

**COUNTY ASSEMBLY OF NAKURU
THE HANSARD**

Tuesday, 8th February, 2022

Assembly Building

The House met at 10.40am

[The Speaker (Hon. Joel Kairu) in the Chair]

PRAYERS

The Speaker (Hon. Joel Kairu): Good morning and good year Honorable Members, Happy new year!. This is 2022, '*yenye tulikuwa tunasema, sindio?*'

(Laughter)

2022 is here. Let us apologize that we were not able to have the prayer as scheduled, because I think there was some miscommunication. We had invited two preachers, one who his father passed away and was burying him today and the other one who was not able to come. They have sent apologies but we shall plan for the prayers when we have good time because this is the time when we need those prayers. So, we apologize for that, we were trying to wait for the other one but he said he could not make it on time.

COMMUNICATION FROM THE CHAIR

SPEAKER'S OPENING REMARKS FOR THE SIXTH SESSION OF THE SECOND ASSEMBLY

The Speaker (Hon. Joel Kairu): Honorable Members I have few remarks to make, during this opening session and I want to say it is my pleasure to welcome you back for the final session of the Second Assembly. The House resumes its previous sitting today, 8th February, 2022 after a two months recess period in accordance with the Assembly calendar. As per our traditions and in line with provisions of the Standing Orders the House is expected to immediately constitute the House Business Committee and table it for approval. This will pave way for the allotment of time for other agenda and crucial business lined up for consideration.

Honorable Members, as it is apparent that we are on the verge of exhausting the Constitutional term of this Assembly, as a result it is imperative that we have a candid discussion on our performance for the duration we have been in this office visa-vis the expectations of our electorates. As I have reminded you before the public has become more alert and emboldened by

the Constitution to continuously monitor our legislative activities. As we come close to the end of the term of this Assembly, the public will definitely have a scorecard to evaluate our performance.

Honorable Members, the Second Assembly has had its fair share of challenges, owing to the unprecedented outbreak of Covid-19, especially in the year 2020 and 2021. As expected, this largely interrupted our legislative activities but that notwithstanding permit me to highlight some of the key achievements we have made together since we assumed office in the year 2017. We have just but a few, which I believe really impact on the mwananchi.

Besides the many Bills that we have passed, is the Nakuru County Enterprise Fund, Act No.6 of 2019, which I am told had a very big impact and mwananchi is taking advantage of that Bill.

This Act have paved way for the Government to enter into agreement with financial institutions to assist traders recover from the effects of Covid-19. It is through these legislations that the Kenya Commercial Bank set aside Kshs 800m that targets small and medium enterprises while the County Government has set aside Kshs 52m as interest subsidy and credit guarantee.

Honorable Members, I encourage you to continue coming up with legislation that directly promotes the economic well-being of Nakuru Residents. Kindly let us monitor the implementations of such laws to ensure that the objectives are met.

The House has also passed laws aiming at generating revenue and maximizing on the County resources for economic gain, key among them and let me also say besides the Nakuru Enterprise Fund Bill we also had the Nakuru County Trade Act No. 5 of 2019, we also had Tourism and Marketing Act No.4 of 2019 and Nakuru Co-operative Revolving Act No.9 of 2019.

Besides those ones we also had;-

1. The Nakuru County Revenue Authority Act which paved the way for the creation of the County revenue body.
2. The Nakuru Flower Service Act No.3 of 2020,
3. The Nakuru County Tea Cess Act No. 4, which unlocked a lot of money that had been held by KTDA into our revenue accounts. Other notable Acts touching on various areas include
4. The Nakuru County Climate Change Act No.7. Aware that climate change is a global menace the Assembly enacted this piece of legislation to put in place the framework and mechanism for mobilizing and facilitation of the County Government communities and other stakeholders to respond effectively to climate change through appropriate adoption and mitigation measures and actions. This act also paves way for the County to benefit from a World Bank Fund that will assist in climate mitigation. We also had
5. The Nakuru County Waste Management Act No.9 of 2020. We all take judicial notice of the rapid expansion of Nakuru City hence increase in the volume of the waste generated in the County. In this regard you enacted this legislation for the organization in article 42 on the right to acclaim a healthy environment and Article 43 on health and sanitation and

implementation of section 2(g) of the forage of the Constitution of Kenya in relation to waste management. Honorable Members, you also passed

6. The Nakuru County Water and Sanitation Service Act No 8 of 2020

The Constitution of Kenya 2010 came to effect in 2013 declaring water supply and sanitation services as a basic right and devolving key water and sanitation functions to the County level
Honorable Members Kudos to you, you were also able to pass the following Bills;-

1. The Nakuru County Peace Building and Conflict Management Act No. 11 of 2021

Nakuru County has experience election violence in the past, since the introduction of multi part elections, cognizant of this fact and the mess created by the violence, the assembly enacted this bill for the establishment of County peace Council, to provide for the institutional framework for cohesion, peacebuilding conflict management

2. The Nakuru County Child Care Facilities Act, No.16 of 2019
3. The Nakuru County Civic Education Act No.17 of 2019
4. The Nakuru County Honors and Awards Act No. 15 of 2019
5. The Nakuru County Animal Welfare Act No. 4 of 2021

In the same breath, the following Bills are pending before various committees:

1. The Nakuru County Land Management Bill- Committee on Lands, Housing and physical planning
2. The Nakuru County Assembly (Members Offices) Bill- Committee on Members Welfare
3. The Nakuru County Maternal, New born and child health bill- committee on Health Services
4. The Nakuru County Community Health Bill- Committee on Health Services
5. The Nakuru county Valuation and Rating Bill- Committee on Lands, Housing and Physical Planning
6. the Nakuru County Housing, Estates, Tenancy and Management Bill- Committee on Lands, Housing and physical planning
7. Nakuru County Livestock Sales yard Bill- committee on Agriculture
8. The Nakuru County revenue authority Bill- Committee on Finance
9. The Nakuru County Animal Disease control Bill- committee on Agriculture

10. The Nakuru County Public Service Bill- Committee on Labour

11. The Nakuru County Urban food and agriculture Bill- Committee on Agriculture.

Honorable Members if these Bills are cleared with together with what we have passed, we will be a County Assembly in this republic that has passed the most Bills that are touching on the welfare of our people. So far we are not doing badly, we already have passed 15 and if we are able to pass even half of these we will have broken the record. So I urge you to take your time we clear what we are left with and Mwananchi will rate us based on what we have done.

PETITIONS, MOTIONS AND REPORTS

Similarly, the House has considered a total of forty-three Petitions, forty-seven Reports, and forty Motions touching on various departments.

BUDGET CYCLE

Honorable Members

This being an election year, there are significant changes in the budget cycle. The assemblies will now be required to pass the budget estimates by 24th March 2022 and subsequently pass an appropriation Bill by 31st March 2022. With these adjustments, it is clear that the Budget committee will be required to work within these timelines and prepare the necessary documents and Reports before the Assembly for consideration.

Honorable members

I urge you to accord the committee maximum cooperation even as we keep a keen eye on all the documents presented for deliberations. I am aware the report of the committee on Budget and appropriations on the County Fiscal Strategy Paper is expected to be laid before the floor in the course of the week. Members are reminded to interrogate the documents and ensure that it represents the views and aspirations of Nakuru residents.

It is also worth appreciating that it is during the tenure of the Second Assembly that we have witnessed crucial developments projects. This House, in its endeavor to create an enabling environment for members to effectively discharge their duties, allocated funds for the construction of the ultra-modern debating chambers with a capacity of around one hundred members.

The chamber also boasts of ample space in the gallery to facilitate interested members of the public to follow the live proceedings of the Assembly. This gesture demonstrates members' commitments to go out of their way, despite the limited financial resources, to improve the Assembly infrastructure for posterity. I sincerely want to thank you for this wise move.

We also take pride in being the first and the only Assembly to host H.E the President of the Republic of Kenya. This demonstrates that Nakuru County Assembly has grown and matured in its political heir and has exhibited the professional capacity to attract leaders of such high caliber for national discussions. Congratulations.

On the issue of City Status, it should not be lost to us that during your term, the Nakuru Municipality was formally conferred with city status. Bearing in mind that we were required to do some legislation, I want to thank you for your critical involvement in the process of transitioning from Nakuru Municipality to the City. Key among the roles involved in passage of Nakuru Municipality Charter, allocation of funds to prepare the Municipality to a City status and adaption of the Ad-Hoc Committee report recommending elevation of the Nakuru Municipality to a city. This exercise involved in depth consideration and analysis of all preset conditions by law to qualify Nakuru Municipality as a City, a process that you performed with zeal and dedication.

I however want to challenge you to note that as an Assembly, we are charged with enormous responsibility of making laws and policies that will be required to run Nakuru as a City without imposing an extra burden for Nakuru. We must encourage collaboration and cooperation with relevant players in ensuring that County Government puts in place an enabling environment for both local and international investors.

Finally, I am cognizant of the busy schedule before Members owing to the upcoming General Elections. However, I urge Members to strike a balance between attending plenary sittings and Committee sittings and attending to other political activities in their respective Wards. The House Business Committee shall take into consideration key elections timelines when preparing the calendar for adoption in the House. In the meantime, the relevant Committees with pending businesses are urged to urgently come up with work plan and ensure that they are concluded before the House breaks for a long recess in preparation for a general election. I once again welcome you back and wish you a successful session. I also want to wish you all the best during this campaigning time and God bless you.

PROCEDURAL MOTION

HOUSE DEBATES APPOINTMENT OF MEMBERS TO HOUSE BUSINESS COMMITTEE

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The Speaker (Hon. Joel Kairu): Mheshimiwa Majority Leader, karibu.

The Leader of Majority (Hon. Moses Kamau): Thank you Mr. Speaker sir. I want to thank God because since we were here last year, God has been faithful during our long recess and we have come back healthy. Allow me to move a procedural Motion;-

THAT notwithstanding the provision of Standing Order 49, this House resolves to debate the Motion of appointment of Members to House Business Committee. As you are aware, we need a new House Business Committee and therefore, I want to move this procedural Motion to that effect. Thank you.

Mheshimiwa Kajwang' to second.

Hon. Peter Kajwang': Thank you Mr. Speaker sir. I second

(Question proposed that notwithstanding the provision of Standing Order number 49, that this House resolves to Debate a Motion on appointment of Members to the House Business Committee)

(Question that notwithstanding the provision of Standing Order 49 under the Notice of Motion, the House resolves to Debate the Motion on appointment of Members to the House Business Committee put and agreed to)

The Speaker (Hon. Joel Kairu): What is the point of order?

Hon. Machembu Chege: Thank you Mr. Speaker sir, I want to just to bring to your attention that you have moved a bit faster...

The Speaker (Hon. Joel Kairu): I checked around and no one stood up to debate so we are going to the next order...

Hon. Machembu Chege: Thank you Mr. Speaker sir, it's only that I saw...

The Speaker (Hon. Joel Kairu): No, he was saying...you see, we were debating whether we don't follow the Standing Order No 49 which requires the Motion to be given notice. Already you have said OK and we can go to the next order and I think that's where you want to contribute.

Hon. Machembu Chege: Thank you Mr. Speaker.

MOTION

HOUSE APPROVES APPOINTMENT OF MEMBERS TO HOUSE BUSINESS COMMITTEE

The Speaker (Hon. Joel Kairu): Motion by Leader of Majority.

The Leader of Majority (Hon. Moses Kamau): Thank you Mr. Speaker sir, there is a Motion of appointment of members to the House Business Committee that pursuant to the provision of standing order 154 (1) (e), the house approves the appointment of the following members to the house business committee.

1. HON. JOEL KAIRU MAINA _ Chairperson

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2. HON. WILSON MARITIM _ Vice Chairperson
3. HON. MOSES NDUNGU _ Leader of Majority
4. HON. MELVIN KUTOL
5. HON. STANLEY KARANJA
6. HON. GRACE MWATHI
7. HON. LEAH SANG
8. HON. ELIZABETH GICHUKI
9. HON. WILBUR ONYANGO
10. HON. LILIAN KONES
11. HON. CICILIA KARANJA
12. HON. ALICE KERING
13. HON. ERICK GICHUKI
14. HON. HUMPHREY MWANIKI
15. HON. HUMPHREY KAMAU GUTHENGI
16. HON. SAMUEL TUNUI
17. HON. CATHERINE NYAMBURA KAMAU
18. HON. WILSON MWANGI
19. HON. ROSE CHEPKOECH
20. HON. PETER PALANGA
21. HON. PETER NGANGA
22. HON. JOEL KARURI MAINA
23. HON. PETER NYAGUTHII
24. HON. IRENE CHEBICHI
25. HON. ANN KIMANI
26. HON. EDDY KIRAGU
27. HON. DAVID MALEL
28. HON. GEORGE KIERE
29. HON. JOEL KARURI MAINA
30. HON. JOSEPH BETT
31. HON. MICHAEL NJORGE
32. HON. JANE NGUGI
33. HON. ZAITUNA IBRAHIM
34. HON. PETER MBAE
35. HON. WAHOME JAMBO KENYA

As you are aware in our second Assembly when we came here through your guidance, we had a setup of various committees and we are very grateful because every member of this House has

four or five committees and therefore, we have found it good to bring the same members who were there last session so that they can continue with the exercise of the House Business Committee. You are aware if there would be any change, it will alter the whole set up of the committee therefore I request this House to adopt the names as they are for this House Business committee. Thank you.

The Speaker (Hon: Joel Kairu) Secunder?

Leader of Majority (Hon. Moses Kamau); Am sorry, the seconder is Minority Leader Honorable Kajwang.

The Minority Leader (Hon. Peter Kajwang): Thank you Mr. Speaker sir, on this Motion I think I have a reservation so I will not be available to second so may be somebody else can do it.

The Leader of Majority (Hon. Moses Kamau): Mr. Speaker sir, thank you. We have the Deputy Speaker Hon. Tonui to second the Motion.

Deputy Speaker (Hon. Samuel Tanui): Thank you, I second the Motion.

(Question proposed that pursuant to the provision of standing order 154i(c) the house approves the appointment of the members listed thereof to the house business committee.)

The Speaker (Hon. Joel Kairu): Minority Leader maybe we could get your reservation now?

The Minority Leader (Hon. Peter Kajwang): Thank you Mr. Speaker Sir, for giving me this opportunity and all members who are present it has been long since we were in this House and I hope that everybody has got a good chance during this recess to look on other issues apart from parliamentary duties. I have a reservation on the names that have been listed here to be members of the House Business committee. The reason being is that as am standing here am the Leader of Minority and traditionally has to be a member of the House Business committee and am surprised that my name has not been listed and that makes me wonder the Leader of Majority and the chairperson who is the Speaker went through this list and consider it favorably and in line with House tradition. Thank you.

The Speaker (Hon. Joel Kairu): Thank you, I think that is a valid observation. I can see the former Minority Leader at number twenty. Majority Leader can you respond.

The Leader of Majority (Hon. Moses Kamau): Thank you Mr. Speaker Sir, it is very true that honorable Kajwang who is Minority Leader has a very valid point, am requesting to move an amendment, Hon. Joel Karuri had appeared twice in the list and therefore we replace number twenty-nine to read honorable Peter Kajwang as Minority Leader. Thank you.

The Speaker (Hon. Joel Kairu): Someone to second?

The Deputy Speaker (Hon Samuel Tonui): Thank you Mr. Speaker sir, I stand to second the amendment of the list.

(Question proposed that pursuant to the provision of Standing Order 154 (1 e) the House Approves the appointment of the members listed with amendment to the House Business Committee)

(Question put and agreed to)

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The Speaker (Hon. Joel Kairu): The name may now be replaced. Go back to the main Motion. Yes...

Hon. Machembu Chege: Mr. Speaker sir, thank you very much for us also getting back to this Assembly and also in good shape. I had stood on a point of order and I had made that observation. Joel Karuri's name is appearing twice on the list and I also looked at the Chairperson, the Vice chairperson and the Leader of Majority. Because he was sitting next to me, I thought we should also add his name and therefore, my concerns are already answered. Thank you, I do support.

The Speaker (Hon. Joel Kairu): Thank you.

(Question proposed that pursuant to the provision of Standing Order 154(I)(e) the House approves the appointment of the members listed thereof to the House business committee.)

(Question put and agreed to)

ADJOURNMENT

The Speaker (Hon. Joel Kairu): Honorable Members this House stands adjourned to 2.30 pm today.

(The House rose at 11.10 am)