

THARAKA NITHI COUNTY ASSEMBLY

THE HANSARD

21st July 2021

*The County Assembly met at the
County Assembly chambers in Kathwana at 9.30 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

RESUMPTION OF THE HOUSE FROM RECESS

Hon. Speaker: Honourable members, I take this opportunity to welcome you back from the short recess to the second section of part II of the Fifth Session of the Second Assembly and hope you are fully relaxed and energized to continue discharging your mandates as stipulated under Article 185 and 220 of the Constitution of Kenya, 2010.

Honourable members, it is my sincere hope that the same zeal and dedication that you have shown in handling business before the Assembly will be exhibited as we seek to fully exercise the County Assembly role of oversight, representation and legislation.

Honourable members, as you are aware, on 16th July 2021 the Cabinet secretary for Interior and Co-ordination of National Government Declared Tuesday 20th July 2021 a public holiday to mark Idd-UL-Adha a day when this House was set to resume its sittings. Honourable members, Part V, section 57(c) of the Interpretation and General Provisions Act on computation of time provides that where an act or proceeding is directed or allowed to be done or taken on a certain day, then if the day happens to be an excluded day, the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next day afterwards, not being an excluded day. In this regard honourable Members, in accordance with the provisions of the Interpretation and General Provisions Act today 21st July 2021 the House has rightfully resumed from the short recess.

COVID-19 GUIDELINES AND PROTOCOLS

Hon. Speaker: Honourable members, as you are also aware Covid-19 pandemic has been with us for a while now and will continue presenting unique challenges on how we as an Assembly will keep conducting our legislative mandate as set out under the Constitution of Kenya 2010. In the past we have overcome these challenges by working together as a team and therefore I urge the honourable members to continue embracing technology in discharging their mandate as set out under Article 185 of the Constitution of Kenya 2010. It is for this reason that the Assembly developed a policy framework on holding virtual committee and Assembly sittings to avoid the spread of the Covid-19 Pandemic.

Honourable members, it is the duty of every Citizen to comply with and follow the guidelines and measures put in place by the National Government to protect the lives of its citizens from this pandemic.

I urge you and members of staff to continue observing the Ministry of Health guidelines on social distancing, usage of masks and other hygiene measures since we are in unprecedented times, and have to be ready to conduct ourselves in new ways.

RECEIPT OF THE NOTICE FOR THE NOMINATION OF NOMINEES FOR APPOINTMENT
TO THE POSITION OF MEMBERS OF THE THARAKA NITHI COUNTY
CLIMATE CHANGE FUND BOARD

Hon. Speaker: Honourable members, as you are aware the Tharaka Nithi County Assembly Standing Orders 64(1) provides that upon receipt of a notification for appointment to an office as is under the Constitution or under any other legislation require to be approved by the Assembly, the nominations shall stand committed to the relevant Committee of the Assembly for consideration. It is notified to all members of the County Assembly that pursuant to provisions of Section 7(1) of the Public Appointment (County Assemblies Approval) Act 2017 that on Monday the 21st day of June 2021, the Assembly received notification of the following nominees under Section 6(3)(b) of the public appointment (County Assemblies Approval) Act 2017 vide the letter Ref: TNC/CS/LPPUD/1/1 dated 11th June 2021, for vetting of the nominees for Appointment to the position of Members of the Tharaka Nithi County Climate Change Fund Board.

1. Mr. Silas Njiru Rwigi,
2. Rev. Patrick Kirimi

3. Ms. Sarah Kaari Benjamin

Upon receipt of the notification, I committed the nominees to the County Assembly Committee on Water Environment and Natural Resources for vetting vide letter Ref: TN/CA/ADM/2/VOL.5/721 dated 24th June 2021 in compliance with the Assembly resolution of 6th April, 2021 where the House resolved that the Speaker may refer any report received during the recess period to the relevant County Assembly Committee for consideration or any other necessary action.

CHANGES IN LEADERSHIP OF THE COMMITTEE ON AGRICULTURE,
LIVESTOCK AND FISHERIES AND THE COMMITTEE
ON PUBLIC SERVICE AND ADMINISTRATION

Hon. Speaker: Honourable members, during the recess my office received changes in leadership of the Assembly Committee on Agriculture, Livestock and Fisheries and the Assembly Committee on Public Service and Administration.

The changes complied with the provisions of Standing Orders 185(3), 191(2). I therefore wish to bring to the attention of the house the following changes:

1. Hon. Karen Karimi is the Chairperson Committee on Agriculture, Livestock and Fisheries.
2. Hon. John Njagi Mucee is the Vice-Chairperson Committee on Agriculture, Livestock and Fisheries.
3. Hon. Wilson Nyaga- is the Vice-Chairperson Committee on Public Service and Administration

Honourable members I wish you all the best as you continue to fulfil your mandate.

I thank you and good morning. Next order.

PAPERS LAID

REPORT OF THE SECTORAL COMMITTEE ON WATER, ENVIRONMENT AND NATURAL
RESOURCES ON VETTING OF THE NOMINEES FOR APPOINTMENT AS MEMBERS
OF THE THARAKA NITHI COUNTY CLIMATE CHANGE FUND BOARD

Hon. Speaker: Yes, honourable Gitonga Leonard.

Hon. Gitonga Leonard: Thank you Mr. Speaker. I wish to lay on the table of the House the report of the sectoral committee on water, environment and natural resources on vetting of the nominees for appointment as members of the Tharaka Nithi County Climate Change Fund Board.

(The paper was accordingly laid on the table)

Hon. Speaker: Thank you honourable Gitonga Leonard. Honourable members, the report of the sectoral committee on water, environment and natural resources on vetting of the nominees for appointment as members of the Tharaka Nithi County Climate Change Fund Board stands laid on the table of the House. Next order.

NOTICES OF MOTION

MOTION ON THE APPROVAL OF THE REPORT OF THE SECTORAL COMMITTEE ON WATER,
ENVIRONMENT AND NATURAL RESOURCES ON VETTING OF THE NOMINEES
FOR APPOINTMENT AS MEMBERS OF THE THARAKA NITHI
COUNTY CLIMATE CHANGE FUND BOARD

Hon. Speaker: Yes, honourable Gitonga Leonard

Hon. Gitonga Leonard: Thank you Mr. Speaker. I give the notice of Motion on the approval of the report of the sectoral committee on water, environment and natural resources on vetting of the nominees for appointment as members of the Tharaka Nithi County Climate Change Fund Board.

That; this County Assembly adopts the Report of the Sectoral Committee on Water, Environment and Natural Resources on vetting of the nominees for appointment as the Members of the Tharaka Nithi County Climate Change Fund Board.

Hon. Speaker: Thank you. Honourable members. pursuant to Standing Order 67 the notice of Motion on the approval of the report of the sectoral committee on water, environment and natural resources on vetting of the nominees for appointment as members of the Tharaka Nithi County Climate Change Fund Board is hereby acknowledged. Thank you. Next Order.

BILLS

SECOND READING

THE THARAKA NITHI COUNTY FINANCE BILL, 2021

Hon. Speaker: Yes, honourable member for Karingani.

Hon. Muchiri: Thank you honourable Speaker. I move the Motion that Pursuant to the provisions of the Standing Order 153 (2) The Tharaka Nithi County Finance Bill, 2021 be read a Second time upon the 27th day of July 2021. I request honourable Erastus to second.

Hon. Speaker: Yes, honourable member for Mariani.

Hon. Erastus: I second.

Hon. Speaker: Honourable members, allow me now to propose the question. That Pursuant to the provisions of the Standing Order 153 (2) The Tharaka Nithi County Finance Bill, 2021 be read a Second time upon the 27th day of July 2021. The floor is nor open for debate. Yes, honourable member for Mugwe.

Hon. Denis: Thank you Mr. Speaker. I support.

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

Hon. Anita: Thank you Mr. Speaker. Mr. Speaker if you hear one honourable Godfrey requesting for the extension of time, and we know how hard he works, he really requires this time because he doesn't believe in bringing half cooked stories here like the ones we bring sometimes so I support.

Hon. Speaker: Thank you honourable Anita. Honourable members, regard being taken to the mood in the House and the sentiments of honourable Anita allow me now to put the question.

(Question put and agreed to)

Next order.

SECOND READING

THE THARAKA NITHI COUNTY ROADS ASSET MANAGEMENT BILL, 2021

Hon. Speaker: Yes, honourable member for Mugwe.

Hon. Denis: Thank you Mr. Speaker. I move the Motion that Pursuant to the provisions of the Standing Order 153 (2) The Tharaka Nithi County Roads Asset Management Bill, 2021 be read a Second time upon the 27th day of July 2021.

Hon. Speaker: Thank you honourable Denis. Any seconder?

Hon Denis: I request honourable Justin to second.

Hon. Speaker: Yes, honourable member for Magumoni.

Hon. Kithinji: Thank you Mr. Speaker. I rise to seconds the Motion. There are a few issues that the committee has not finalized. We had a chance to invite the CECM and we did not agree on some issues so we are still consulting. If the House awards us more time I promise that we will bring a very good report that will cover all areas. Thank you Mr. Speaker.

Hon. Speaker: Thank you. Honourable members, allow me now to propose the question. That, that Pursuant to the provisions of the Standing Order 153 (2) The Tharaka Nithi County Roads Asset Management Bill, 2021 be read a Second time upon the 27th day of July 2021. The floor is now open for debate. yes, honourable member for Karingani.

Hon. Muchiri: Thank you honourable Speaker. I stand to support the Motion. I want to concur with the Secunder of the Motion honourable Kithinji that this is one of the most sensitive Bills we have in this House and considering that we need a lot of consultations. When it comes to infrastructure I think it is good that we extend the time for the committee so that as the deliberate on this Bill they will have enough consultations with member of this House so that can bring a full-baked cake instead of a half-baked one. Thank you, I do support.

Hon. Speaker: Thank you. Yes, honourable member for Ciakariga.

Hon. Mucee: Thank you Mr. Speaker for this opportunity to support the Motion. When it comes to roads assets management everyone is involved. It is very sensitive. A number of stakeholders need to be supported and agree upon the road assets. You know that day in day out our electorates are very bitter about roads in our county and they make a lot of noise. So we need to do thorough consultations so we be able to solve some of the problems through this Bill.

For this reason, I support the Motion on the extension of time. Thank you Mr. Speaker.

Hon. Speaker: Thank you. The floor is still open for debate. honourable members, regard being taken to the mood in the House allow me now to put the question.

(Question put and agreed to)

Next order.

MOTION

THE APPROVAL OF THE REPORT OF THE SECTORAL COMMITTEE ON WATER, ENVIRONMENT AND NATURAL RESOURCES ON VETTING OF THE NOMINEES FOR APPOINTMENT AS MEMBERS OF THE THARAKA NITHI COUNTY CLIMATE CHANGE FUND BOARD

Hon. Speaker: Yes, honourable member for Nkondi.

Hon. Gitonga Leonard: Thank you Mr. Speaker. Allow me Mr. Speaker to first seek the leave of the House to move. I seek the leave of the House to move the Motion that, this County Assembly adopts the Report of the Sectoral Committee on Water, Environment and Natural Resources on vetting of the nominees for appointment as the Members of the Tharaka Nithi County Climate Change Fund Board. I have honourable Nyaga Charles on my right and honourable Denis in support.

Hon. Speaker: Yes, honourable Charles Nyaga.

(Hon. Charles Nyaga stood in his place and bowed to indicate support)

Hon. Speaker: Yes, honourable member for Mugwe.

(Hon. Denis stood in his place and bowed to indicate support)

Hon. Speaker: Yes, honourable Muchiri you are rising on what?

Hon. Muchiri: Honourable Speaker I stand to oppose the granting of the leave of the House. This is because we can discuss this Motion on the next sitting that we are supposed to sit instead of the mover seeking the leave of the House. Thank you Mr. Speaker.

Hon. Speaker: Yes, honourable Justin Kithinji.

Hon. Kithinji: Thank you Mr. Speaker. I am also standing to oppose granting of the leave of the House for two reasons. One is because I received this report at 9.33 a.m. and the other day on the floor of the House I requested that some of these documents be sent to us early

enough. When we received the Order Paper the report did not accompany it. I just received it. it is a new document to me and I need some time to consult myself and familiarize myself with it. so I am also requesting that we handle it in the afternoon sitting. Thank you Mr. Speaker.

Hon. Speaker: Yes, honourable Kinyua.

Hon. Erastus: Thank you Mr. Speaker. Mr. Speaker I stand to oppose because we agreed that such reports should be received by members at least 24 hours before the sitting starts. I received this report while I was seated here so I need time.

Hon. Speaker: Honourable members, the provisions of Standing Order number 3 are clear and explicit. The Standing Order say that the leave of the House is granted there being no objections by any member either with the sympathy of the Speaker or with the support of at least 2 other members.

Honourable members, with 3 members objecting to the granting of the leave of the Assembly, the chairs hands are tied. I have no alternative than to reject granting the leave of the Assembly.

(Applause)

ADJOURNMENT

Hon. Speaker: And with that being the case and there being other no business on the Order paper, this House Stands adjourned until our next sitting.

****The House rose at 9.50 a.m.****