

**COUNTY GOVERNMENT OF MAKUENI**



**COUNTY ASSEMBLY OF MAKUENI**  
**SECOND ASSEMBLY – THIRD SESSION**  
**VOTES AND PROCEEDINGS**

**THURSDAY, 1<sup>ST</sup> AUGUST, 2019 AT 2:30 P.M.**

1. The Assembly assembled at thirty minutes past two O'clock.
2. The Proceedings were opened with Prayer.
3. **PRESIDING:** - The Hon. Deputy Speaker

4. **PAPERS:-**

The following Paper was laid on the Table of the Assembly:-

The County Assembly Business for the coming week.

*(The Leader of the Minority Party)*

5. **NOTICES OF MOTION:-**

Notice of the following Motion was given:-

**THAT**, this Assembly adopts the Half Yearly Progress Report of the County Assembly Business Committee for the Period January to June, 2019, laid on the Table of the Assembly on 31<sup>st</sup> July 2019.

*(Hon. Sheila Munene, MCA)*

6. **STATEMENTS: -**

The following Statement was given:-

The Business of the County Assembly for the coming week.

*(The Leader of the Minority Party)*

7. **MOTION: THE HALF-YEARLY PROGRESS REPORT OF THE COMMITTEE ON DELEGATED COUNTY LEGISLATION FOR THE PERIOD JANUARY TO JUNE 2019**

Motion made and question proposed;

**THAT**, this Assembly adopts the Half Yearly Progress Report of the Committee on Delegated County Legislation for the period January to June 2019, laid on the Table of the Assembly on 30<sup>th</sup> July 2019.

*(Chairperson, Committee on Delegated County Legislation)*

Debate arising;

Question put and agreed to.

**8. MOTION: THE HALF-YEARLY PROGRESS REPORT OF THE COUNTY PUBLIC INVESTMENTS AND ACCOUNTS COMMITTEE FOR THE PERIOD JANUARY TO JUNE, 2019**

Motion made and question proposed;

**THAT**, this Assembly adopts the Half Yearly Progress Report of the County Public Investments and Accounts Committee for the Period January to June, 2019, laid on the Table of the Assembly on 31<sup>st</sup> July 2019.

*(Chairperson, County Public Investments and Accounts Committee)*

Debate arising;

Mover replied;

Question put and agreed to.

**9. MOTION: RESOLUTION OF THE COUNTY ASSEMBLIES FORUM GOVERNING COUNCIL REGARDING MEMBERS' HOUSE ALLOWANCES**

Motion made and question proposed;

**THAT, AWARE** that the Devolved Governments are a key component of governance in the republic of Kenya established under article 11 of the Constitution of Kenya;

**FURTHER** aware that the office of Member of the County Assembly has been strongly anchored as a fundamental component in the county government administrative system;

**COGNIZANT** of the remunerative needs of each public and state officer to ensure adequate facilitation for successful execution of their duties and mandates

**FURTHER COGNIZANT** of the existence of disparities within the state offices within the republic on remuneration of the office holders,

particularly the payment of house allowances to which the members of the County Assembly have to their detriment been deprived of;

**NOTING** that the High Court in the republic has in Constitutional Petition No. 328 of 2016; Council Of Governors versus Salaries and Remuneration Commission pronounced that denying some state officers similar benefits enjoyed by other state officers is discriminatory, unjustifiably selective and contrary to Article 27 of the Constitution;

**ACQUIESCING** that such conduct is a violation of the fundamental rights of the state officers which such conduct is desirous of denunciation by the Members of the County Assemblies ab initio;

And

**WHEREAS** the Governing Council of the County Assemblies Forum has resolved that the non-payment of housing allowance for the Members of the County Assembly is a fundamental breach of the rights of the members;

**WHEREAS** the Governing Council has further resolved and directed that there be effected payment of Housing allowance for the Members of the County Assemblies in tandem with the High Court finding;

**AND WHEREAS** the resolution of the Governing Council finds precedence and relative applicability from the Parliament of Kenya's payment of housing allowance to its members despite lack of the Salaries and Remuneration Commission directive in affirmative of the same;

**IT IS NOW THEREFORE** resolved that this house does approve and adopt the resolution of the County Assemblies Forum Governing Council that;

- i. The Members of the County Assembly be paid a housing allowance in tandem with the ideal and adequate endowment;
- ii. That the payment of the House allowance be effected and implemented as of the date of issue of the ruling of the High Court in Constitutional Petition No 328 Of 2016 being the 5<sup>th</sup> day of October, 2018; and

- iii. That the implementation of the payment of the house allowance to the members of the County Assembly be commenced with immediate effect.

*(The Deputy Leader of the Majority Party)*

No debate arising;

Mover replied;

Question put and agreed to.

- 10. ASSEMBLY ROSE:** – at four minutes past four O'clock.

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**MEMORANDUM**

The Speaker will take the Chair on  
Tuesday, 6<sup>th</sup> August, 2019 at 2.30 p.m.

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