



REPUBLIC OF KENYA

COUNTY ASSEMBLY OF EMBU

SECOND ASSEMBLY – (SECOND SESSION)

MOTION TRACKER 2019

S/NO.	SUBJECT	NOTICE OF MOTION	MOVER	SECONDER	DATE DEBATE D	REMARKS
1.	THAT, this Assembly adopts the report of the ad hoc committee investigating the conduct of the chief officer Finance.	17/01/2019	Hon. Duncan Mbui	Hon. Patrick Mukavi	17/01/2019	Adopted and communicated to relevant offices
2.	THAT, this Assembly adopts the report of the ad hoc committee investigating the conduct of the Chief Officer Health	17/01/2019	Hon. Peter Nyaga Muriithi	Hon. Robert Njiru Ileri	17/01/2019	Adopted and communicated to relevant offices
3.	THAT, this Assembly adopts the report of the ad hoc committee investigating the conduct of the Chief Officer Education	17/01/2019	Hon. Harrison Sammy Muturi	Hon. Harrison Mwaluko	17/01/2019	Adopted and communicated to relevant offices

4.	THAT, this Assembly adopts the report of the ad hoc committee investigating the conduct of the Chief Officer Youth and Sports	17/01/2019	Hon. Harrison Sammy Muturi	Hon. Harrison Mwaluko	17/01/2019	Adopted and communicated to relevant offices
5.	THAT, Whereas this County Assembly resolved to stay and not to deliberate or refer any matter to the Budget and Appropriations Committee until Constitution Petition No.11 of 2018 is heard and determined; NOTING that the hearing and determination of the said petition is a matter beyond the mandate of the County Assembly; CONCERNED that holding in abeyance all matters to do with the County budget may affect the operations of the County Government; COGNIZANT that the resolutions of the County Assembly are sacrosanct and inviolable; this Assembly resolves to rescind, in part, its resolutions made on 13th November, 2018 and refer all matters concerning the County Budget, including those already pending before the Budget and Appropriations Committee, to the Liaison Committee until Constitution Petition No.11 of 2018 is heard and determined.	5/02/2019	Hon. Michael Njeru Kariuki (Leader of Majority)	Hon. Leonard Master Mwaniki	5/02/2019	Adopted and communicated to the chairperson Liaison committee
6.	THAT, pursuant to the provisions of Standing Order 165 (1) of the County Assembly of Embu Standing Orders, this Assembly approves the appointment of the following Members to the Assembly Rules and Business Committee in	N/A	Hon. Michael Njeru Kariuki (Leader of Majority)	Hon. Steve Munene	12/2/2019	Adopted and acted upon

	addition to those specified under sub-paragraphs (a), (b), and (c): - 1. Hon. Patrick Rugendo Ileri , M.C.A. 2. Hon. Rose Ruguru Kinyua , M.C.A. 3. Hon. John Ngari Mbaka, M.C.A. 4. Hon. Benard Nyaga Kandia, M.C.A. 5. Hon. Sicily Ruguru Njiru, M.C.A.					
7.	THAT, pursuant to the provisions of Standing Order 201 (1) of the County Assembly of Embu Standing Orders, this Assembly approves the appointment of the following Member to the Committee on Powers and Privileges to fill the vacancy existing in the Committee : - 1. Hon. Sicily Ruguru Njiru, M.C.A	N/A	Hon. Michael Njeru Kariuki (Leader of Majority)	Hon. John Ngari Mbaka	12/2/2019	Adopted and acted upon
8.	That , pursuant to Standing Order 28, this Assembly approves the calendar of normal sittings of the Assembly for the First Session as proposed by the Assembly Rules, and Business Committee as per the Schedule attached to the Order Paper	N/A	Hon. Michael Njeru Kariuki (Leader of Majority)	Hon. Leonard Master Mwaniki	13/2/2019	Adopted and acted upon
9.	That , notwithstanding the calendar of the Assembly passed on 13 th February 2019 this Assembly adjourns its sittings to Thursday 14 th February 2019.	N/A	Hon. Michael Njeru Kariuki (Leader of Majority)	Hon. Leonard Master Mwaniki	13/2/2019	Adopted and acted upon
10.	That this Assembly adopts the Report of the Public Accounts and Investments Committee on the Auditor General Report on the Financial Statements of	13th /2/ 2019	Chairperson, Public Accounts	Hon. Edith Wanjira	14/2/2019	Adopted and communicated

	Kyeni Water and Sanitation Company (KYEWASCO) for the year ended 30th June 2017 tabled in this Assembly on		and Investments Committee			
11.	That, the business appearing under Order number 10 be exempted from the provisions of Standing Order number 57 (5) (b) of the County Assembly Standing Orders	N/A	Hon. Michael Njeru Kariuki (Leader of Majority)		14/2/2019	Adopted and acted upon
12.	That, this Assembly adopts the report of the Liaison Committee on the consideration of the County integrated Development Plan (CIDP) 2018-2022 tabled in this Assembly on 14th February 2019.	14/2/2019	Hon. Steve Munene	Hon. Harrison Mwaluko	14/2/2019	Adopted and communicated to the relevant offices
13.	That, this Assembly adopts the Report of the committee on Trade, Investment , Investment and Industrialization on the Status of Mountain Slopes Commercial Services Limited a Beer Manufacturer in Runyenjes Town , Embu County tabled in this Assembly on 13 th February 2019.	14/2/2019	Hon. Nathan Mwari		28/2/2019	Adopted and communicated
14.	That, the business appearing under Order number 9 be exempted from the provisions of Standing Order number 57 (5) (b) of the County Assembly Standing Orders	N/A	Hon. Murithi Kiura (D/Leader of Majority)		5/3/2019	Adopted and acted upon
15.	THAT , this Assembly adopts the Report of the Liaison Committee on the first Supplementary budget estimates for the County government	5/3/2019	Hon. Steve Munene	Hon. Harrison Mwaluko	5/3/2019	Adopted and communicated

	of Embu for the financial year 2018/2019 tabled in this Assembly on 5th March, 2019					
16.	THAT, notwithstanding the calendar of the Assembly passed on Wednesday, 13th February 2019, this Assembly adjourns its sitting to Tuesday, 12th March 2019 at 2:30pm	N/A	Hon. Murithi Kiura	Hon. Benard Nyaga Kandia	5/3/2019	Adopted and acted upon
17.	THAT, this Assembly resolves to reduce the publication period for the Embu County Supplementary Appropriation Bill, 2019 to one day.	N/A	Leader of Majority	Leader of Minority	12/3/2019	Adopted and acted upon
18.	Report of the Committee on Water, Irrigation, Environment and Natural Resources on the visit to the water service providers within Embu County	6/12/2018	Hon. Nathan Mwari	Hon. Patrick Rugendo	13/3/2019	Adopted and communications done
19.	That, this Assembly adopts the report of the committee on Lands, Physical Planning and Urban Development on the status of Makawani Vocational Training Centre Land and Riakanau as amended tabled in this Assembly on 6 th December 2018	6/12/2018	Hon. Philip Nzangi	Hon. John Mbaka	13/3/2019	Adopted as amended and communications done
20.	That , this Assembly adopts the report of the Committee on Water, Irrigation,	6/12/2018	Hon. Nathan Mwari	Hon. Patrick Rugendo	14/3/2019	Adopted

	Environment and Natural Resources on the proposed amendments to the Embu County Water Act, 2015 and the Embu County Environment Management Act, 2015.					
21.	That , this Assembly adopts the report of the Committee on Public Participation Forums on Embu Municipal Charter and Digital Topographical Mapping and the preparations of ISUD Plan, 2035	6 th /12/2018.	Hon. Margret Kariuki	Hon. Martin Kimani	19/3/2029	Adopted
22.	That , notwithstanding the calendar of the Assembly passed on Tuesday 13 th February 2019, this Assembly adjourns its sittings to Tuesday 9 th April, 2019 at 2.30 p.m.	N/A	Majority leader	Minority Leader	19/3/2019	adopted
23.	That, this Assembly adopts the report of the Liaison committee on the County Annual Development Plan for the Financial year 2019/2020	29/3/2019	Hon. Steve Mugendi	Hon. Harrison Mwaluko	29/3/2019	Adopted on 24/4/2019 after resumption of debate.
24.	That this Assembly adopts the report of the Public Accounts and Investment Committee on the Auditor General report on the Financial Statement of EMBEWASCO for the year ended 30 th	13/2/2019	Hon. Philip Nzangi	Hon. Edith Wanjira	9/4/2019	Adopted

	June 2017 tabled in this Assembly on 13 th February, 2019					
25.	That this Assembly adopts the report of the Public Accounts and Investment Committee on the Auditor General report on the Financial Statement of NGAWASCO for the year ended 30 th June 2017 tabled in this Assembly on 13 th February, 2019	13/2/2019	Hon. Philip Nzangi	Hon. Nathan Mwari	10/4/2019	Adopted
26.	That this Assembly adopts the report of the committee on Public Participation on Public Participation forums on the Embu County Integrated Development Plan (CIDP) 2018-2022 tabled in this Assembly on 9 th April. 2019.	9/4/2019	Hon. John Mbaka	Hon. Martin Kimani	10/4/2019	Adopted
27.	Motion on matters of county importance on Embu County Bursaries	Pursuant to S/O.33	Hon. Duncan Mbui	Hon. Steve Munene	10/4/2019	Adopted
28.	That this Assembly adopts the report of the sectoral Committee on Infrastructure, Public Works, Housing and Energy on Alleged skewed procurement of road works in Embu County tabled in this Assembly on 9 th April, 2019.	9/4/2019	Hon. Murithi Kiura		11/4/2029	Adopted

29.	That, notwithstanding the calendar of the Assembly passed on Tuesday 13 th February 2019, this Assembly adjourns its sittings to Tuesday 23 rd April, 2019 at 2.30 p.m.	N/A	Majority leader	Minority Leader	11/4/2019	adopted
30.	That this Assembly adopts the report of the Sectoral Committee on Infrastructure, Public Works, Housing and Energy on Stalled Services of Graders in Embu County tabled in this Assembly on 9 th April, 2019.	9/4/2019	Hon.Murithi Kiura	Hon. Judy Mbuya	23/4/2019	Adopted
31.	That this Assembly adopts the report of the Sectoral Committee on Administration and Public Service on the Embu County Public Service Board Annual Report for the period ended 31 st December 2017 tabled in this Assembly on 9 th April, 2019.	9/4/2019	Hon. Duncan Mbui	Hon. Sicily Ruguru	24/4/2019	Adopted
32.	That this Assembly adopts the report of the Sectoral Committee Education Science and Technology on the Process of Disbursement of the Bursary Fund within Embu County	Tabled pursuant to Standing 33	Hon. Patrick Mukavi	Hon.Edna Muisyo	25/4/2019	Adopted

33.	That, this Assembly adopts the Report of the Sectoral Committee on Education, Science and Technology on the Projects/Ongoing Works at the Embu Talent Academy tabled in this Assembly on Wednesday, 24 th April, 2019.	24/4/2019	Hon. Patrick Mukavi	Hon.Edna Muisyo	25/4/2019	Adopted
34.	That, this Assembly adopts the report of the Liaison Committee on the County Fiscal Strategy Paper 2019	25/4/2019	Hon. Harrison Mwaluko	Leader of Majority	17/5/2019	Adopted
35.	That, the business appearing under Order 9 be exempted from the provisions of Standing Order 57(5)(b) of the County Assembly Standing Orders	N/A	Majority Leader	Leader of Minority	4/6/2019	Approved
36.	That, this Assembly adopts the report of the Committee on Lands, Physical Planning, Housing Urban Development and Natural Resources on the Vetting of the Embu Municipality Board Member tabled on this Assembly	4/6/2019	Chairperson Cmte On Lands	V/chairperson Cmte on Lands	4/6/2019	Approved
37.	That, notwithstanding the calendar of the Assembly passed on Wednesday 13 th Feb 2019,this Assembly adjourns its sittings to Tuesday 25 th June 2029 at 2.30pm	N/A	Majority Leader	Leader of Minority	4/6/2019	Approved

38.	That, notwithstanding the resolution of this Assembly made on 4 th June 2019 this Assembly resolves to conduct its sitting today ,Tuesday 18 th June 2019 at 2.30pm	N/A	Majority Leader	Leader of Minority	18/6/2019	Approved
39.	That, the business appearing under Order 10 be exempted from the provisions of Standing Order 57(5)(b) of the County Assembly Standing Orders	N/A	Majority Leader	Leader of Minority	18/6/2019	Approved
40.	That, this Assembly adopts the report of the Liaison Committee on the Second Supplementary Budget Estimates for the County Government of Embu for the Financial Year 2018/2019 tabled in this Assembly on 18 th June, 2019.	18/6/2019	Hon. Steve Munene	Hon. Harrison Mwaluko	18/6/2019	Adopted
41.	That, notwithstanding the calendar of the Assembly passed on Wednesday 13 th Feb 2019,this Assembly adjourns its sittings to Tuesday 25 th June 2019 at 2.30pm	N/A	Majority Leader	Leader of Minority	18/6/2019	Approved
42.	That, the business appearing under Order 9 be exempted from the provisions of Standing Order 57(5)(b) of the County Assembly Standing Orders	N/A	Majority Leader	Leader of Minority	25/6/2019	Approved
43.	That, this Assembly adopts the report of the Liaison Committee on the Revenue and Expenditure for the County Government of Embu for the	25/6/2019	Hon. Steve Munene	Hon. Harrison Mwaluko	25/6/2019	Adopted

	Financial Year 2019/2020 tabled in this Assembly on 25 th June, 2019.					
44.	That, this Assembly resolves to reduce the publication period for the Embu County Supplementary Appropriation (no.2) Bill ,2019 to One day	N/A	Majority Leader	Leader of Minority	25/6/2019	Approved
45.	That, notwithstanding the calendar of the Assembly passed on Wednesday 13 th Feb 2019,this Assembly adjourns its sittings to Tuesday 2 nd ,July 2019 at 2.30pm	N/A	Majority Leader	Leader of Minority	25/6/2019	Approved
46.	That, pursuant to the calendar of the Assembly passed on Wednesday 13 th Feb 2019,this Assembly adjourns its sittings to Tuesday 23 rd ,July 2019 at 2.30pm	N/A	Majority Leader	Leader of Minority	4/7/2019	Approved
47.	That, this Assembly adopts the report of the Committee on Finance and Economic Planning on the Vetting of the Chairperson Embu Revenue Authority(ECRA) tabled in this Assembly on 23 rd July, 2019	23 rd /7/2019	Hon. Morris Nyaga	Hon. Peter Muriithi	24/7/2019	Approved
48.	That, this Assembly adopts the Report of the Sectoral Committee on Administration, Public Service and Devolution on the Vetting of the Embu County Public Service Board Nominees	23 rd /7/2019.	Hon. Duncan Mbui	Hon. Sicily Njiru	30/7/2019	Approved

	tabled in this Assembly on 23 rd July, 2019.					
49.	That, whereas Article 43 (1) (a) of the Constitution of Kenya, 2010 provides for the right to the highest attainable standard of health, which includes the right to health care services, cognizant that health services are functions of County Government save for National referral health facilities; aware that the County Executive Committee Member for health appointed members to the Health Facility Management Boards vide Gazette notice No. 12838 dated 14 th December 2018; Concerned that the said appointments of Health Facility Management Boards are a nullity as they are based on a repealed and non-existent legislation; Deeply concerned that lack of Health Facility Management Boards may impede delivery of health services in the county; this Assembly urges the County Government to forthwith de-gazette and annul all the appointment of the said Boards and fast-track formulation of health services policy and	30/7/2019	Hon. Duncan Mbui	Hon. Peter Muriithi	31/7/2019	Adopted

	enabling legislation to regulate county health services within <i>sixty (60)</i> days.					
50.	That this Assembly adopts the report of the committee on selection on comparative visits to various county assemblies tabled in this assembly on 7/8/2019	7/8/2019	Leader of Majority	Leader of Minority	13/8/2019	adopted
51.	That, this Assembly adopts the report of the Public Accounts and Investments Committee on the Auditor General's Report on the Financial Statements of County Executive for the Year ended 30 th June 2016 tabled in this Assembly on 7 th August, 2019 tabled in this Assembly on 7 th August, 2019.	7/8/2019	Chair PAIC	V/Chair PAIC	8/8/219	Adopted
52.	That, this Assembly adopts the report of the Committee on Selection on Comparative Study Visits to various Assemblies	7/8/2019	Leader of Majority	Leader of Minority	13/8/2019	Adopted
53.	<u>AWARE</u> that every person has a right to be free from hunger and to have adequate food of acceptable quality as enunciated expressly under Article 43 of the Constitution;	13/8/2019	Hon.Bernard Kandia	Hon.Edna Muisyo	14/8/2019	Adopted as amended.

	<p><u>CONCERNED</u> that majority of the residents of Embu County are facing starvation due to rain shortage and unforeseen drought;</p> <p><u>DEEPLY</u> concerned that the government agencies have hardly responded to this eminent catastrophe, and where they have, their actions and efforts have been lucklustre;</p> <p><u>NOTING</u> that most of the affected are people living with disability (PWDs) and vulnerable children;</p> <p><u>COGNIZANT</u> of the fact that there exists in the county coffers money appropriated as Emergency Fund, which is guided by Section 112 and 113 of the Public Finance Management Act, 2012;</p> <p><u>NOW THEREFORE,</u> This County Assembly urges the county Government of Embu to immediately make payments out of the Emergency Fund to ameliorate and save the lives of the disabled and vulnerable members of the whole Embu</p>					
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	County from pangs of hunger occasioned by prolonged drought					
54.	That , the business appearing under order number 9 be exempted from provisions of Standing Order number 57 (5) (b) of County Assembly Standing Orders. <i>(Notice of a motion be given at least one day before motion appears in the order paper)</i>	N/A	Leader of Majority	Leader of Minority	14/8/2019	adopted
55.	AWARE that on 6 th November, 2018, this County Assembly established a Select Committee known as Committee on Justice and Legal Affairs; NOTING that the mandate of the Committee in reference was not exhaustively provided for during establishment of the Committee; CONERNED of the fact that the County Assembly has had some businesses not specifically falling under any mandate of existing select committees for instance, consideration of bills concerning the amendment of the	N/A	Hon. Steve Munene	Hon. Patrick Mukavi	14/8/2019	Adopted

	<p>Constitution for which the action of the County Assembly is required;</p> <p>NOW THEREFORE, this County Assembly resolves to review the approved mandate/functions of the Committee on Justice and Legal Affairs to read as follows:</p> <p>That the mandate of the committee shall be to-</p> <ol style="list-style-type: none"> 1. oversee matters concerning inter-governmental and inter-county relations; 2. oversee county sector / department responsible for legal affairs; 3. provide forum for the consideration of proposed National Laws or amendment of National Laws affecting County Governments for which a formal request for views has been received, but whose subject does 					
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	<p>not fall under the mandate of any other committee of the Assembly;</p> <p>4. consider any matter concerning the amendment of the Constitution for which the action of the County Assembly is required; and</p> <p>5. Consider any matter related to legal affairs, administration of law and justice, including the county inspectorate and enforcement services, ethics, integrity, anti-corruption and human rights.</p>					
56.	That, pursuant to the calendar of the Assembly passed on Wednesday, 13 th February 2019, this Assembly adjourns its sittings to Tuesday 17 th September, 2019 at 2.30pm.	N/A	Leader of majority	Leader majority of	15/8/2019	Adopted
57.	That, notwithstanding the calendar of the Assembly passed on Wednesday, 13 th February 2019, this Assembly adjourns its	N/A	Leader of majority	Leader majority of	17/9/2019	Adopted

	sittings to Tuesday 8 th October, 2019 at 2.30 p.m.					
58.	<p>AWARE THAT cancer is the 3rd leading cause of deaths in the Country and second among non- communicable diseases;</p> <p>DEEPLY CONCERNED that 70-80% of patients diagnosed with cancer in Kenya are at stage 3 and 4 and have high chances of mortality rates and very low chances of survival;</p> <p>AWARE that Embu County Level 5 Hospital has a new fully equipped, staffed and operational Oncology Centre;</p> <p>FURTHER AWARE that majority of the people are not able to access screening services yet cancer detected at stage 1 and 2 is treatable and curable;</p> <p>COGNIZANT of the fact that cancer could be totally eliminated and further averted by putting preventive measures through early detection and timely treatment.</p> <p>This Assembly therefore urges the County Government to roll out screening services for;</p>	9/10/2019	Hon. Margaret Lorna Kariuki)	Hon. Edna Muisyo	15/10/2019	Motion on adjournment of debate pursuant to SO.106 moved and passed

	<ul style="list-style-type: none"> i. Prostate Cancer; ii. Cervical Cancer through pap smear tests and iii. Breast Cancer; <p>To all level 4 and level 3 hospitals in the County to reduce the mortality rates and completely eradicate deaths caused by Cancer in the County</p>					
59.	That, the business appearing under order number 9 be exempted from provisions of Standing Order number 57 (5) (b) of County Assembly Standing Orders.	N/A	Deputy Leader of majority	Leader of majority	16/10/2019	Adopted
60.	<p>AWARE, that Article 257 of the Constitution of Kenya, 2010 (hereinafter “the Constitution”) on amendment to the Constitution by popular initiative, provides for the process by which the Constitution may be amended by a popular initiative;</p> <p>FURTHER AWARE that on 19th of July 2019; the County Assembly of Embu received a communication from the Independent Electoral and Boundaries Commission, on the Constitutional Amendment Bill fronted by the</p>	N/A	Hon. Steve Munene V/chair- Cmte on Justice and Legal Affairs	Not seconded		Motion not made. Speaker directs that the motion be withdrawn pursuant to standing Order 67.

	<p>Third Way Alliance Party by way of popular initiative, popularly known as the “Punguza Mizigo (Constitutional Amendment) Bill, 2019” Pursuant to Article 257(5) of the Constitution of Kenya 2010;</p> <p>NOTING that the Punguza Mizigo (Constitution of Kenya Amendment) Bill 2019 was tabled in the Assembly on 25th July 2019 vide a communication from the chair and committed to the committee on Justice and Legal Affairs for the necessary consideration and reporting to the County Assembly;</p> <p>FURTHER NOTING that the County Assembly has three months to either approve or reject the Bill and forward a certificate of approval or rejection to the Speakers of the two houses. The Committee having scrutinized the draft Constitutional amendment Bill noted that there are proposed amendments on the structure of governance (Change in the presidential term), Devolution (Abolition of the position of the Deputy Governor and an increase in the allocation of revenue to Counties) and the</p>					
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<p>functions of Parliament which requires participation of the People pursuant to Article 255 of the Constitution of Kenya, 2010;</p> <p>COGNIZANT that the Constitutional Amendment Bill is not a Bill for introduction to the County Assembly, shall not be subjected to the various stages of passing a Bill in the County Assembly, shall not be assented to by the Governor as an Act of the County Assembly of Embu and the Constitutional Amendment Bill has no room for introducing amendments;</p> <p>ACKNOWLEDGING that the draft Constitutional amendment Bill proposes sixteen amendments to the constitution of Kenya 2010;</p> <p>NOTING that the committee organized public participation forums in the twenty wards of Embu County to get the inputs of the county residents during which exercise, the public largely admitted that the cost of living has become impossible, the wage bill is excessive and continues to grow, there is over representation in Parliament, more resources are required to be devolved to the Counties, there is need to punish corruption punitively and reduce</p>					
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	<p>the membership to the Constitutional Commissions;</p> <p>COGNIZANT of the views from the public who received the Punguza Mizigo (Constitutional Amendment) Bill, 2019 well, echoed the need to address the high cost of living, reduce the financial burden of running Government and over representation, drastically reduce the staggering wage bill and the desire to bring services closer to the people at the Ward level;</p> <p>NOW THEREFORE Pursuant to Article 257 (5) and (6) of the Constitution of Kenya, 2010, this County Assembly resolves to approve The Punguza Mizigo (Constitution of Kenya Amendment) Bill, 2019.</p>					
61.	<p>That, the business appearing under order number 9 be exempted from provisions of Standing Order number 57 (5) (b) of County Assembly Standing Orders.</p> <p><i>(Notice of a motion be given at least one day before motion appears in the order paper)</i></p>	N/A	Deputy leader of Majority	Leader of minority	17/10/2019	adopted

62.	<p>AWARE that this County Assembly approved the County Budget that included various programmes and projects for implementation by the County Government.</p> <p>NOTING that the County Chief Officer for Infrastructure who is also the Accounting Officer for the County Department for Infrastructure is alleged to have committed the following ills in execution of his duties:-</p> <p>(i) Including and implementing projects not approved under County Budget and Appropriation Law under Kenya Rural Board projects contrary to provisions of section 149 of the Public Finance Management Act, 2012.</p> <p>(ii) Failure to absorb the Departmental Budget for Financial Year 2018/2019 for no good reason to great detriment and suffering of county residents.</p>	N/A	Hon.Masters Leonard Mwaniki	Hon. Fredrick Mugendi	17/10/2019	adopted

	<p>(iii) Abuse of office by mishandling and disregarding stakeholders to extent of being rude to Honourable Members.</p> <p>(iv) General incompetence and failure to grasp and understanding his responsibility and collective responsibility by working as a “lone ranger”</p> <p>CONCERNED that the said County Chief Officer for Infrastructure has failed to account to the County Assembly as required under Article 226(2) of the Constitution of Kenya and Section 149 (1) of the Public Finance Management Act, 2012</p> <p>DEEPLY CONCERNED that public money have not been prudently and responsibly utilized by the County Chief Officer for Infrastructure and might not be prudently utilized owing to the continuance stay in office of the County Chief Officer for Infrastructure.</p>					
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	<p>NOW THEREFORE this County Assembly resolves:-</p> <ol style="list-style-type: none"> 1. THAT the County Chief Officer for Infrastructure steps aside from his current official position with immediate effect pending investigations on the above allegations by this County Assembly; 2. THAT the County Public Service Board of Embu do ensure that County Assembly Resolution above is effected and adhered to; and 3. THAT the Chief Officer - Infrastructure appear to the County Assembly Committee of the General Oversight and respond to the issues raised 					
63.	<p>That, pursuant to the calendar of the Assembly passed on Wednesday, 13th February 2019, this Assembly adjourns its sittings to Tuesday 5th November, 2019 at 2.30 p.m.</p>	N/A	Deputy leader of majority	Leader minority of	17/10/2019	Assembly adjourned

64.	<p>AWARE that Article 185 (3) of Constitution of Kenya 2010 (CoK) gives the County Assembly powers to oversight the County Executive Committee and any other County Executive organs;</p> <p>FURTHER AWARE that among other functions of the County Executive Committee under Article 183 (1) of Constitution of Kenya 2010 (CoK) is to manage and co-ordinate the functions of the County administration and its departments;</p> <p>COGNIZANT that Section 34 (a) of the County Governments Act, 2012 provides that the County Executive Committee shall exercise the Executive authority in accordance with the constitution and relevant National and County Legislation;</p> <p>NOTING that Section 148 of the Public Finance Management Act, 2012 provides</p>	31/10/2019	Hon. Micheal Njeru Kariuki		31/10/2019	Adopted

	<p>for the designation of Accounting Officers for County Government entities by the County Executive Member for Finance;</p> <p>RECOGNIZING that there exist resolutions of this Honourable House directing removal from office and/or stepping aside of a number of County Chief Officers;</p> <p>CONCERNED that the recent reshuffle of Chief Officers may negatively affect service delivery; deeply concerned that some of the Chief Officers have been moved to departments where they failed to perform in the past;</p> <p>This County Assembly notes the following;</p> <ol style="list-style-type: none"> 1. THAT, Ms Mary Mercy Wanja Munene lacks the requisite qualification and experience to handle the department contrary to 					
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	<p>Section 45(1) (a) and 69 (2) (b) of the County Governments Act, 2012.;</p> <p>2. THAT, Ms Jane Ndegı Mugambi ;</p> <p>a) Failed to account for Kshs. 15 million meant for Women Empowerment programme in the FY 2017/2018 budget;</p> <p>b) Failed to submit performance reports contrary to Section 164 and 166 of the Public Finance Management Act and;</p> <p>c) Solicited for funds from members of the public meant for Embu Women Sacco which funds she failed to declare and account for;</p> <p>3. THAT, Ms Ruth Wambui Ndirangu ;</p> <p>a) irregularly made payment of Kshs. 60 million for the acquisition of parcels of land in Mwea Settlement scheme,</p>					
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	<p>namely, Parcel No. 4531 in which kshs. 23 million was paid to Njeru Ithiga and Co. Advocates and Parcel no. 4045 in which Kshs. 37 million was paid to Njue and Co. advocates;</p> <p>b) irregularly paid Kshs. 22 million in cash to three officers for land demarcation in Mwea Settlement scheme contrary to Section 121 and 156 (4) (d) of the Public Finance Management Act and Article 227 (1) of the Constitution;</p> <p>c) operated an undisclosed bank account for Runyenjes Level 4 hospital contrary to Section 153 of the Public Finance Management Act where she was a signatory as the</p>					
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	<p>accountant, a matter that was disclosed by the County Assembly Public Accounts and Investment Committee;</p> <p>d) failed to pay pending bills for the County Assembly amounting to Kshs. 22 million contrary to Section 156 (4) (d) of the Public Finance Management Act</p> <p>e) accumulated pending bills worth Kshs. 1.4 billion contrary to Section 162 of the Public Finance Management Act;</p> <p>f) failed to submit reports to the County Treasury and Assembly contrary to Section 164 and 166 of the Public Finance Management Act;</p> <p>g) failed to implement an approved budget on E-</p>					
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	<p>Revenue system despite having paid over Kshs. 143 million to three firms</p> <p>4. THAT, the re-assigning of Mr Michael Ngoroi from the Infrastructure and Public Works to Lands, Physical Planning Housing and Urban Development department is contemptuous of the County Assembly resolution to step aside</p> <p>NOW THEREFORE This County Assembly resolves:-</p> <p>1. THAT, the re-assigning of Ms Mary Mercy Wanja Munene as County Chief Officer for Infrastructure and Public Works Department be halted on grounds that the said officer does not hold the requisite qualification and</p>					
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	<p>experience to handle the department contrary to Section 45(1) (a) of the County Governments Act, 2012.</p> <p>2. THAT, the re-assigning of County Chief Officer Mrs. Jane Ndegı Mugambi from Administration and Devolution Department to Gender, Children, Culture and Social Services Department be halted pending investigation of the said officer by the Committee on General Oversight on allegations of improper utilization of resources contrary to Section 149 of Public Finance Management Act. (PFMA) and Article 10 (2) of the Constitution of Kenya 2010.</p> <p>3. THAT, the re-assigning of Ruth Ndirangu from the portfolio of Lands, Physical Planning, Housing</p>					
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	<p>and Urban Development to Finance and Planning portfolio be halted pending investigation of the said officer by the Committee on General Oversight on allegations of improper utilization of resources contrary to Section 149 of the Public Finance Management Act. (PFMA).</p> <p>4. THAT, the affected Chief Officers desist from handing/taking over the various departments.</p> <p>5. THAT, all the portfolios/departments do submit their budget implementation status for the financial year 2019/2020 to the Liaison Committee within seven days.</p> <p>6. THAT, each county chief officer do forward to the county assembly the current status and report of</p>					
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	<p>pending bills in their respective Department within seven days of this resolution.</p> <p>7. THAT, all procurement processes for county executive programmes and commitment of funds- save for personnel emoluments, general office operations, tax and other government charges obligations, be halted forthwith until the County Assembly ascertains vide a resolution, the authenticity of existing pending bills and budget implementation status of all Departmental budgets.</p> <p>8. THAT, Ms Jane Ndegı Mugambi do step aside to pave way for investigation by this Assembly on the above mentioned allegations</p> <p>9. THAT, Ms Ruth Wambui Ndirangu do step aside to pave way for investigation by this</p>					
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	<p>Assembly on the above mentioned allegations</p> <p>10. THAT, the Director IFMIS be requested to deny access and transaction rights to Ms Jane Ndegı Mugambi and Ms Ruth Wambui Ndirangu pending investigations by this Assembly on the above mentioned allegations</p> <p>11. THAT, the Ethics and Anti-Corruption Commission be requested to further investigate the conduct of Ms Jane Ndegı Mugambi and Ms Ruth Wambui Ndirangu based on the above mentioned allegations</p> <p>12. THAT, the Director General – Criminal Investigations Department be requested to further investigate the conduct of Ms Jane Ndegı Mugambi and Ms</p>					
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	<p>Ruth Wambui Ndirangu based on the above mentioned allegations</p> <p>13. THAT, the Controller of Budget be requested to deny county fund's access and transaction rights to Ms Jane Ndegi Mugambi and Ms Ruth Wambui Ndirangu pending investigations by this Assembly on the above mentioned allegations</p> <p>14. THAT, county executive committee member for Finance do forward to the county assembly the supplementary budget for the FY 2019/2020 taking into consideration the approved County Allocation of Revenue Act 2019 and all pending bills within fourteen(14) days of this resolution.</p>					
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65.	<p>Aware that, this County Assembly passed a resolution that some Chief Officers do step aside and some has not been effected, Noting that the same is likely to affect resource utilization,</p> <p>Further aware that the resolution passed on 31st October,2019 were influenced by the said officer's failure to be accountable to this County Assembly;</p> <p>This Assembly hereby resolves that in order to safeguard of this County, all Revenue Collection in this County be suspended until the said resolutions are implemented</p>	Pursuant to standing order 33	Hon. Newton Kariuki Ndwiga	Hon. Harrison Muturi	6/11/2019	Adopted
66.	That the business appearing under Order Number 9 be exempted from the provisions of Standing Order 57(5) (b) of the County Assembly Standing Orders.	N/A	Leader of Majority	Leader of minority	12/11/2019	Adopted
67.	That, all corruption related matters in the County Government of Embu be pursued to their logical conclusion by the County and all the bodies legally	N/A	Hon. Masters Leonard Mwaniki	Hon. Harrison Muturi	12/11/2019	Adopted

	mandated to fight and eradicate corruption and related offences in Kenya.					
68.	That, the business appearing under order number 9 be exempted from provisions of Standing Order number 57 (5) (b) of County Assembly Standing Orders. <i>(Notice of a motion be given at least one day before motion appears in the order paper)</i>	N/A	Leader of Majority	Leader of minority	19/11/2019	Adopted
69.	THAT, notwithstanding the Provisions of Standing Order 59(1); this Assembly resolves to rescind its decision made on 6 th November 2019 on suspension of revenue collection in the County: <i>This Assembly resolves that in order to safeguard resources of this County, all Revenue Collection be suspended until the said resolution are implemented)</i>	N/A	Leader of Majority	Leader of minority	19/11/2019	Adopted
70.	THAT, this Assembly adopts the Report of the Public Accounts and Investment Committee on the Auditor General's	12/11/2019	Hon.Philip Nzangi	Hon. Edith Wanjira	19/11/2019	Adopted

	Report on the Financial Statements of the County Executive for the year ended 30 th June, 2017 tabled in the County Assembly on 12 th November, 2019 at 2.30pm					
71.	That, pursuant to the calendar of the Assembly passed on 13th February, 2019 this Assembly adjourns its sittings to Tuesday, 11th February 2020 at 2.30pm.	N/A	Leader of Majority	Leader minority of	5/12/2019	Adopted
72.	That, this adopts the report of the Selection Committee on Re-alignment of the Sectoral Committee and other committees tabled in the Assembly Friday, 17 th January 2020.	17/1/2020	Leader of Majority	Leader minority of	17/01/2020	Adopted