# REPUBLIC OF KENYA

## COUNTY ASSEMBLY OF LAIKIPIA

### THE HANSARD

**Tuesday, 23rd April, 2024**

*The House met at the Assembly Chambers at 2.30 p.m.*

*[The Speaker (Hon. Lantano Nabaala) in the Chair]*

PRAYERS

### COMMUNICATION FROM THE CHAIR

POOR NETWORK CONNECTIVITY

**Speaker:** Hon. Members, allow me to take this opportunity to communicate to the House that due to heavy rains experienced, we have issues with internet connectivity. There is a possibility that some of you may not be able to use your electronic gadgets for the Assembly work. I had directed that hard copies be availed so that Members will not be inconvenienced. Thank you, very much.

### PAPERS LAID

CONFERMENT ON NYAHURURU TOWN TO MUNICIPALITY

**Hon. Nicholas Mwaniki:** Thank you, Mr. Speaker. I beg to lay the following papers;

Report on the Ad hoc Committee on the Application of conferment of Nyahururu Town to municipality status on behalf of the Majority Leader Hon. John Maina Gichuki.

*(Hon. Nicholas Mwaniki laid the Papers on the Table)*

**Speaker:** Hon. Members, the laid report stands committed to the Committee on Finance and County Planning. Thank you.

STATUS OF HEALTH SERVICES AT NTRH

**Hon. Anthony Theuri:** Thank you, Mr. Speaker. I beg to lay the following papers on behalf of the Chairperson of the Health Committee;

Report on the Status of health services at Nanyuki Teaching Referral hospital by the Health Services Committee dated 16th April, 2024.

*(Hon. Anthony Theuri laid the Papers on the Table)*

AMENDMENTS OF THE STANDING ORDERS

**Hon. Nicholas Mwaniki:** Thank you, Mr. Speaker. I beg to lay the following report;

First report of the Procedure and Rules Committee on amendments to the Standing Orders submitted pursuant to Standing Order No. 233 and 236(2) dated 23rd April, 2024.

*(Hon. Nicholas Mwaniki laid the Papers on the Table)*

### NOTICES OF MOTIONS

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STATUS OF HEALTH SERVICES AT NTRH

**Hon. Catherine Umija:** Hon. Speaker, I beg to give notice of the following motion;

THAT, this Assembly adopts the report on the Status of health services at Nanyuki Teaching Referral hospital by the Health Services Committee dated 16th April, 2024.

This is on behalf of Hon. Nicholas Lempaira. Thank you.

AMENDMENTS OF THE STANDING ORDERS

**Hon. Nicholas Mwaniki:** Thank you, Mr. Speaker. I beg to give notice of the following motion;

THAT this Assembly adopts the first report of the Procedure and Rules Committee on amendments to the Standing Orders submitted pursuant to Standing Order No. 233 and 236(2) dated 23rd April, 2024.

ENHANCEMENT OF SECURITY IN THE COUNTY

**Hon. Catherine Umija:** Thank you, Hon. Speaker. I beg to give notice of the following motion on behalf of Hon. Nicholas Lempaira the Member for Mukogodo West Ward;

THAT AWARE THAT pursuant to Article 29 of the Constitution of Kenya 2010, every person has the right to freedom and security;

FURTHER AWARE THAT cattle rustling/banditry is a major menace and security threat in the County;

CONCERNED THAT the menace has since left irreparable and negative socio-economic impact which includes but not limited to the increased number of widows, widowers, orphaned children, poverty, displacement of people leading to Internally Displaced Persons (IDPS), disruption of educational health programs and other economic activities owing to the destruction and/or closure of educational, health and other institutions;

FURTHER CONCERNED THAT the people living in the affected regions have been denied the enjoyment of their social, economic and political rights as guaranteed to them under the Bill of Rights as enshrined in Chapter Four of the Constitution; (032) TUESDAY 23RD APRIL, 2024 AT 2.30PM (068) APPENDIX;

This House URGES the County Government to liaise with the Ministry of Interior and National Administration to Establish a County Task force on cattle rustling/banditry to;

(i) Investigate the causes of the rampant cattle rustling and banditry in the County;

(ii) Establishes the extent of suffering, loss and damage the cattle rustling/banditry has occasioned to the communities;

(iii) Establish a means in compensating all victims of cattle rustling/banditry occasioned by the menace.

Thank you, Mr. Speaker.

**MOTION**

AMENDMENTS OF THE STANDING ORDERS

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**Hon. Nicholas Mwaniki:** Thank you, Mr. Speaker. I beg to move the following motion;

THAT this Assembly adopts the first report of the Procedure and Rules Committee on amendments to the Standing Orders submitted pursuant to Standing Order No. 233 and 236(2) dated 23rd April, 2024.

The Procedure and Rules Committee is established under the Standing Order No. 187 to among other things consider and report on all matters relating to the Standing Orders. Further, Standing Orders No. 233 provides that The Procedure and Rules Committee may at any time propose amendments to the Standing Orders.

**Committee Membership**

The Committee currently comprises of the following Members: -

1. Hon. Lantano Nabaala - Speaker of the County Assembly (Chairperson).
2. Hon. Anthony Theuri - Deputy Speaker (Member)
3. Hon. Nicholas Mwaniki - Member of Speaker's Panel
4. Hon. Leila Hussein - Member of Speaker's Panel
5. Hon. Mary Gathoni - Member of Speaker's Panel
6. Hon. Paul Leshuel - Member of Speaker's Panel
7. Hon. Daniel Mugweru - Member
8. Hon. George Karuiru - Member

**Acknowledgements**

I take this opportunity to thank all Members of the Committee for their input and valuable contributions during the deliberations. The Committee also takes this opportunity to thank the Offices of the Speaker and that of the Clerk of the County Assembly, for the logistical support accorded to it during the exercise.

On behalf of the Procedure and Rules Committee and pursuant to the provisions of Standing Order No. 187(4), it is my pleasure and duty to present to the House, the Committee's report on the proposed amendments.

Thank you.

**Amendments of Standing Order No. 31(1)**

On several occasions, the Speaker of the County Assembly received numerous requests in the Plenary from the Members to have the said standing order amended in order to have sittings on Tuesday and Wednesday; this would create more time on Thursday for Committee work. The Committee met on 22nd and 23rd of April, 2024 to consider the request and made the following recommendations.

a. **Standing Order No. 31 (1) (Hours of Meeting)**

That standing order 31(1) (Hours of meeting) be amended so as to read as follows;

(1) Unless the Speaker, for the convenience of the Assembly otherwise directs, the Assembly shall meet at 10.00 a.m. and 2.30 p.m. on Tuesday and Wednesday, but more than one sitting may be directed during the same day.

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Rationale; To change the sitting days to Tuesday and Wednesday.

Recommendation; The Committee approved the aforementioned part of the standing orders and made the following consequential amendments for clarity and consistency.

i. Standing Order No. 28 (1) Regular Sessions of the Assembly

Amend Standing Order 28(1) (Regular Sessions of the Assembly) so as to read;

Regular Sessions of the Assembly

1. (1) Except for the Session commencing immediately after a general election, the regular Sessions of the Assembly shall commence on the second Tuesday of February and terminate on the first Wednesday of December.

ii. Standing Order No. 45 (1) Statement Hour

Amend Standing Order 45(1) Statement Hour so as to read;

(1) Notwithstanding Standing Order 41 (*Sequence of Proceedings*), there shall be time, to be designated Statements Hour, every Wednesday, commencing not later than 3.00 pm.

iii. Standing Order No. 45 (2a) Statement Hour

Amend Standing Order 45(2a) Statement Hour so as to read;

a member of the House Business Committee designated by the Committee for that purpose shall, every Wednesday during the afternoon sitting or on the last sitting day, for not more than ten minutes, present and lay on the Table, a statement informing the Assembly of the business coming before the Assembly in the following week;

**Conclusion And Recommendation**

In making the recommendations the committee considered the emerging trends in the conduct of the business in the Third County Assembly. It is hoped that these proposed amendments will assist the Third County Assembly to efficiently and effectively discharge its mandate of legislation, oversight and representation. Attached to this report is a schedule of each proposed amendment for consideration by the House.

**Recommendations**

Now therefore, in line with the provisions of PART XXVII *(Amendment of Standing Orders)*, the Procedure and Rules Committee recommends-

i. That pursuant to the provisions of standing order no 233 and 236 the House approves the proposed amendments to the Standing Orders.

ii. That pursuant to the provisions of standing order no 233 and 236(2) the House approves the proposed amendments to the Standing Orders and the amendments shall take effect immediately.

Thank you, Mr. Speaker. I request Hon. Shuel to second this.

**Hon. Paul Leshuel:** Thank you, Mr. Speaker. I stand to second this motion. As the Mover of the motion has made it clear, according to the session of this Assembly we normally have four sessions, and that remains the same. However, we have changed the days. We will

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have four sessions as usual but they will take place on Tuesday morning and afternoon and on Wednesday as usual.

The other thing which has changed is the hours. Normally, it is from 9.00 a.m. but we have changed to 10 a.m. on Tuesday and Wednesday. The afternoon sessions remain the same. The reason why we have come with this proposal is so that we give the committees time to do their work. As we all know, the business of the House is generated at the committee's level. Oversight is also done by committees. So, we must give committees enough time to do their work properly so that we can get enough business in the House. I hope Members can see the importance of this, that on Thursday, Friday and Saturday we can do other activities as committees of this House. I stand to second. Thank you.

**Speaker:** Thank you, Hon. Nicholas and Hon. Shuel.

*(Question proposed)*

**Hon. Joseph Gitahi:** Thank you, Hon. Speaker for this opportunity. Let me say that I am delighted to have this opportunity to contribute on this issue that is before us. I would wish to state clearly that I want to support the motion emanating from the Rules and Procedures Committee on the sittings of the Assembly and the sessions that we will be attending, and this is based on the Standing Orders.

Hon. Speaker, I want to say that we have sittings without numbers and that intensity has never defeated extensity. We better have few days with quality time so that Members are able to generate motions and debate legislations, then the performance of this Assembly will be highly boosted.

Secondly, I want to state one thing that the Member representing Mukogodo East has expounded. Personally, I like understanding things the local way. He has mentioned the hours that we are supposed to be getting here on Tuesday and Wednesday. Most of the times and Hon. Karuiru is my witness, I have to drive at a terrific speed so that I can arrive here and get to the Assembly in the right hours. So, 10:30 a.m. will be good for us who come from the farthest point of this County to attend Assembly sessions since they are very important

Moreover, I would like to state that it is important that these Members even as we contribute to debates here and talk about things that are happening in this County have ample time at the Committee level. It is very important and as the Speaker said just before I stood that all Business of the Houses are generated from the Committees. It is important that we regress back to the Committee and work from there so that we can generate business for this House.

Hon. Speaker, I also want to state that the one day that has been seeded is on Thursday which is very important. I do not know whether it is my own observation or a common observation across the country, but you realize that the electorate needs their leaders now more than ever. I think it is this time that you see real issues emerging and they need the intervention of these people who have been elected. So, if we are not in the committees, we now have ample time to respond to real time issues that are happening on the ground.

Mr. Speaker, I also understand that it is from the Committees at the ground and from ample reflection by Hon. Members, that they are able to respond to things that are happening at the current time. This is because the previous arrangement required that these Honourable Members sit here from Tuesday, Wednesday, Thursday and at times even Friday because of Committees. Now, we have a day extra for the same work.

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I wish to support because I think it is going to address the productivity of these lawmakers both in this Assembly and in this County Government of Laikipia. Having said that Hon. Speaker, I can see Senior Members of this County Assembly and I would not want to spend much time. I know they are here and they have more important issues than what I am saying and I would wish to sit for these issues. Otherwise, I am appreciative for the time. Thank you.

**Speaker:** Thank you, Hon. Gitahi. Hon Karuiru?

**Hon. George Karuiru:** Thank you, Mr. Speaker. I rise to support these amendments towards the Standing Order. Mr. Speaker, in support of this, I congratulate the Committee for the good work. I must also congratulate myself since I might lack somebody to say congratulations to me for we burnt a lot of midnight oil trying to go through the Standing Order without breaking the law.

Mr. Speaker, it is at this level that I would want to say that we would have the best part of our families, homes, our areas, and the people we represent. It has been very congesting working throughout the five days in one week not forgetting that there are others that want to get our positions. Now we can have ample time to be with our electorates and tell them where we have reached, what we are doing, the budget we are making and others.

Mr. Speaker, I cannot hesitate to support Hon. Gitahi on matters of distance. As you know Mr. Speaker, sometimes it is tiresome not forgetting those who come from Laikipia West. I am at the edge of the big County or Sub County of Laikipia West and its constituents. It is a little bit tiresome and the change of hours is enticing. Mr. Speaker, I remember in 2018 I had an accident and it is because I was rushing to meet the former Governor in Rumuruti, yet I was out of time. The time extension from 9.00 a.m. to 10.00 a.m. is quite commendable.

On the other hand, our co-mandate of oversight; we still have some more time to go over the oversight of the Executive which has actually gone down because of the limitations of time. There are also the issues of insecurity that is all over our County and especially my Ward of Olmoran and not forgetting Githiga, Sosian and now Mukogodo. It does not mean that the change of the time or the days has a lot to do with insecurity but actually sometimes, we wake up very early for the people who come from those dangerous Wards.

I was conversant with somebody from the State House and they received information from 4.00 p.m. Mr. Speaker, that is our mandate and sometimes it is tasking. Mr. Speaker, there are training programs that we usually go to not only here, but even outside the country. It is now very well and very articulate that we can have those days to change and manage our Committees and go for foreign travels. Now we have and extension and additional day that is not very committed.

Mr. Speaker, we have youth who are still making children. We have the Hon. Member for Salama, Githiga and our Nominated Members here; Catherine Umija and others. Sometimes it calls for that extension. Mr. Speaker, the Kikuyu say that, 'you sound like you are becoming naughty while giving advise but sometimes, a morning glory of around 7.00 am is enticing.' This extension of time and that extra day will make us grow our families. We shall have more time to be with our families, our electorates and as well converge here for two days and agree. Thank you, Mr. Speaker. I support.

**Speaker:** Indeed, it is a robust discussion.

**Hon. Simon Kanyutu:** I thought that you are confusing me with Hon. Umija. Mr. Speaker, first of all I would like to congratulate the Committee on Rules and Procedure because

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this is commendable. I have really admired their take because immediately I arrived, I started going through what they have put in this paper. I am happy because whatever entails to our work, we will be able to work.

Mr. Speaker, I would wish that immediately we pass it today, I think we can start implementing it immediately. Tomorrow we can get the two sessions and so on. As you see me here, before I arrived, I was just trying to squeeze my time. In the morning, there was a burial in my area and because I was going to attend the Assembly sitting at 2.30 p.m., first I had to attend the burial for my people to feel that I am still with them. Before we finished the burial, I had to seek for permission from the pastor and he was very appreciative because he agreed that I had to travel to Nanyuki.

On the road, we also use some funny tricks like putting the lights on so that even when you are over speeding, the traffic officers on the road will not stop your vehicle. Mr. Speaker, the speed at which we do, if you get a tyre burst, it can be very hazardous. So, I commend and I am very happy with the committee. My prayer is, if allowed, let it be implemented immediately from now. As the Hon. Member from Olmoran has stated against those who are making children, we have already made ours and therefore we need more time with them so that on Wednesdays after we are through starting the Assembly at 10 a.m., I will be able to commute from my home to Nanyuki.

On Wednesdays, immediately we are through with the sessions, I will be heading straight home so that on Thursdays, I will be spending with my kids from morning and they will enjoy having their Dad close because it has been a challenge. I support whole heartedly and in case we need to do something for it to start immediately, I would support the whole idea of implementing.

**Speaker:** Thank you, Hon. Kanyutu. I would like to refer you to the last sentence of the report that says, *"Pursuant to the provisions of the Standing Order No. 233 and 236 (2), the House approves the proposed amendments to the Standing Orders and the amendments shall take effect immediately."*

So I think that it completely supports but if you approve the report today, we will have a committee of the whole tomorrow to implement it so that on Thursday we will not come back. Hon. Kanyutu, would you like to make a complement before I open for the others?

**Hon. Simon Kanyutu:** Thank you, Mr. Speaker. On that, even when supporting, I raise my hand and really support.

**Speaker:** Thank you, Hon. Kanyutu. The floor is still open.

**Hon. Catherine Umija:** Thank you, Mr. Speaker. I just want to say that the report is on time. It is long overdue because most of the time we have been doing procedural motions for adjourning our time so that we have our sessions on Thursday morning to free afternoons for other oversight or committee works. I think that the committee has done a commendable job in ensuring that we maximize on the two days that we have. Time is money and as we make sure that the two days are maximized, on Thursdays and Fridays we will be having time to do our normal works in terms of committee meetings, oversight and representation meetings.

I am just taking the joke that Hon. Karuiru had given. Yes, we will now be having more children as he said because he is giving suggestions. We will have more children so that we can have more voters. Thank you.

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**Speaker:** Thank you. As I can see, the Members are in support of it. Let me give this opportunity to the mover of the motion to make a reply.

**Hon. Nicholas Mwaniki:** Thank you, Mr. Speaker. First of all is to congratulate the Members who have supported this motion because it is about time we schedule time for attending this Assembly into two days so that we can have ample time to deal with other matters that emanate from our wards and the committees. The business of this House is derived from the committees and therefore, having more oversight and reports on the floor, that will bring more business into the House.

As the Members move to do oversight on the projects that are being done on the ground, it gives them ample time to do the job that is given to them by the electorates. As we have witnessed, more presence is needed for the elected Members on the ground because things have changed. Their presence is more important to the electorates as they do oversight towards the projects that are allocated in their wards. I congratulate the Members as we move to the Committee of the Whole House tomorrow to deliberate and approve these amendments. Thank you.

*(Question out and agreed to)*

## CONSIDERED RULING

**Speaker:** Before I proceed to the next order, I just want to urge all the Members to avail themselves tomorrow for the purposes of the Committee of the Whole House.

## ADJOURNMENT

**Speaker:** The sitting of this House now stands adjourned until tomorrow Wednesday, 24th April, 2024 at 9.00 a.m.

The House rose at 3.10 p.m.

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