

COUNTY ASSEMBLY OF NAKURU

THE HANSARD

Third Assembly (Second Session)

Wednesday 26th April 2023

Assembly Building

The House met at 03:20 PM

[Temporary Speaker (Hon. William Mutai) In the Chair]

PRAYERS.

The Temporary Speaker (Hon. William Mutai): Next order. Honourable Mwathi.

Hon. Grace Mwathi: Thank you Honorable Temporary Speaker, I have a concern; my concern is about Deputy Majority Whip. I have observed that from morning she has been sitting in the wrong seat, I request that she seats on her own seat, Honourable Leah Serem.

The Temporary Speaker (Hon. William Mutai): Honourable Leah Serem, it has been noted that you are in the wrong position, please can you take your position.

Hon. Leah Serem: Honorable Temporary Speaker, I want to congratulate my sister for observing that I am sitting at the wrong place but you are the one who told me to sit in your seat today because you are the Speaker of the day, thank you.

(Laughter)

The Temporary Speaker (Hon. William Mutai): Honourable Serem is that your position? kindly get into your position.

Hon. Joseph Muraya: I have a point of order Honourable Temporary Speaker.

The Temporary Speaker (Hon. William Mutai): Which order Honourable Muraya?

Hon. Joseph Muraya: Honourable Temporary Speaker, let me ask about the Standing Order, I will revert back to you. Is the Honourable Member in order to tell this House that you had asked her to sit on your chair whereas it was not communicated in the floor of the House? Is she in order to inform the House as such?

The Temporary Speaker (Hon. William Mutai): Thank you Honorable Muraya, that is why I am giving instructions that Honourable Serem, if you are not in the right position can you please get into your position. What is it Honorable Wathiai?

Hon. David Macharia: Honourable Temporary Speaker, as we all know this House is a House of order and rules. We have been talking about this issue over and again, I request that you take firm action against Honourable Leah Serem so that she can be an example to others who do not follow the rules and regulations of this House.

The Temporary Speaker (Hon. William Mutai): Thank you for your concern, I think we are going to consult on the steps to take but preferably advisory step will be taken, thank you. Next order.

Hon. Degaulle Naburuki: Honourable Temporary Speaker, she is still not sitting in her proper seat, she is on the Majority Party Whip seat, let her go to her seat.

The Temporary Speaker (Hon. William Mutai): What is it Honourable Serem? I think there must be some confusion.

Hon. Leah Serem: Honourable Temporary Speaker, I am not used to these seats....

The Temporary Speaker (Hon. William Mutai): May be the Whip can assist you.

Hon. Leah Serem: I am the Whip.

Hon. David Macharia: Honourable Temporary Speaker, may be Honourable Serem is under the influence of something.

ERICK

The Temporary Speaker (Hon. William Mutai): ... Order! Mheshimiwa Wathiai, Hon. Serem is the Whip and I am therefore requesting the Deputy Whip to assist whip the Member if she is not in the right position.

Hon. Grace Mwathi: Mr. Temporary Speaker sir, I am requesting Hon. Wathiai to withdraw his words that Hon. Serem is under influence of something. Can he please withdraw that word because Hon. Serem is sober?

Hon. David Wathiai: Mr. Temporary Speaker sir, when I said that Hon. Serem is under influence, it might be she might has taken some drugs after lunch and maybe she is feeling the effects of the drug ...

The Temporary Speaker (Hon. William Mutai): Mheshimiwa Wathiai, Order! Hon. Serem Order!

Hon. Leah Serem: Mr. Temporary Speaker sir, I do not agree. I am very much sober. I am a Christian and I do not know which drugs he is talking about.

The Temporary Speaker (Hon. William Mutai): Hon. Serem, please resume your seat.

Mheshimiwa Wathiai, I would ask you to give a profound apology. You withdraw and apologise.

Hon. David Wathiai: Mr. Temporary Speaker sir, I withdraw. I pray that you protect me because these ladies according to what I am seeing here is that these Hon. Members of this House ...

The Temporary Speaker (Hon. William Mutai): From the body language of the House, they are demanding that you withdraw and apologise.

Hon. David Wathiai: Mr. Temporary Speaker sir, I apologise.

The Temporary Speaker (Hon. William Mutai): Thank you Mheshimiwa Wathiai.

Next Order.

PAPER(S)

(SUPPLEMENTARY BUDGET II OF 2023)

The Temporary Speaker (Hon. William Mutai): There is a Paper to be laid by the Minority Leader.

The Minority Leader (Hon. Philip Wanjohi): Thank you Mr. Temporary Speaker sir. I am going to lay a Paper on behalf of our Majority Leader Hon. Dr. Alex Lang'at who is out on official duty.

Pursuant to the provisions of Section 35 of the Public Finance Management Act of 2012, I wish to lay a Paper on the Nakuru County Supplementary Budget II (2023).

Hon. Members, now that we have laid the Supplementary, if you have any issue to do with your projects, kindly consult the Chair of Budget Committee.

I lay the Paper.

STATEMENT(S)

(STATUS OF ANNUAL LEAVE DAYS)

The Temporary Speaker (Hon. William Mutai): There are several Statements to be made.

Pursuant to the provision of Standing Order 47(2) (c) let me request Hon. Wathiai Macharia to make a Statement.

Hon. David Wathiai: Thank you Mr. Temporary Speaker sir. Pursuant to Standing Order 47(2) (c), I rise to request for a Statement from the Chairperson of the Committee on Labour, Gender, Youth and Social Welfare concerning the status of annual leave days for staff under the Department of Finance and Revenue Section.

Annual leave is provided for under Section 28 of the Employee Act No. 11 of 2007. The Act stipulates minimum leave days an employee is entitled to and an employer may decide to be more generous with the days ...

SHARON

Hon. David Wathiai: ...an employee may accumulate leave or carry it over when management has a reason to believe your absence from duty may hinder the production or service delivery process. It is also worth noting that policy on annual leave may vary from one Organisation to the other. For instance, annual leave maybe paid or unpaid or an employer may divide leave days to different intervals depending on the agreement.

Further to this an Organisation may advice the employees to forfeit annual leave days and award monetary compensation. It has been alleged that most staff in the Department of Finance Revenue Section have not been able to access their annual leave days for a while since the Head of

Department believes that their absence from duty will hinder their production and service delivery process since there are no substitute staff to discharge their duties in their absence. I therefore request the Chairperson of Committee on Labour, Gender, Youth and Social Welfare to issue a Statement on the following;

1. Whether the County Government of Nakuru has an approved Human Resource Policy on leave days and whether its staff have been sensitised on the same.
2. Whether the County Receiver of Revenue is aware that staff in the Department of Finance Revenue Section have accumulated leave days and whether the respective officers were notified.
3. Measures the Department Public Service Training and Devolution has put in place to ensure adherence to the provision of Section 28 of the Employee Act 11 of 2007 on leave days.

Thank you Mr. Temporary Speaker.

Statements Laid

The Temporary Speaker (Hon. William Mutai): Thank you. I commit the Statement to the Labour Committee and you give the Report in two weeks' time.

Hon. Grace Mwathi: Thank you Mr. Temporary Speaker, we are well guided.

STATEMENT(S)

PREPAREDNESS BY THE AGRICULTURE DEPARTMENT IN DEALING WITH INVASION OF CROP PESTS

The Temporary Speaker (Hon. William Mutai): Thank you Hon. Grace. There is also another Statement to be laid by Hon. Elijah Murage on the request for a Statement from the Chairperson, Committee on Agriculture.

Hon. Elijah Murage: Thank you Mr. Temporary Speaker. Pursuant to the Standing Order 47(2) (c), I rise to request for a Statement from the Chairperson Committee on Agriculture concerning the preparedness of the Department of Agriculture, Livestock, Fisheries and Cooperatives in dealing with crop pests and its invasion in various parts of Nakuru County.

As you may all be aware, 70% of the total Nakuru County land is highly agriculturally productive and there is no doubt that if measures are put in place for the adoption of good agricultural practices, many small farmers will transform into profitable and commercially oriented enterprises.

However, agricultural production has declined in the recent years due to crop pests affecting majorly the maize plantations. The invasion of crop pests is critical because it will decrease production in maize plants and other plants. Army worms and aphids among other pests will cause remarkable damage and thus affecting production. The issue of crop pests and its invasion is alarming and necessary control measures should be taken since it has been reported in some parts of the County since the onset of the rains.

SIELE

Hon. Elijah Murage: Mr. Temporary Speaker, therefore I request the Chairperson, Committee on Agriculture to issue a Statement on the following: -

1. Whether the Department of Agriculture, Livestock, Fisheries and Cooperatives is aware of the crop pest and its invasion in various parts of the Country.
2. Whether there is budgetary allocation for purchase of pesticides to mitigate the spread of crops pests in the current Financial Year 2022/23
3. What are the long term plans for the Department of Agriculture, Livestock, Fisheries and Cooperatives to curb such menace in the Country? Thank you Mr. Temporary Speaker.

STATEMENT(s)

REQUEST FOR A STATEMENT FROM CHAIRPERSON COMMITTEE ON HEALTH SERVICES CONCERNING THE PREVALENCE OF HIV/AIDS AMONG THE YOUTH IN THE COUNTY

The Temporary Speaker (Hon. William Mutai): Thank you very much Hon. Elijah Murage. Let me commit the same Statement to the Committee on Agriculture and within two weeks, you bring the Report to the House. Hon. Members there is also another request for Statement to be read by Hon. Ann Wamaitha to request for a Statement from Chairperson Committee on Health Services concerning the prevalence of HIV/Aids among the youth in the County. Hon. Ann.

Hon. Ann Wamaitha: Thank you Hon. Temporary Speaker for giving me this opportunity to arise to request for a Statement. Pursuant to Standing Order 47 (2) (c), I arise to request for a Statement from the Chairperson Committee on Health Services concerning prevalence of HIV/Aids among the youth in the County.

There is a notable rise of HIV/Aids cases among those aged between 10-13 years in Nakuru County. This trend has worried Health Authorities and Leaders. Data from the Health Department shows that 40 percent of these cases are occurring among adolescent girls and young women aged between 13 to 35 years.

The worrying part is that the rising cases of Mother To Child Transmission (MTCT) in the County has surpassed that of the National level where Nakuru County is at 11 percent with that of the National level at 9 percent. The burden is growing where the number of people, families and communities affected is increasing. The rising infections among teenagers is worrying because this is the future generation. A number of challenges facing teenagers such as poverty, economic inequalities, parental negligence, inappropriate forms of recreation, low self-esteem, use of alcohol, substance abuse are listed as part of the increasing menace.

To curb the increasing prevalence, public education and awareness campaigns are some of the most effective strategies in prevention of HIV and Aids in the County. It is of this premise that I request the Chairperson Committee on Health Services to issue a Statement on the measures the County Department on Health has put in place to deal with the rising cases of HIV/Aids in teenagers and that of MTCT within the County. Thank you.

The Temporary Speaker (Hon. William Mutai): Thank you very much Hon. Ann Wamaitha and I want to commit the Statement to the Committee on Health and within two weeks you bring the Report.

Hon. Members in regard to Order Paper No. 5, which is also another very crucial Paper which was laid by Hon. Wanjohi on the *Nakuru County Supplementary Budget II, 2023*, I want to commit this one to the Committee on Budget; expedite so that within no time, we are able to discuss the same.

ADJOURNMENT

Honourable Members, this House stands adjourned until Tuesday next week at 9.30 am

The House rose at 3.40am