chamber of Commerce and Industry, Mr. Mwenda Riungu who county physical planner, Mr. Daniel Kauna Rugera who will be a a member, Mr. Jackline Kananu Njagi who will be a member and Mr. Gilbert Muriuki Mbuba member. Honourable members the floor is now open for debate.

Hon. Njeri: Thank you for the chance Mr. Speaker but from that list of the names you have read I think the compliance of 30% for PWD youth and women is not taken care of, so I stand to oppose that list thank you.

Hon. Speaker: Thank you Honourable member of Igambang'ombe, honourable members the floor is still open yes honourable Njagi.

Hon. Njagi: Thank you Mr. Speaker I stand to support this nominees in line that when I look at it all elements entailed in this sector of liquor for example security is composed there their doing the business trade is included. Inline of consuming this commodity where hygiene is required I am seeing a person of public health and also the physical planner is there to justify where it is whether it is good or bad so I support.

Hon. Speaker: Honourable members before we proceed with the debate allow me to bring to your attention the mandatory provision of section 4(4) of the relevant act that is Tharaka Nithi alcoholic control act. Subsection 4 reads the committee shall consist; A. the county secretary who shall be the chairperson, B. The county public health officer and C. the officer commanding police service in the county, D. The officer commanding administration police in the county, E. The chief officer in charge of trade, industry and co-operative who shall be the secretary, F. The county chairperson of the Kenya national Chamber of Commerce and Industry and G. The county physical planner H. Three residence of the county appointed by the executive member in consultation with the Governor through a competitive process in accordance with the prescribed rules, one of whom shall be a youth provided that not more than two persons shall be of the same gender. I am saying that because the compliance that engineer Njeri sort for is only in regard to three members and there is such compliance if you keenly look at the document. Let us proceed honourable members with the debate. Yes honourable Anittah.

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Hon. Anita: Thank you Mr. Speaker and I rise to support after reading for us the act and I believe when we were discussing the ADP from the finance department we realised that our county lost some money because we did not have enough revenue collected and I believe all the members now that our bar owners don't pay for their licenses because of a case pending in court, because may be there was no committee or policy regulating the collection of their money and licenses. If we need to move as a county and to move with speed we need to support this committee so that our county can move forward and having the county security personnel on board and the county health officers I believe they are well mandated and they know their role on where the security of the residents is concerned and health so that we can have dens that are producing illicit brew that have very funny concoctions and very funny things inside closed so that we can have a healthy county and move forward I support.

Hon. Speaker: Thank you honourable Anittah yes honourable Mwenda Gataya honourable member for Mukothima.

Hon. Gataya: Thank you honourable Speaker I admire the background that you as the chair has represented to the honourable house. The background on which that committee is pro-headed for but honourable speaker the other three members about, maybe the mover could have really indicated weather one kauna is a youth, weather is a lady so that we can get the full glimpse of what is in the representation of the other three members just guide us honourable speaker.

Hon. Speaker: Thank you Honourable Mwenda Gataya but pursuant to the provision of standing order 73 the mover has still the right to reply, yet to thank you. Yes honourable members lets proceed any other contribution. Yes honourable Mbogori.

Hon. Erastus: Thank you Mr. Speaker I want to say something about these members who shall be on the board. Having read the membership of the people who are supposed to seat on this board, i am also supporting Mwenda that stating from number H this refers to these three members, the three residences are supposed to be residence of Tharaka Nithi County. I believe it is my humble request that the mover should have clarified to us who they are, where they have been working before and the status they are today. I just want to be clarified on those three members because as Njeri has said we don't know whether one is a PWD or not Mr. Speaker thank you.

(Applause)

Hon. Speaker: Honourable Members to the interest of fairness and equity I now revoke the unfit and excretion to confide upon the chair to allow one Godfery majority leader to clarify the composition of the three as contained under section 4(h) so that the members can be able to contribute to this debate.

Hon. Muchiri: Thank you Mr. Speaker I like the concern of honourable members on the list, but considering that the list you are talking about is the last three members since the others

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are in the act. Gender has been taken care of because on Ms Jackline Kananu Njagi is a woman and Daniel Kauna Rugera and Gilbert Muriuki Mbuba are men. Mr. Speaker the same Jackline Kananu Njagi is a youth. So I believe that one has been taken care of. The issue of PWDs, considering only three vacancies for the competitive selection I believe that one will be catered later because the three members have catered for the affected areas. I also request that honourable members because of the names on this list

Hon. Speaker: Yes honourable Asumpta

Hon. Asumpta: Thank you Mr. Speaker I want to say what majority had said they will consider them later which later and even the constitution itself says a youth and people with disability why are you saying you will consider later and this is the moment you should say the person to be considered thank you.

Hon. Speaker: Thank you honourable Asumpta

Hon. Muchiri: Allow me to contribute further Mr. Speaker this was an advertisement which was very competitive and was advertised in the official website of our county website which was on January. 10. 2018 and no PWD had applied so Mr. Speaker I believe that we could not have gone to look for people to apply thank you.

Hon. Speaker: Thank you honourable majority leader and again for the interest of fairness to this debate allow me again to repeat the words as contained in section 4(4)/h of the act. Three residence of the county appointed by the county executive member in consultation with the governor through a competitive process in accordance with the prescribed rules one of whom shall be a youth provided that not more than two persons shall be of the same gender. So unfortunately the act does not make it mandatory that PWD be included. Proceed honourable members.

Hon. Karangi: Thank you Mr. Speaker I stand to support the motion and I argue my colleague members to pass this nominees. Even the 30% that is required in the threshold it entails that is PWD, youth and women. So there is one representation of the 30% which is a lady in that list. Sincerely speaking I think, but next time leader of majority make sure you have put the interest of PWDs first so that we can have some sense of equity. For the sake of urgency of this matter almost everything is paralysed in the area of liquor licensing and to all that appertains the same. Let us pass this list as it is and I think things will move forward well in this county thank you.

Hon. Speaker: Thank you honourable Samuel Karangi yes honourable Gitonga.

Hon. Gitonga: Thank you Mr. Speaker I rise to support the passing of this list otherwise Mr. Speaker I wish to put the following; what the majority leader has said that the advert was made in the county web site. Some of the people do not have accessibility to network so Mr. Speaker I would urge the majority leader to get a follow up so that these adverts are made at

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least to local dailies as stipulated elsewhere as other adverts are done. Otherwise shall lock out many people if an advert is only put in the county website due to accessibility of that network thank you.

Hon. Speaker: Thank you honourable Gitonga, yes honourable Mwenda Gataya.

Hon. Gataya: Thank you honourable speaker I now retract my earlier sentiments going to your mastery provision in law and the guidance of the majority leader. Now that the three members are provided well and the law does not provide for mandatory for PWDs. In this case I strongly support the list so that we can have systems for this a quiche ways of doing things that we have experienced so I urge the honourable members to support the list and make sure the county runs effectively by this arrangement I support.

Hon. Speaker: Thank you, that to the pointer unfortunate position that the act does not provide for any provision for PWD and perhaps honourable Asumpta at your earliest opportunity you may find it necessary to move a motion of amending this particular section thank you. Yes honourable engineer Njeri kigwari.

Hon. Njeri: Thank you Mr. Speaker considering the guidance you have given us I want to support it as for now but I would like to request the majority leader next time to be fair. We should have the advertisement where everybody is able to access because as my colleague as just said not everyone have got websites at our *mashinani* and everywhere. We have very many people out there who would as well participate in this thank you.

Hon. Speaker: Thank you honourable member for Igambangombe. Yes honourable Dennis Denis honourable member for Mugwe ward.

Hon. Denis: Mr. Speaker I stand to support the list because one of my major worries, is what has been happening there have been some bars near schools which even the community has been complaining. So with this board one we shall have all our grievances, we also know that people have been interdicted because of this issue of drug and substance. So for the benefits of our residence I support this list. However I wish to make my recommendations that we need to look into the issues of people living with disabilities in future so we are not disadvantaging them and availing the information to the public, like in our county we do not have an active website and at times we will be required to use the best mood of communication so that at least we shall be fair giving information to our people thank you.

Hon. Speaker: Thank you honourable member for Mugwe ward and other contribution honourable members. The floor is still open for debate, honourable members I now put the question that pursuant to the Tharaka Nithi County alcoholic drink control act 2015 section 4(1) this house approves the following appointees to the liquor licensing committee as provided for under section 4(4) of the act; Dr. Fredrick Kamunde as the county secretary as the chairman, Cornelius M. Muendo county public health officer, Mr. Isaac Kegode county commander, Kenya Police service, Mr. Kennedy M. Nyaema county commander,

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Administration police, Mr. Aggrey Karani chief officer, trade, industry and co-operative development as the secretary, Mr. M'Turuchiu Murungi as the county chairperson of the Kenya national Chamber of Commerce and Industry, Mr. Mwenda Riungu county physical planner, Mr. Daniel Kauna Rugera who will be a member, Mr. Jackline Kananu Njagi will be a member and Mr. Gilbert Muriuki Mbuba member.

(Question put and agreed to)

ADJOURNMENT

Hon. Speaker: Honourable members there being no other business in our order paper the house stands adjourned and shall sit again on Tuesday 5th June 2018 at 9:30 a.m. thank you.

END.