

THARAKA NITHI COUNTY ASSEMBLY

THE HANSARD

15th June 2021

*The County Assembly met at the
County Assembly chambers in Kathwana at 11.30 a.m.
[The Speaker (Hon. D.J. Mbaya) in the Chair]*

PRAYERS

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

COMMUNICATION FROM THE CHAIR

Hon. Speaker: Honourable members, welcome to this sitting. I wish you all the best as you carry on with your constitutional mandate. Thank you. Next order.

BILLS

SECOND READING

THE THARAKA NITHI COUNTY HEALTH AND SANITATION SERVICES BILL, 2021

Hon. Speaker: Yes, honourable Charles Nyaga, member for Mitheru.

Hon. Charles Nyaga: Thank you Mr. Speaker. I rise to present the report which earlier I laid on the table of the House. In this report I would like to skip the committee membership, the introduction, the overview of the Tharaka Nithi County Health and Sanitization Services Bill, 2021.

Hon. Speaker: Kindly proceed.

Hon. Charles Nyaga: I will start with how the Tharaka Nithi County Health and Sanitization Services Bill, 2021 affects the county.

The ultimate goal of this Bill is to give effect to relevant article of the Constitution. Through:

- Provision of a framework for the effective delivery of integrated, comprehensive and quality community health service at the county.
- Enhancing community access to basic health services.
- Developing the necessary technological infrastructure for effective delivery of community health services
- Facilitating access to information regarding appropriate healthy behaviour including basic information on sanitation, hygiene, and the prevention and treatment.

Submissions by the Public

Due to the declaration of COVID-19 as a world health pandemic and subsequent issuance of guidelines on public gatherings by the National Emergency Response Committee (NERC) the County Assembly of Tharaka Nithi conducted its public engagements with the public on the Tharaka Nithi County Health and Sanitation Services Bill, 2021 on 24th to 26th May 2021 at Chuka Igambang'ombe, Tharaka and Maara constituencies respectively as well as submission of Memoranda.

Copies of the proposed bill were to be obtained from the County Assembly website:

[Http://tharakanithica.go.ke](http://tharakanithica.go.ke) and the views or memoranda from the public were to be emailed to tharakanithicountyassembly@gmail.com on or before 28th May 2021 at 4.00pm

However, during the public hearings, there were no issues raised on the Bill and neither were there memoranda submitted to the office of the Clerk by the time the committee was writing its report.

Proposed Amendments;

On considering the Tharaka Nithi County Health and Sanitation Services Bill, 2021 the Committee proposes the following Amendments;

- (a) Insert a new sub clause between sub clause (5)(f) and (5)(g) to read 'Provide guidelines and operationalization of processing, management, storage and disposal of human remains';
- (b) Insert new sub clause between sub clause (18)(a) and sub clause 18(b) to read 'Advocacy for resources mobilization and health services utilization';
- (c) Insert new sub clause (19)(3)(d) to read 'Not serving any county department of health or Ministry of health';

- (d) Delete the words ‘contentiously and to the best of their knowledge within the scope of practice and ability, to every person entrusted to their care or seeking their support’ as appearing after the words ‘care’ on sub clause (28)(a) and replace therefor with the words ‘to every person seeking their service;
- (e) Insert sub clause (32)(a) to read ‘Any person presenting to a health service provider seeking a service is deemed to have consented to receive that service. In case the health service involves invasive procedures such as surgery, the patient shall consent by appending his or her signature on a standard consent form which indicates the nature of the procedure.’;
- (f) Insert the words ‘private, faith based, NGOs and all other facilities and clinics offering health services in the county’ after the word ‘facilities’ as appearing under clause (41) (1);
- (g) Insert the words ‘services’ after the word ‘Health’ and delete the word ‘services’ appearing after the words ‘sanitation’ in the title.

Committee Recommendations;

It is the Committee’s humble submission that the Tharaka Nithi County Assembly approves the Tharaka Nithi County Health and Sanitation Services Bill, 2021 with amendments.

I now move that the Tharaka Nithi County Health and Sanitization Services Bill, 2021 be now read a second time.

I request honourable Margaret to second.

Hon. Speaker: Thank you, honourable member for Mitheru.

(Hon. Margaret stood in her place and bowed to second)

Hon. Speaker: Thank you honourable Margaret Gitari.

Honourable members, allow me now to propose the question that the Tharaka Nithi County Health and Sanitization Services Bill, 2021 be now read a second time. Honourable members, the floor is now open for debate. Yes, honourable member for Karingani.

Hon. Muchiri: Thank you honourable Speaker for allowing me to contribute to this debate on the Bill. Health is wealth. Having gone through this Bill I have come to realize that most of our hospitals are run by committees that are illegal and it is the high time we legalize them.

In the Bill, as I was going through it, I saw the need for the committee, I will use the same words I used in the morning, to extend their generosity to other committees when it comes to the scrutiny of Bills. They committees should also considering inviting experts because I am not a medic but I have several times prescribed myself some medicines without consulting the experts but it was not good for me.

In the Bill, there is a provision for every ward to have a health centre. This one will help me so much because it is only my ward that has no health centre. I was even thinking I wish the bill can require it to start immediately we pass the Bill. I know that my ward will get one. Someone is looking at me telling me that I have a health centre Mr. Speaker. What I have in my ward is Chuka referral hospital which is not a health centre. It is good that we differentiate that Chuka referral hospital is not a health centre neither is it a ward health centre.

I went through the functions of the committees of dispensary and even the qualification for the members. Everything now is going on based on papers and the person who is supposed to be given any responsibility in this Bill needs to have at least a diploma. That is something that is commendable. The person to be the chair of the referral hospital needs to have a very high qualification so that our hospitals can be managed by experts.

I know that choices have consequences. This Bill derives from the constitution and someone may go to court to challenge the county when it comes to provision of sanitation and healthcare services. This is because everybody is entitled to those services. I do not know, because there is a provision somewhere, that nobody should not be attended to for lack of finances. We also know very well that people can act like they don't have money when they have.

With that, as I support, the Bill is talking about the issue of handling food and water.

Somewhere I know honourable Muthini may start thinking otherwise when we talk about water safety and quality control. Article 53 says that no person shall bathe in, swim in, wash clothes in, and wash vehicles or motorcycles or other articles in a public river or any other

public water source. That is why I am saying that choices have consequences. I know that our people are used to this and I know also when one is caught there is a provision ...

(Interjection)

Hon. Speaker: Yes, honourable Muthini.

Hon. Muthini: Thank you Mr. Speaker. Is honourable Murithi, the member for Karingani trying to insinuate that I bathe in the river, wash my clothes and my car in the river Mr. Speaker. Why me. Is it in Tharaka constituency only where rivers pass through near homesteads. Can he clarify?

Hon. Speaker: Kindly substantiate.

Hon. Muchiri: Thank you Mr. Speaker the reason I used honourable Muthini is because I know he is a very good representative when it comes to the representation of the people of Tharaka. They are used to bathing in the rivers.

(Laughter)

When I was coming to the Assembly today I saw some boys swimming. I know if they are caught honourable Muthini will just go and say this is our tradition, this is what we do. That is why I have used him. It is not on bad faith but on good faith. That's the reason and I am happy that honourable Muthini is good with that.

Hon. Speaker: Honourable Muthini are you comfortable with that reference.

Hon. Karangi: It is not that I am comfortable Mr. Speaker but since he has tried to substantiate let me say that those times have passed when we used to swim with Elijah.

(Laughter)

I am a very good swimmer in the rivers but that is past tense so going by the prevailing conditions they must ensure that there is clean water and safety so I have no problem with honourable Muchiri, he meant the past issues Mr. Speaker.

Hon. Speaker: Honourable Godfrey Muchiri kindly proceed.

Hon. Muchiri: Thank you honourable Speaker and honourable Muthini for confirming that they used to swim and I am happy I referred to him.

I think the same Bill talks about the health nuisances. We passed a Bill in this House concerning noise nuisance. The same committee needs to fast track the issue of implementation because I live within town and the bodaboda riders have put... and I don't know what that is in their motorbike that makes a lot of noise even near hospitals. We need to fast track and see the implementation of these Bills and the issue of health nuisance having been discussed in the same Bill. The Bill has clarified what is nuisance when it comes to health and I am happy on this. This will help me to at least control some of the waste that is thrown within the town by clinics or hospitals. We now have a law that can make them even be taken to court.

Having supported I want to say that let the chair extend his generosity to the whole House as we go for a retreat to go through this Bills and also the policies that we will bring in this House. Thank you.

Hon. Speaker: Thank you, honourable Godfrey Muchiri member for Karingani. Yes, honourable Margret Gitari. Member for Chogoria.

Hon. Gitari: Thank you Mr. Speaker. I am standing here as a member of this committee to support this Bill. Before I go further I have also learnt that there is need to sensitize all the honourable members on Bills before we come to this House. These are the honourable members that discuss these Bills and pass them. We may be discussing the reports and we don't know exactly what is entailed in those reports. I want to urge my chair that we contact the CECM on health so that we can bring the honourable members together very fast so that they will be able to know about this Bill that they are passing today what is entailed inside there so that we can be all at par. We have read at different times and we have all gone through but when we consult and discuss such a Bill together we may be able to understand better what is contained in this Bill.

I support this Bill about health services and sanitation. This is the backbone of every person good health and proper sanitation is a must to all. The other day I was invited by the ministry of water and irrigation because they are also coming up with a national policy on sanitation. If we attack it from all the areas nationally and countywide we will be able to make sure that health services have been given priority. All relevant committee have been put in the act so that health services in this country will not only be... the committees will not be put there because they must be put there committee. They will be put there because it is the law that requires the committee to be put there with or without any head who is giving the directions.

The direction is already here in the Act. As we pass this Bill today we should understand that most of the issues have just been at the mercy of maybe the CECM, or mercy of the governor, or the mercy of people who lead the health services.

I support the Bill with amendments so that it becomes an Act and it can be able to guide us in the entire county.

Hon. Speaker: Thank you honourable Margret Gitari. Yes, honourable Anita Karimi.

Hon. Anita: Thank you Mr. Speaker. Today this House seems to be having very healthy discussions. Mr. Speaker there is something I love that you always tell us that in the constitution and the County Government Act the County Assembly comes before the County Executive.

As I said earlier I think we know the schedules of most of these members and sometimes when the clerks do us the honours of sharing these Bills on the legislative forum that we created I believe very few go through these Bills; I am not saying we don't read them but you know like now when members don't have bundles sometimes it is a problem. I was saying before we approve these Bills and come here regretting like parliament did to us, it is very healthy whatever comes before the county government we should be involved first. I remember there are Bills you approved to go somewhere and sit as a team and when those Bills will be mentioned I remember one from the trade committee was rejected by the members and they were told to go back to the field and at least do amendments because it looked like copy paste from another county that deals with more than a thousand cattle per farmer then it was pasted for Tharaka Nithi county.

I am saying this having visited Magutuni District hospital on Friday and seen what is happening. Maybe before this Bill goes to the committee of the Whole members need some sitting so that we can look into this Bill at least give amendments because we represent the people. For instance, when honourable Margaret talks twenty thousand people are speaking through her. It's good if we sit down and go through these Bills because it seems as the sunset nears we are really opening our eyes to what is required to be done with a lot of attention and keenly.

I don't have something to take having been the 2nd reading and having seen the Bill yesterday night when it was shared on the wall I believe we need to see through it so that we can know what we need to add which is good for our people. Like now am told a lot of things and my

honourable member has been talking of equipping Kaanwa health centre maternity for the last eight years and nothing has been done we need to look into those issues keenly before we at least we can move this Bill so that we can know.

I believe every facility has money attached to it. That is why honourable Murithi says he needs to know the financial implications before he passes the budget. So it is in good faith and it is in order we see through this so that we can know what is involved therein and so that if there are any amendments that we feel come from the community we can forward them to the committee so that we can at least give the green light before we go to the committee of the whole House.

Thank you Mr. Speaker.

Hon. Speaker: Thank you honourable Anita Karimi. Yes, honourable Justin Kithinji.

Hon. Kithinji: thank you Mr. Speaker. I congratulate the committee for health. This Bill has been a process. I personally remember we went through it at Sunstar hotel in Nairobi. You there is a trend I am seeing in this House where people all of a sudden decide to participate when the document is brought in this House but when the document is being taken through the process they are nowhere. I was at Sunstar where we discussed this Bill. Some of these proposed amendments... I am not a member of this committee but I am one of those people who contributed to the proposed amendments. It should be a wakeup call that whenever a matter is referred to a committee and whenever we are invited by the committee we take our work seriously. There is a time I was in the shoes of honourable Anita with a particular Bill in this House...

(Interjection)

Hon. Speaker: Yes, honourable Anita, you want to stand on what?

Hon. Anita: Thank you Mr. Speaker. I am seeking clarification from honourable Kithinji. I believe I even attends the public participations meetings more than he attends and when I seek to know... he even supported a Bill that he is clueless about in the morning. When I say some things he should not stand and castigate me like I do not attend those meetings. I believe he came to Sunstar and left and I was stayed behind. So he should clarify that.

Hon. Speaker: Yes, honourable Justin Kithinji.

Hon. Kithinji: Thank you Mr. Speaker. It is good she has admitted that she was at Sunstar. I am not castigating her but I was only interjected before I sit. I was saying there is a day I had similar problems with a certain Bill that was before this House and it was the feeling of the House that at this stage, not unless she moves an amendment there is no way this thing can be differed. However, from her contribution there was no Motion and that is why I am not holding a discussion towards that direction of moving a Motion but rather supporting the Motion that is before us because it has undergone the due process. I want to use some words that were used in this House, that law making is a process, a law can be amended.

I support, if there are issues the Bill can still be amended. Thank you Mr. Speake.

Hon. Speaker: Thank you, honourable member for Magumoni. The floor is still open for debate. honourable Charles Nyaga before we proceed do you feel that we need to differ putting the question or we can proceed.

Hon. Charles Nyaga: Mr. Speaker, I think that time is money and I think therefore we should continue.

Hon. Speaker: Thank you. Honourable Members, the floor is still open for debate. Yes, honourable Asumpta Gabriel.

Hon. Asumpta: Thank you Mr. Speake sir. I stand to support the Motion. Coming up with a Bill is a process and this Bill will guide us like a policy. When a policy is created or published we have to follow it as the county government. County executive are the implementers and we are here to oversight whether they have implemented what we have passed. Health is vital and if we follow the procedures in health we can do better for our community.

Thank you Mr. Speaker sir, I support.

Hon. Speaker: Thank you honourable Asumpta Gabriel. Yes, honourable Karen Karimi.

Hon. Karen: Thank you Mr. Speaker. This House is full of life this morning and I rise to support.

(Laughter)

Hon. Speaker: Do you know why honourable Karen? We are now transiting to the National Assembly and others to the Senate and others those big positions. That is why we have the vigour and energy. The floor is still open for debate. yes, honourable Bonifacia Njeri.

Hon. Njeri: Thank you Mr. Speaker. I stand to support. Health is wealth. Coming up with such a Bill is a process. So I support.

Hon. Speaker: Thank you, member for Igambang'ombe. Honourable member, regards being taken to the mood in the House, allow me now, pursuant to Standing Order (4) to call upon the mover to reply.

Hon. Charles Nyaga: Thank you Mr. Speaker. Let me appreciate the honourable members for debating this Bill. I accept that we need to be sitting together to make some of the amendments. We should also know that all days are not the same. You might be in a meeting but one part of you is not there and you might not get all that is going on there. I respect all the honourable members and I respect their contributions to the debate and as you have said, law making is a process. Amendments to laws will continue to eternity.

Thank you Mr. Speaker, I thank all the members for the support.

Hon. Speaker: Thank you, honourable member for Mitheru. Honourable members, allow me now to put the question.

(Question put and agreed to)

(Orders for the second reading read for the second time)

Hon. Speaker: Honourable members, pursuant to the provisions of Standing Order 154, the Tharaka Nithi County Health and Sanitization Services Bill, 2021, having been read for a second time, stands committed to the committee of the Whole.

COMMITTEE OF THE WHOLE

(Order for Committee read)

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

IN THE COMMITTEE

(The Chairman (Hon. John Njagi Mucee) took the Chair)

THE THARAKA NITHI COUNTY HEALTH AND SANITIZATION SERVICES BILL, 2021

Hon. Mucee: Honourable members let us start.

CLAUSE 2,3 AND 4:

Hon. Mucee: I propose the question that Clauses 2,3 & 4 be part of the Bill

I now put the question.

(Question put and agreed to)

CLAUSE 5

Hon. Mucee: I propose the question that Clause 5 be part of the Bill. The Mover

Hon. Charles Nyaga: I move that Clause 5 be amended by inserting a new sub clause between sub clause (5(f) and (5)(g) to read “Provide guidelines and operationalization of processing, management, storage and disposal of human remains”.

I call upon honourable Margaret to second.

(Hon. Margaret rose in her place and bowed to second)

Hon. Mucee: I propose the question that Clause 5 be amended as proposed.

I now put the question.

(Question put and agreed to)

Hon. Mucee: I propose the question that clause 5 as amended be part of the Bill

I now put the question.

(Question put and agreed)

CLAUSES 6,7,8,9,10,11,12,13,14,15,16 AND 17

Hon. Mucee: I propose the question that clauses 6,7,8,9,10,11,12,13,14,15,16 and 17 be part of the Bill.

I now put the question.

(Question put and agreed to)

CLAUSE 18

Hon. Mucee: I propose the question that Clause 18 be part of the Bill. The mover.

Hon. Charles Nyaga: I move that Clause 18 be amended by inserting a new sub clause between sub clause (18)(a) and sub clause 18(b) to read “Advocacy for resources mobilization and health services utilization”.

I request honourable Asumpta to second.

(Hon. Asumpta stood in her place and bowed to second)

Hon. Mucee: I propose the question that Clause 18 be amended as proposed.

I now put the question.

(Question put and agreed to)

Hon. Mucee: I propose the question that clause 18 as amended be part of the Bill

I now put the Question.

(Question put and agreed to)

CLAUSE 19

Hon. Mucee: I propose the question that Clause 19 be part of the Bill. The mover.

Hon. Charles Nyaga: I move that Clause 19 be amended by inserting a new sub clause (19)(3)(d) to read “Not serving any county department of health or Ministry of health”.

I call upon honourable Mwirigi to second.

Hon. Kathenya: I second.

Hon. Mucee: I propose the question that Clause 19(3) be amended as proposed.

I now put the question.

(Question put and agreed to)

Hon. Mucee: I propose the question that clause 19 as amended be part of the Bill

I now put the Question.

(Question put and agreed to)

CLAUSES 20,21,22,23,24,25,26 AND 27

Hon. Mucee: I propose the question that Clauses 20,21,22,23,24,25,26 and 27 be part of the Bill.

I now put the question.

(Question put and agreed to)

CLAUSE 28

Hon. Mucee: I propose the question that Clause 28 be part of the Bill. The mover.

Hon. Charles Nyaga: I move that Clause 28 be amended by deleting the words “contentiously and to the best of their knowledge within the scope of practice and ability, to every person entrusted to their care or seeking their support” as appearing after the words “care” on sub clause (28)(a) and replace thereof with the words “to every person seeking their service”.

I call upon honourable Karen to second.

Hon. Mucee: Honourable Karen.

Hon. Karen: I second.

Hon. Mucee: I propose the question that Clause 28(a) be amended as proposed.

I now put the question.

(Question put and agreed to)

Hon. Mucee: I propose the question that clause 28 as amended be part of the Bill

I now put the question.

(Question put and agreed to)

CLAUSES 29,30 AND 31

Hon. Mucee: I propose the question that Clauses 29, 30 and 31 be part of the Bill.

I now put the question.

(Question put and agreed to)

CLAUSE 32

Hon. Mucee: I propose the question that Clause 32 be part of the Bill. The mover.

Hon. Charles Nyaga: I move that Clause 32 be amended by inserting sub clause (32)(a) to read “Any person presenting to a health service provider seeking a service is deemed to have consented to receive that service. In case the health service involves invasive procedures such as surgery, the patient shall consent by appending his or her signature on a standard consent form which indicates the nature of the procedure”.

I call upon honourable Nyaga to second.

Hon. Derebia: I second.

Hon. Mucee: I propose the question that Clause 32(a) be amended as proposed.

I now put the question.

(Question put and agreed to)

Hon. Mucee: I propose the question that clause 32 as amended be part of the Bill

I put now the question.

(Question put and agreed to)

CLAUSES 33,34,35,36,37,38,39 AND 40

Hon. Mucee: I propose the question that Clauses 33,34,35,36,37,38,39 and 40 be part of the Bill

I put the question.

(Question put and agreed to)

CLAUSE 41

Hon. Mucee: I propose the question that Clause 41 be part of the Bill. The mover.

Hon. Charles Nyaga: I move that Clause 41 be amended by inserting the words “private, faith based, NGOs and all other facilities and clinics offering health services in the county” after the word “facilities’ as appearing under clause (41)(1).

I call upon honourable Anita to second.

Hon. Anita: Thank you Mr. Speaker. I second.

Hon. Mucee: I propose the question that Clause 41(1) be amended as proposed.

I now put the question.

(Question put and agreed to)

Hon. Mucee: I propose the question that clause 41 as amended be part of the bill

I put the question.

(Question put and agreed to)

CLAUSES 42 TO 72

Hon. Mucee: I propose the question that Clauses 42 to 72 as be part of the Bill.

I put the question.

(Question put and agreed to)

SCHEDULES

Hon. Mucee: I propose the question that the Schedule, be part of the Bill.

I put the question.

(Question put and agreed to)

TITLE

Hon. Mucee: I propose the Question that the Title be the title of the Bill. The mover.

Hon. Charles Nyaga: I move that the title be amended by inserting the word “services” after the word “Health” and deleting the word “services” appearing after the words “sanitation” in the title.

I call upon honourable Asumpta to second.

(Hon. Asumpta stood in her place as bowed to second)

Hon. Mucee: I propose the question that the title be amended as proposed.

I now put the question.

(Question put and agreed to)

Hon. Mucee: I propose the question that title as amended be the title of the Bill.

I put the Question.

(Question put and agreed to)

CLAUSE 1

Hon. Mucee: I propose the question that Clause 1 be part of the Bill.

I put the question.

(Question put and agreed to)

Hon. Mucee: The mover.

Hon. Charles Nyaga: Honourable Chairperson, I beg to move, that the Committee do report to the County Assembly its consideration of The Tharaka Nithi County Health Services and Sanitation Bill, 2021 and its approval thereof with amendments.

I call upon honourable Muthini to second.

Hon. Karangi: I second,

Hon. Mucee: I propose the question, which is that the Committee do report to the County Assembly its consideration of The Tharaka Nithi County Health Services and Sanitation Bill, 2021 and its approval thereof with amendments.

I now put the question.

(Question put and agreed to)

Hon. Mucee: Thank you honourable members for your participation.

[The Chair (Hon. John Njagi Mucee) Left the Chair]

[The Speaker (Hon. D.J Mbaya) took the Chair]

COMMITTEE OF THE WHOLE PROGRESS REPORT ON THEIR CONSIDERATION OF THE
THE THARAKA NITHI COUNTY HEALTH AND SANITIZATION SERVICES BILL, 2021

Hon. Speaker: Honourable Members, allow me now to call upon the Chairperson to report to the House. Yes, honourable John Njagi Mucee.

Hon. Mucee: Honourable Speaker, I beg to report that the Committee of the Whole has considered The Tharaka Nithi County Health Services and Sanitation Bill, 2021 and its approval thereof with amendments. Thank you Mr. Speaker sir.

Hon. Speaker: Thank you. Yes, honourable Charles Nyaga.

Hon. Charles Nyaga: Honourable Speaker, I beg to move that the House do agree with the Committee on the said Report.

Hon. Speaker: Any seconder?

Hon. Charles Nyaga: I call upon honourable Margaret to second.

Hon. Speaker: Yes, honourable Margaret Gitari.

(Hon. Margaret stood in her place and bowed to second)

Hon. Speaker: Honourable members I now propose the question that the House do agree with the Committee in the said report.

The floor is now open for debate.

Honourable members, regards being taken to the mood in the House, I now put the question.

(Question put and agreed to)

BILLS

THIRD READING

THE THARAKA NITHI COUNTY HEALTH AND SANITIZATION SERVICES BILL, 2021

Hon. Speaker: Yes, honourable Charles Nyaga.

Hon. Charles Nyaga: Honourable Speaker, I beg to move that The Tharaka Nithi County Health Services and Sanitation Bill, 2021 be now read a third time.

Hon. Speaker: Any seconder?

Hon. Charles Nyaga: I call upon honourable Asumpta to second.

Hon. Speaker: Yes, honourable Asumpta Gabriel.

Hon. Asumpta: I second.

Hon. Speaker: Honourable members, I now propose the question that The Tharaka Nithi County Health Services and Sanitation Bill, 2021 be now read a third time.

The floor is open for debate. honourable members, regard being taken to the mood in the House, I now put the question.

(Question put and agreed to)

(Orders for the third reading read for the third time)

Hon. Speaker: Next Order.

MOTION

MOTION TO ALTER THE COUNTY ASSEMBLY CALENDAR

Hon. Speaker: Yes, honourable majority leader.

Hon. Kathenya: Thank you honourable Speaker. I rise to move that; pursuant to the provisions of Standing Order 39(4) this County Assembly resolves to alter its calendar (regular Sessions) for the fifth session by adjourning from Tuesday 15th June and resume its regular sitting on Tuesday 20th July 2021 at 9.30 a.m.

This is because the members will be busy with Bills and in that regard the in the whole of next week members will in Nairobi attending the rules and procedure committee meeting. We also have each committee plans we should make a proper plan, especially our roads committee, on how the members can go somewhere maybe in Mombasa and scrutinize the Bill that we have. If possible Mr. Speaker, because this is the time for other counties and the national government, probably before we come back, honourable members can go somewhere maybe Dar es Salaam or Uganda to work. This is because the Members of parliament and others are also out of the country and Covid-19 will remain.

(Applause)

With that I request honourable Anita to second.

(Laughter)

Hon. Speaker: Honourable Peterson Mwirigi I do confirm that the budget has made provision for that.

Yes, honourable Anita.

Hon. Anita: Thank you Mr. Speaker. As I said earlier today, in this House it seems there is something people took in the morning. They are very happy.

Hon. Speaker: Honourable Anita with respect, this House is destined for great things. We are moving from one glory to another.

(Applause)

Kindly proceed.

Hon. Anita: I pray that I will be in that glory so that I can be a manifestation of the glory. Mr. Speaker I rise to second the Motion on the alteration of the Assembly calendar. I want to first tell our majority leader that going to Dar es Salaam has been factored in the next financial year however we have no budget that has been passed by the National Assembly and they are moving out so I believe that Mr. Speaker you need to look into your bag and see if there is something in so that we can be moving out before the next budget is uploaded.

Hon. Speaker: The point is noted but the chair budget committee can confirm that we have already consulted. Thank you.

Hon. Anita: Thank you Mr. Speaker. I support that we alter the calendar and adjourn the House. I believe we have a lot of business pending for the committees. The agriculture committee in which I am a member being one of them where our report was short down because of being half baked I believe when we bring it we will bring it burnt because we will overcook it.

There is something we requested you Mr. Speaker when we adjourned lastly and you know times have not stopped being hard. We are having a lot of issues and I still insist... my Kiswahili teacher Mr. Murithi was telling us "*Njungu kuu alikosi ukoko*". In that *ukoko* go and look for something you can throw at the members so that when we attend burials and the many functions that were having we can have something to visit our people with. I believe when we get back in July we will have business for this House.

We have to go to the electorates. You know campaigns are in top gear. Let us not be cheated that we are not campaigning. At least members can convince the electorates why they need another term to be in this House that is moving from one glory to another.

With that I second.

Hon. Speaker: Thank you honourable Anita. Yes, honourable Margaret.

Hon. Margaret: Thank you Mr. Speaker I stand to support the Motion on the alteration of the calendar...

Hon. Speaker: Excuse me, who has seconded the Motion? Honourable Anita? So kindly allow me now to propose the question before I am drowned by the debate.

Honourable members, I now propose the question that; pursuant to the provisions of Standing Order 39(4) this County Assembly resolves to alter its calendar (regular Sessions) for the fifth session by adjourning from Tuesday 15th June 2021 and resume its regular sitting on Tuesday 20th July 2021 at 9.30 a.m.

The floor is now open for debate. yes, honourable Margaret Gitari.

Hon. Margaret: Thank you Mr. Speaker. I am overanxious and that is why I am standing very fast to see this Motion going through. I support. And as I support, it is in the public domain, we have seen it in TV and other media that the counties have no funds. So as you discuss, because Mr. Speaker you are in CAF and in other forums that this can be discussed,

make sure that these honourable members have something in their pockets to make sure that they will be able to meet their electorates to talk about issues.

Hon. Speaker: Honourable Margaret, maybe it is also important that I inform the House that I was in Nairobi yesterday and the schedules may be anytime this week.

Hon. Margaret: Thank you Mr. Speaker. If our pockets are energized, we will be able to be out there with the electorates. As other members have said we also need to be out there doing things that we have not done for the last one year and half because of Covid-19. We have pending most of the issues as committees. We need a timetable for the 4 weeks so that we be able to do all the work that has been pending due to Covid-19. I am not saying that Covid-19 is gone; it is still with us. But as we will make sure, as we are doing now, that we take the Covid-19 protocols seriously so that we are not infected or infect others.

Mr. Speaker I support.

Hon. Speaker: Thank you, honourable member for Chogoria. The floor is still open for debate. Yes, honourable Godfrey Murithi.

Hon. Muchiri: Thank you honourable Speaker. I stand to support the Motion on the alteration of the calendar. I was keen when the mover of this Motion was moving and I was just imagining and comparing two professionals. I was thinking about a ECDE teacher and this Assembly. I was also thinking about a lecturer and an MP and a Senator and the woman rep. A ECDE teacher cannot teach two schools. They only teach one school and the payment is peanuts. But a lecturer can even lecture universities or colleges and the salary is good. In this House we always talk of the finances. The pockets right now are torn. But I know we are always bringing so many Bills in this House and coming almost daily. I was comparing the attendance of the National Parliament and that of Tharaka Nithi County Assembly. I noticed that we attend 99% of the sitting. We attend all the sittings almost on a daily basis when there is a sitting. Those in the national Parliament are always out; outside even the country. They are even going to their bosses over the weekend so that they can have something to go with and see their people in the constituencies. It is very unfortunate or unfortunate, Mr. Speaker, that we have never come to you over the weekend for you to send us to our people to tell them our Speaker is a good father.

That is why I was thinking about the Bill that was brought in this House concerning roads.

That is the Bill that is at hand. The chair to that committee is here and there is need to have a

retreat together so that we can think about this Bill keenly. We need to do this outside our wards;

(Applause)

...within the county. Because when I am within my ward and within the county and my people want to see me I will just answer the call and move outside the conference and I will not hear what is going on. That is why honourable Kithinji say that we were at Sunstar. It is not that we were not there, we were there but while there we would just go out to answer calls and find that something has passed already. When we are somewhere that calls cannot come through that one can be better.

(Laughter)

So that we won't have to answer the calls. When I was somewhere in Dubai there was no network for Safaricom and Aitel. I think there is need for us to consider some of these issues when we are going for retreats.

Also in this House we have the Finance Bill, 2021 that is now before the committee on budget. We intend to go through it thoroughly. Before we took over in this House there were so many strikes and so many issues surrounding licenses. I am happy that we do consider the memoranda that re brought to us. The Governor even waived licences fee for the private schools' operators. This House has a lot of powers, this House need to be very keen especially this particular time that we are going out for campaigns honourable Speaker. I know that we are not campaigning but we are just sensitizing our people of what will come next year.

I think that a month is enough for us to go out and discuss some of the issues at hand so that we can have Business when we come back here next month. I know we will be having a lot of business. As we move out I wish my colleagues a nice time with their constituents.

There is something that is circulating that was reported in the daily nation almost two or three years ago when I said that this House needs a fiscal analyst. When the reporters went to report they think that it is because we don't know. It is not that we are not learned. Even the president himself has lawyers. Parliamentarians have offices. We need offices also with experts so that whatever we bring in this House is not challenged in not only the courts of law but even outside.

Honourable Speaker I do support and I am happy that as we move out we will have a lot of time with our people and we will enjoy time with them when schools close because they are closing a few days from now.

I know honourable Speaker you are going to look into it and have a Kamukunji with us so that we can discuss some of the issues that are in-house. Thank you honourable Speaker:

Hon. Speaker: Thank you, honourable member for Karingani. Honourable members the floor is still open for debate.

Honourable members, regards being taken to the mood in the House and pursuant to Standing Order number 106 (4) allow me to call upon the mover to reply.

Hon. Kathenya: Thank you honourable Speaker. Thank you members for the support and as I had earlier said I wish that, even if not everyone, some of the members can sail to different destinations.

(Laughter)

Thank you Mr. Speaker.

Hon. Speaker: Thank you honourable Peterson Kathenya, the Majority leader and member for Ganga. Honourable members allow me to bring to your attention the provisions of Standing Order 39 (3) and allow me to read. "On a day when the Assembly is scheduled to adjourn into a day other than the next normal sitting day in accordance with the Assembly calendar the leader of the majority party or the leader of the minority party or another member of the Assembly Business committee shall move a Motion of adjournment which shall be debated for not more than three hours and after which the Assembly shall adjourn without question put.

ADJOURNMENT

Hon. Speaker: Honourable members, that being the case and there being no other business on the Order Paper this House stands adjourned until our next sitting.

****The House rose at 12.40 p.m.****