

*Paper laid by the Chairperson,
Mediation Committee on 1st
April 2014*

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ELEVENTH PARLIAMENT
SECOND SESSION (2014)

THE REPORT OF THE
MEDIATION COMMITTEE

ON THE COUNTY GOVERNMENTS (AMENDMENT)(NO.2)
BILL,2013 PURSUANT TO ARTICLE 113 OF THE CONSTITUTION

*Hon. Speaker
You may approve.
[Signature]
01/04/14*

Joint Clerks Chambers,
Parliament Buildings,
NAIROBI

April 1, 2014

*Approved
[Signature]
1/4/14*

TABLE OF CONTENTS

TABLE OF CONTENTS.....	2
1.0 INTRODUCTION.....	3
1.1 Mandate of the Committee.....	3
1.2 Committee Meetings and Methodology.....	4
1.3 Acknowledgements.....	4
2.0 BACKGROUND.....	6
2.1 Establishment of Mediation Committee.....	6
2.2 Appointment Process of Members.....	6
3.0 CONSIDERATION OF THE COUNTY GOVERNMENTS (AMENDMENT)(NO.2) BILL,2013.....	7
3.1 Consideration by the Senate.....	7
3.2 Consideration by the National Assembly.....	7
3.3 Consideration by the Mediation Committee.....	7
3.3.1 Statement of Issues considered by the Mediation Committee.....	8
4.0 COMMITTEE'S OBSERVATIONS AND RECOMMENDATIONS.....	9

1.0 INTRODUCTION

The Mediation Committee on County Governments (Amendment) (No.2) Bill, 2013 was constituted by the Speakers of the two Houses of Parliament on 14th March, 2014 pursuant to Articles 112 and 113 of the Constitution and the Standing Orders of the Senate and the National Assembly comprising the following members-

1. Sen. Amos Wako
2. Hon. Samuel Chepkong'a
3. Sen. Kiraitu Murungi
4. Hon. Katoo ole Metito
5. Sen. Stephen Sang
6. Hon. (Dr) David Eseli Simiyu

1.1 Committee's Mandate

The Mediation Committee derives its mandate from the provisions of Articles 112 and 113 of the Constitution, Standing Order 149 of the National Assembly and Standing Order 154 of the Senate which outline the functions of the Committee as follows:-

- i. To consider Bills where the two Houses do not agree on all or any of the amendments made by either House;
- ii. To consider Bills where either House rejects a Motion that a Bill which originated in the other House be read a Second or Third time; and
- ~~iii. To attempt to develop a version of the Bill that both Houses will pass.~~



1.2 Committee Meetings and Methodology

The Committee held a total of four sittings to deliberate on the County Governments (Amendment) (No.2) Bill, 2013 in accordance with the Constitution and relevant provisions of the Standing Orders of the Senate and the National Assembly.

During the first sitting, the Committee conducted the election of the Chairperson and the Vice-Chairperson where Sen. Amos Wako and Hon. Samuel Chepkong'a were elected Chair and Vice-Chair respectively.

As the pioneering Mediation Committee, the members recommended that in future, the Chair of the Mediation Committee should be elected from amongst members of the House that originated the Bill.

The Committee commenced its work by developing a Statement of Issues of concern raised by members of the National Assembly during debate on the Bill at Second reading.

The Statement of Issues was identified and framed from the National Assembly debates contained in the Hansard reports of 4th, 5th and 6th March, 2014.


Appended to this report is a version of the Bill developed by the Committee for consideration by both Houses.

1.3 Acknowledgements

The Chairperson, on behalf of the Committee, wishes to sincerely thank the offices of the Speakers and the Clerks of the two Houses of Parliament for the necessary support extended to it in the execution of its mandate.

The Chairperson also thanks all Members of the Committee for their patience, sacrifice, endurance and commitment to their assignment under tight schedules which enabled us to complete the task within the stipulated period.

Finally, it is now my pleasant duty and privilege, on behalf of the Mediation Committee on County Governments (Amendment) (No.2) Bill, 2013, to present and commend this report including an agreed version of the Bill to the Houses for approval pursuant to Article 113(2) of the Constitution and Standing Order 155 (3) of the Senate and Standing Order 150 (3) of the National Assembly.

SIGNED.....
SEN. S. AMOS WAKO

(CHAIRPERSON, MEDIATION COMMITTEE)

DATE..... 1ST APRIL 2014.

2.0 BACKGROUND

2.1 Establishment of Mediation Committee

The Mediation Committee was established pursuant to Articles 112(1) (a) and 113 of the Constitution which states-

Article 112(1)- “If one House passes an ordinary Bill concerning counties, and the second House-

(a) rejects the Bill, it shall be referred to a Mediation Committee appointed under Article 113”

Article 113-

- 1) If a Bill is referred to a mediation committee under Article 112, the Speakers of both Houses shall appoint a mediation committee consisting of equal numbers of members of each House to attempt to develop a version of the Bill that both Houses will pass.**
- 2) If the mediation committee agrees on a version of the Bill, each House shall vote to approve or reject that version of the Bill.**
- 3) If both Houses approve the version of the Bill proposed by the mediation committee, the Speaker of the National Assembly shall refer the Bill to the President within seven days for assent.**
- 4) If the mediation committee fails to agree on a version of the Bill within thirty days, or if a version proposed by the committee is rejected by either House, the Bill is defeated.**

2.2 Appointment Process of Members

Pursuant to Article 113 of the Constitution and Standing Order 149 of the National Assembly, the Clerk of the National Assembly wrote to the Clerk of the Senate vide letter dated 14th March, 2014 notifying him of the members to
The Mediation Committee Report on the County Governments (Amendment)(No.2)Bill,2013

represent the National Assembly in the Mediation Committee on the County Governments (Amendments) (No.2) Bill, 2013.

Pursuant to the said provision of the Constitution and Standing Order 154 of the Senate, the Clerk of the Senate vide a letter dated 14th March, 2014 forwarded to the Clerk of the National Assembly the names of members appointed to represent the Senate in the Mediation Committee. The Joint Clerks consequently convened the first sitting of the Committee which was held on 19th March, 2014.

3.0 CONSIDERATION OF THE COUNTY GOVERNMENTS (AMENDMENT)

(NO.2) BILL, 2013

3.1 Consideration by the Senate

The County Governments (Amendment) (No.2) Bill, 2013 originated in the Senate and was passed with amendments on 28th November, 2013. The Bill was referred to the National Assembly for concurrence pursuant to the provisions of Standing Order 147 of the Senate.

3.2 Consideration by the National Assembly

The Bill was read a first time on 5th December, 2013 and committed to the Departmental Committee on Justice and Legal Affairs. The Committee tabled its report on 26th February, 2014.

The Bill was scheduled for Second reading on 4th March, 2014 and debate proceeded on 5th March and eventually on 6th March, 2014 when the question was put and negatived.

3.3 Consideration by the Mediation Committee

The Committee identified and agreed on a Statement of Issues which arose during debate on the Bill at Second reading in the National Assembly, enumerated below.

The Mediation Committee Report on the County Governments (Amendment)(No.2)Bill,2013

3.3.1. Statement of Issues considered by the Mediation Committee

1. Whether the establishment of Sub-County Development and Wards Development Boards will create competition with CDF due to duplicity of functions?
2. Whether the existing structures as obtained in the County Governments Act, the Inter-Governmental Relations Act and the Transition to Devolved Government Act should be strengthened or supplemented with new structures?
3. Whether Members of Parliament should also serve as members of the Boards?
4. Whether the composition of the Board is appropriate and whether quorum of the Board should be higher than half of the membership?
5. Whether the principle of separation of powers will be undermined by involving Members of Parliament and County executives as members of the Board seen in the light of Arts. 6 (2) and 174 (i) of the constitution?
6. (a) Whether the oversight role of Senators in Counties will be compromised if they assume Chairmanship of Boards within their Counties?

(b) Whether the Chairperson of the Board should be elected by members or automatically reserved for the Senator?
7. On County Governments:
 - Whether the establishment of structures of decentralization is a preserve of County assemblies under **s.54 (1)** of the County Governments Act, 2012?

- Whether the County Governments Act has created sufficient structures for decentralization?
- Whether the involvement of Members of Parliament will amount to interference and usurpation of functions of members of County Assemblies?
- Whether the proposed Legislation and structures cannot be effectively enacted by the individual Counties?

8. Whether it is prudent and good practice for members of the County Assemblies to chair Ward Development Boards where Senators and Governors are members?

9. Whether enactment of the Bill will undermine legislative authority of County Assemblies under **Article 185** of the Constitution?


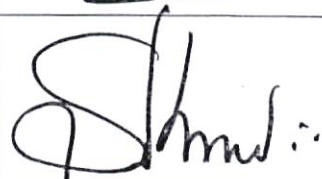
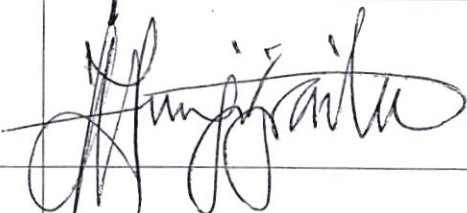
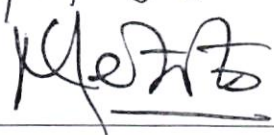


10. Concerns on the functions of the Board?

4.0 THE COMMITTEE'S OBSERVATIONS AND RECOMMENDATIONS

The Mediation Committee considered the above issues raised in the National Assembly and consequently developed the annexed version of the Bill (**Appendix 1**) which addresses the noted concerns. All matters were decided by consensus and this report is therefore a unanimous decision of the Committee.

The Mediation Committee therefore recommends to the Houses of Parliament to approve this report and its appendix thereof.

This report was unanimously adopted by the following Members:-

NO	NAME	SIGNATURE
1	Sen. Amos Wako Chairperson	
2	Hon. Samuel Chepkong'a Vice Chairperson	
3	Sen. Kiraitu Murungi	
4	Hon. Katoo ole Metito	
5	Sen. Stephen Sang	
6	Hon. (Dr) David Eseli Simiyu	



REPUBLIC OF KENYA

PARLIAMENT

**THE COUNTY GOVERNMENTS (AMENDMENT) (NO. 2)
BILL, 2014**

(A version of the County Governments (Amendment) (No.2) Bill, 2013 (Senate Bill No.4 of 2013) as agreed on by a mediation committee appointed pursuant to Article 113 of the Constitution.)

THE COUNTY GOVERNMENTS (AMENDMENT) BILL, 2014

A Bill for an Act of Parliament to amend the County Governments Act, 2012.

ENACTED by the Parliament of Kenya, as follows-

PART I – PRELIMINARY

Short title 1. This Act may be cited as the County Governments (Amendment) Act, 2014.

Amendment of No. 17 of 2012 2. The County Governments Act, 2012, hereinafter referred to as the “principal Act”, is amended by inserting the following new section immediately after section 91-

Establishment of County Development Boards **91A (1).** There is established, for each county, a board to be known as the County Development Board, consisting of the following persons-

- (a) the member of the Senate for the county elected under Article 98(1)(a) of the Constitution, who shall be the chairperson of the Board and convener of the Board’s meetings;
- (b) the members of the National Assembly elected under Article 97(1)(a) of the Constitution representing the constituencies located in the county;
- (c) the woman member of the National Assembly for the county elected under Article 97(1)(b) of the Constitution ;
- (d) the governor, as the chief executive officer of the county government, who shall be the vice-chairperson of the Board, and in his absence, the deputy governor of the county shall be the vice-chairperson;

- (e) the deputy governor of the county;
- (f) the leader of the majority party in the county assembly;
- (g) the leader of the minority party in the county assembly;
- (h) the chairperson of the county assembly committee responsible for finance and planning;
- (i) the chairperson of the county assembly committee responsible for budget;
- (j) the chairperson of the County Public Service Board, who shall be an *ex-officio* member;
- (k) the County Secretary, who shall be the secretary of the Board and shall also provide Secretariat services to the Board, as an *ex officio* member;
- (l) the County Commissioner, as an *ex-officio* member; and
- (m) the head of a department of the national government or the county government or any other person invited by the Board to attend a specific meeting of the Board.

(2) The County Development Board, for each county, shall-

- (a) provide a forum, at the county level, for consultation and coordination between the national government and the county governments on matters of development and projects in accordance with the Constitution and, more specifically, Article 6(2), Article 10 and

Article 174 of the Constitution;

- (b) consider and give input on any county development plans before they are tabled in the county assembly for consideration;
- (c) consider and give input on county annual budgets before they are tabled in the county assembly for consideration;
- (d) consider and advise on any issues of concern that may arise within the county.

(3) The quorum for any meeting of the County Development Board shall be one third of all the members of the Board and for the purposes of this section, an immediate former member shall remain a member of the Board until a new member is elected or appointed, as the case may be.

(4) Meetings of the County Development Board shall be held at the County headquarters at least once in each quarter.

(5) In the absence of the chairperson, the vice-chairperson shall preside over the meetings of the Board, and in the absence of the chairperson and the vice-chairperson, the Board shall elect a member to chair the meeting.

(6) County Development Boards shall be constituted within sixty days after the date of a general election.

(7) Despite sub-section (6), a County Development Board shall be established in each county within thirty days of the commencement of this Act.

Amendment of No. 3. The principal Act is amended in section 91 by deleting

17 of 2012

paragraph (f).

Insertion of new
clause 91B in
No.17 of 2012

4. The principal Act is amended by inserting the following new sections immediately after the proposed new section 91A-

Operational
expenses

91B. The operational expenses in respect of the County Development Board shall be provided for in the annual estimates of the revenue and expenditure of the respective county government.

Offence
obstructing
hindering
County
Development Board

of
or
the

91C. Any person who knowingly and unlawfully obstructs, hinders, undermines or prevents the County Development Board from discharging its functions under this Act commits an offence and is liable, on conviction, to punishment by a fine not exceeding one million shillings or imprisonment for a term not exceeding one year, or both.

I certify that this printed impression is a true copy of the Bill as passed by the Senate on,..... 2014.

Clerk of the Senate

Endorsed for presentation to the National Assembly in accordance with the provisions of Standing Order 155 of the Senate Standing Orders.

Speaker of the Senate

PRINTED BY THE CLERK OF THE SENATE

MINUTES OF THE 1ST SITTING OF THE MEDIATION COMMITTEE HELD ON WEDNESDAY, 19TH MARCH, 2014 IN THE COMMITTEE ROOM 9, PARLIAMENT BUILDINGS AT 10.30 AM

PRESENT

1. Sen. Amos Wako
2. Hon. Samuel Chepkonga
3. Sen. Kiraitu Murungi
4. Hon. (Dr.) David Eseli Simiyu

ABSENT WITH APOLOGY

- 1) Sen. Stephen Sang
- 2) Hon. Katoo Ole Metito

IN ATTENDANCE

THE NATIONAL ASSEMBLY AND THE SENATE

- | | |
|------------------------|--|
| 1) Mr. Justin Bundi | - Clerk of the National Assembly |
| 2) Ms. Eunice Gichangi | - Director, Legal Services, Senate |
| 3) Mr. Njenga Ruge | - Deputy Director, Legislative and Procedural Services, Senate |
| 4) Mr. Michael Karuru | - Principal Legal Counsel, National Assembly |
| 5) Mr. Denis Abisai | - Principal Legal Counsel, Senate |
| 6) Ms. Jennifer Ndeto | - Legal Counsel, National Assembly |
| 7) Mr. Abenayo Makokha | - First Clerk Assistant, National Assembly |
| 8) Mr. George Otieno | - Second Clerk Assistant, Senate |
| 9) Ms. Halima Hussein | - Legal Counsel, Senate |

MIN.NO.001/2014 - PRELIMINARIES

The Clerk called the meeting to order at twenty five minutes past Ten o'clock in the morning and the meeting started with a word of prayer.

He informed the meeting that the Mediation Committee was formed in accordance with the Constitution and the Standing Orders of both Houses following the rejection of the County Governments (Amendment) (No. 2) Bill, (Senate Bill No. 4 of 2013) by the National Assembly at the Second Reading stage.

The Clerk further noted that the Committee had thirty days to develop a version of the Bill that both Houses will pass but if the Committee fails to agree on a version of the Bill,

or if the version proposed by the Committee is rejected by either House, the Bill is defeated.

MIN. NO.002/2014- ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON

The Clerk invited nominations for the election of Chairperson.

Sen. Kiraitu Murungi proposed Sen. Amos Wako for Chairperson and Hon. Samwel Chepkonga for Vice-Chairperson.

The proposal was seconded by Hon. (Dr.) David Eseli Simiyu.

There being no any other proposal, the Clerk declared Sen. Amos Wako and Hon. Samwel Chepkonga duly elected Chairperson and Vice-Chairperson respectively.

MIN. NO.003/2014- REMARKS BY CHAIRPERSON, VICE-CHAIRPERSON AND MEMBERS

The Chairperson and Vice-Chairperson thanked Members for electing them to lead the Committee and undertook to work towards developing consensus on the Bill.

The Members congratulated the Chair and Vice-Chair for their election and committed themselves to improve the Bill before them.

MIN. NO.004/2014- CHAIRING OF MEDIATION COMMITTEES IN FUTURE

The Committee resolved and recommended that whenever a Bill is referred to a Mediation Committee, the House that it originated from provides the Chairperson of the Mediation Committee.

The Secretariat was tasked to flag out and present in the next meeting the issues that arose during debate at Second Reading in the National Assembly which will inform deliberations of the Committee.

MIN.005/2014- ADJOURNMENT OF THE MEETING

There being no other business for consideration, the meeting was adjourned at 11:55 am.

SIGNED: 

(CHAIRPERSON)

DATE: 25TH MARCH 2014

MINUTES OF THE 2ND SITTING OF THE MEDIATION COMMITTEE HELD ON TUESDAY, 25TH MARCH, 2014 IN THE COMMITTEE ROOM ON GROUND FLOOR, COUNTY HALL BUILDING AT 10.30 AM

PRESENT

1. Sen. Amos Wako -Chairperson
2. Hon. Samuel Chepkonga- Vice Chairperson
3. Sen. Kiraitu Murungi
4. Hon. (Dr.) David Eseli Simiyu
5. Hon. Katoo Ole Metito
6. Sen. Stephen Sang

IN ATTENDANCE

THE NATIONAL ASSEMBLY AND THE SENATE

- | | |
|------------------------|--|
| 1) Mr. Njenga Ruge | - Deputy Director, Legislative and Procedural Services, Senate |
| 2) Mr. Denis Abisai | - Principal Legal Counsel, Senate |
| 3) Ms. Jennifer Ndeto | - Legal Counsel, National Assembly |
| 4) Mr. Abenayo Makokha | - First Clerk Assistant, National Assembly |
| 5) Mr. George Otieno | - Second Clerk Assistant, Senate |

MIN.NO.006/2014 - PRELIMINARIES

The Chairperson called the meeting to order at thirty minutes past Ten o'clock in the morning and the meeting started with a word of prayer.

MIN. NO.007/2014- ADOPTION OF AGENDA

The agenda of the meeting was adopted by the Committee having been proposed by Sen. Kiraitu Murungi and seconded by Hon. Samuel Chepkonga.

MIN. NO.008/2014- CONFIRMATION OF MINUTES OF THE PREVIOUS SITTING

The minutes of the first sitting of the Committee held on Wednesday, 19th March, 2014 were confirmed as a true record of the meeting having been proposed by Hon. Samuel Chepkonga and seconded by Sen. Kiraitu Murungi.

The Committee considered the issues of concern raised in the National Assembly during debate at second reading as flagged by the Secretariat and noted that all concerns had been captured save for the following matters which should be added:-

- 1) The question of chairing the Board; and
- 2) The functions of the Board.

The Chairperson subsequently asked Sen. Kiraitu Murungi and Sen. Stephen Sang to give a background of the Bill since the former introduced amendments to insert clauses 3 and 4 of the Bill while the latter was the sponsor of the Bill.

They submitted as follows:

- 1) There is a disconnect between the National Government and the County Governments with regard to development programmes for functions that have not been devolved like education and security creating need for a forum at the county level like the one proposed.
- 2) The Council of Governors did not object to the Bill but only had concerns about the Chairing of the Board.
- 3) County Governments have refused or otherwise failed to operationalize Section 54 (1) of the County Governments Act, 2012 within reasonable time hence the proposed amendment.
- 4) The proposed Board is purely advisory, contrary to initial fears that it was executive.
- 5) Elected Senators should chair the Boards as they represent the Counties and their Governments at the National level unlike the Governor who is only the Chief Executive Officer at the County level.

Other members of the Committee noted as follows:-

- a) Sub- County and ward development Boards are not necessary as they will duplicate the functions of the Constituency Development Funds Committees.

- b) The functions of the County Assemblies must be preserved.

After consultations, the Committee revised the Bill as follows:-

- a) That, Clause 91B- be deleted;
- b) That, Clause 91C- be deleted;
- c) That, Clause 91A (2)(a) be amended to read:
 - a) To provide a forum, at the county level, for consultation and coordination in accordance with Article 6 (2) of the Constitution between the national government and the county government on matters of development plans and projects.
- d) That, Clause 91 A (2) (b)- be deleted.
- e) That, Clause 91 A (2) (c)- be deleted.
- f) That, Clause 91 A (2) (d)- be amended to read:
 - d) consider and give input on county integrated development plans and annual budgets before they are tabled in the County Assembly for approval.
- g) That, Clause 91 A (2) (f)- be amended to read:
 - f) to consider and advise on any issues of concern that may arise within the county in accordance with the Constitution.
- h) That, Clause 91 A (2) (g)- be deleted.
- i) A provision to be inserted to state that the County Secretary shall be the Secretary to the Board and not the Governor.
- j) A provision to state that the Governor shall be the Vice Chairperson of the Board.

MATTERS AWAITING DETERMINATION

- a) Membership of the Board; and
- b) The role of the nominated Members of Parliament and Members of the County Assemblies.

c) Penalty for the Governors who do not attend the Board's meetings.

MIN.010/2014- ADJOURNMENT OF THE MEETING

There being no other business for consideration, the meeting was adjourned at 12:05 pm.

SIGNED



(CHAIRPERSON)

DATE: 27TH MARCH 2014.

MINUTES OF THE 3RD SITTING OF THE MEDIATION COMMITTEE HELD ON THURSDAY, 27TH MARCH, 2014 IN THE COMMITTEE ROOM ON FIRST FLOOR, COUNTY HALL BUILDING AT 10.20 AM

PRESENT

1. Sen. Amos Wako - Chairperson
2. Hon. Samuel Chepkong'a- Vice-Chairperson
3. Sen. Kiraitu Murungi
4. Hon. (Dr.) David Eseli Simiyu
5. Hon. Katoo ole Metito
6. Sen. Stephen Sang

IN ATTENDANCE

THE NATIONAL ASSEMBLY AND THE SENATE

1. Mr. Njenga Ruge -Deputy Director, Legislative and Procedural Services, Senate
2. Mr. Denis Abisai - Principal Legal Counsel, Senate
3. Mr. Abenayo Makokha- First Clerk Assistant, National Assembly
4. Mr. George Otieno - Second Clerk Assistant, Senate

MIN.NO.011/2014 - PRELIMINARIES

The Chairperson called the meeting to order at twenty minutes past Ten o'clock in the morning and the meeting started with a word of prayer.

MIN. NO.012/2014- ADOPTION OF AGENDA

The agenda of the meeting was adopted by the Committee having been proposed by Sen. Kiraitu Murungi and seconded by Hon. Katoo ole Metito.

MIN. NO.013/2014- CONFIRMATION OF MINUTES OF THE PREVIOUS SITTING

The minutes of the second sitting of the Committee held on Tuesday, 25th March, 2014 were confirmed as a true record of the meeting having been proposed by Hon. Katoo ole Metito and seconded by Sen. Kiraitu Murungi.

MIN. NO.014/2014- CONSIDERATION OF THE REVISED DRAFT BILL

The Committee deliberated on the Revised Draft Bill and reviewed it as follows:-

- a) That, the following words be added to Clause 91 A (1) (a) after the word "Board"-
"and the Convener of the Board";

- b) That, Clause 91 A (1) (b) and (e)- be deleted;
- c) That, the following words be added to Clause 91 A (1) (m) after the word “Board”- “and to provide Secretariat services to the Board”;
- d) That, the following words be added to Clause 91 A (1) (o) between the words “government” and “may”- “or any other person”, and that the words “as an *ex-officio* member” appearing on the fourth line be deleted.
- e) That, Clause 91 A (2) (a) be amended to read;
 - (a) provide a forum, at the county level, for consultation and co-ordination between the national and the county governments on matters of development and projects in accordance with the Constitution and, in particular, Article 6 (2), Article 10 and Article 174.”
- f) That, Clause 91 A (3) be amended to reflect the quorum of the Board as a third of the Membership.
- g) A Clause to be inserted to provide that any person who deliberately frustrates and undermines the operations of the Board shall be in violation of this Act and to prescribe a penalty.

MIN.015/2014-

ANY OTHER BUSINESS

Hon. Katoo ole Metito and Sen. Kiraitu Murungi reported that they updated the House Business Committee and the Rules Business Committee respectively on the progress made by the Mediation Committee in developing a Bill to be presented to the two Houses.

The Committee undertook to meet on Tuesday, 1st April, 2014 to consider its final report and Bill.

MIN.016/2014-

ADJOURNMENT OF THE MEETING

There being no other business for consideration, the meeting was adjourned at 11.55 am until Tuesday, 1st April, 2014.

SIGNED



(CHAIRPERSON)

DATE:

1st April 2014

MINUTES OF THE 4TH SITTING OF THE MEDIATION COMMITTEE HELD ON TUESDAY, 1ST APRIL, 2014 IN THE COMMITTEE ROOM ON THE FIRST FLOOR, COUNTY HALL BUILDING AT 10.30 AM

PRESENT

1. Sen. Amos Wako -Chairperson
2. Hon. Samuel Chepkonga- Vice Chairperson
3. Sen. Kiraitu Murungi
4. Hon. (Dr.) David Eseli Simiyu
5. Hon. Katoo Ole Metito
6. Sen. Stephen Sang

IN ATTENDANCE

THE NATIONAL ASSEMBLY AND THE SENATE

- | | |
|------------------------|--|
| 1) Mr. Denis Abisai | - Principal Legal Counsel, Senate |
| 2) Ms. Jennifer Ndeto | - Legal Counsel, National Assembly |
| 3) Mr. Abenayo Makokha | - First Clerk Assistant, National Assembly |
| 4) Mr. George Otieno | - Second Clerk Assistant, Senate |

MIN.NO.017/2014 - PRELIMINARIES

The Chairperson called the meeting to order at thirty five minutes past Ten o'clock in the morning and the meeting started with a word of prayer.

MIN. NO.018/2014-ADOPTION OF AGENDA

The agenda of the meeting was adopted by the Committee having been proposed by Sen. Stephen Sang and seconded by Hon. Katoo Ole Metito.

MIN. NO.019/2014- CONFIRMATION OF MINUTES OF THE PREVIOUS SITTING

The minutes of the third sitting of the Committee held on Thursday, 27th March, 2014 were confirmed as a true record of the meeting having been proposed Sen. Stephen Sang by and seconded by Hon. Katoo Ole Metito

MIN. NO.020/2014- CONSIDERATION OF THE DRAFT REPORT OF THE MEDIATION COMMITTEE ON THE COUNTY GOVERNMENTS (AMENDMENT) (NO.2) BILL, 2013

After consultations, the Committee revised the Bill as follows:-

- a) That, Clause 91 A (1)(k) be amended to read;
 - k) the County Secretary, who shall be the secretary of the Board and shall also provide Secretariat services to the Board, as an *ex officio* member;
- e) That, Clause 91 A (2) (b)- be amended to read;
 - b) consider and give input on any county development plans before they are tabled in the county assembly for consideration;
- f) That, Clause 91 A (2) (c)- be amended to read;
 - c) consider and give input on county annual budgets before they are tabled in the county assembly for consideration;

The Committee thereafter adopted the report on the County Governments (Amendment) (No.2) Bill, 2013 together with the annexed Bill.

MIN.021/2014- ADJOURNMENT OF THE MEETING

There being no other business for consideration, the meeting was adjourned at 12:05 pm.

SIGNED: -----

(CHAIRPERSON)

DATE: 1ST APRIL 2014

