REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Wednesday, 12th May, 2021

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

[The Temporary Speaker (*Hon. Veronica Ikunyua) in the Chair]*

PRAYERS

PAPER LAID

ISSUANCE OF LAIKIPIA COUNTY INFRASTRUCTURE BOND

Hon. Joseph Kiguru: Thank you, Madam Speaker. I have the following paper to lay;

Request for a House resolution approving issuance of an infrastructure bond by the County Executive.

Thank you, Mr. Speaker, Sir.

BILL

LAIKIPIA COUNTY DISASTER MANAGEMENT BILL, 2019

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

(The Temporary Speaker (Hon. Veronica Ikunyua) left the Chair)

IN THE COMMITTEE

(The Chairperson (Hon. Catherine Nyawira) took the Chair)

CLAUSES WITHOUT AMENDMENTS

Clauses 4, 6, 9, 10, 12, 13 and 15

(Question proposed)

Chairperson: Remember Members, these are the clauses without amendments. Unless there is debate we cannot amend the same but we can look and give our views.

(Question put and agreed to)

(Clauses 4, 6, 9, 10, 12, 13, and 15 agreed to)

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CLAUSES WITH AMENDMENTS

Clause 3

(Question proposed)

Hon. Chris Mark: Hon. Chairperson I beg to move;

THAT clause 3 be amended as follows "3. that the purpose of the act is to

a) Provide for the framework for preventing and mitigating disasters and their effects and ensuring effective and efficient preparedness and response to occurrence of any disaster.

b) Establish an efficient structure for the management of disasters and emergencies by promoting cooperation amongst actors with a role in disaster risk management.

c) Enhance the capacity of communities and the County Government of Laikipia to effectively manage the impact of disasters and emergencies and to take all necessary action to prevent or minimize threats of life, health and the environment from natural disasters and other emergencies.

d) Vest authority in persons to act during times of disaster and emergency in accordance with this act, and to require the observance and implementation of directives given and initiatives taken by persons authorised under this Act.

e) Implement mechanisms to reduce risks and hazards that may cause, contribute to or exacerbate disaster or emergency situations in the county.

f) Establish the Laikipia County Disaster Risk Management Fund.

(Question on the amendment proposed)

Chairperson: Members, it is your time to debate on the amendments that have been moved before the House by Hon. Christopher Mark. If there is no one to debate I will ask the mover to reply.

Hon. Chris Mark: Thank you for your support in silence so let us vote for the amendments. Thank you.

(Question on the amendment put and agreed to)

(Clause 3 as amended agreed to)

Clause 5

(Question proposed)

Hon. Chris Mark: Thank you, Chair. Hon. Chairperson, I beg to move

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THAT clause 5 be amended as follows; Section 5(3) is amended by deleting it entirely and substituting therefore with the following section;

"5(3) the fund shall be used for;

a) Facilitating disaster preparedness and early warning signs.

b) Mitigating the impact of disasters

c) Facilitating with response to relief and reconstruction of the County after disaster

d) Supporting the implementation of the supervision of this Act.

I urge Members to support. Thank you.

(Question on amendment proposed)

Chairperson: Members it's your time to debate. Hon. Joseph Kiguru?

Hon. Joseph Kiguru: Thank you madam Chair. I stand in support of the amendments. I also congratulate the initiator of this bill. For the last three years we have been going through many disasters in terms of fire and other calamities. When Laikipians are going through those problems, if you go to the Executive they say they don't have any bill or regulation to give funds or help in mitigating the problems affecting our people.

In support of the amendment initially the bill lacked a lot of things. For us to amend this section I know we will end up having a way out of helping our people. I support the amendment. Thank you.

Hon. Joseph Suge: Thank you Madam Chair. I stand to support this bill considering that we have experienced so many disasters in this county. Recently, during the Covid-19 pandemic we had to appropriate some money that affected even the bursary kitty for this Assembly to secure some money for Covid-19 and its mitigation.

The Disaster Management Fund will seize this because this is about protection of lives and property. It's a requirement by the National Treasury that the Assembly or Executive should consider in their budget putting at least 20%. I believe as the implementation of this act will come to place, Laikipians will be more secure from these disasters.

Recently, we know fire tragedies have been affecting our people especially the day before we had a fire which stroke some buildings and destroyed properties in Rumuruti. We know the people of Laikipia during such kind of problems expect the County to support them. Having this kitty, I think it's an achievement to Laikipians. Thank you.

Chairperson: The mover you may reply.

Hon. Chris Mark: Thank you for Members who have contributed. Maybe to bring people up to date. The reason I made this amendment, these are the things that arose from Public

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participation. People from the Red Cross, Impact, people in Laikipia from different sectors etc. and they felt maybe by putting or adding these things they will improve the final product of the bill. Thank you.

(Question on amendment put and agreed to)

(Clause 5 agreed to as amended)

Clause 7

(Question proposed)

Hon. Chris Mark: I beg to move that Clause 7 be amended as follows;

Section 7 (2) be amended by inserting Paragraph (h) as follows;

The County Director of Meteorological Services

(Question on amendment proposed)

Chairperson: Members it is your time to look at the amendments and contribute.

Chairperson: The mover may reply.

Hon. Chris Mark: Thank you for supporting in silence and I also urge you now to support verbally.

(Question on the amendment put and agreed to)

(Clause 7 as amended agreed to)

Clause 8

(Question proposed)

Hon. Chris Mark: Thank you, Chairperson. I beg to move;

THAT Clause 8 be amended as follows; Section 8 be amended by inserting the word 'risk' immediately after the word 'disaster' and before the word management.

I urge the Members to support.

Chairperson: Hon. Chris Mark, next time I think you should read out how it would actually read in the actual document instead of just inserting before and after so that we can have the complete word. While responding, I propose that you prepare that statement the way it is should appear.

(Question on the amendment proposed)

Chairperson: I am going to ask the mover to reply.

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Hon. Chris Mark: Thank you, for supporting in silence and I urge us to support.

(Question on the amendment put and agreed to)

(Clause 8 as amended agreed to)

Clause 11

(Question proposed)

Hon. Chris Mark: Hon. Chairperson I beg to move;

THAT Clause 11 be amended as follows; with the help of the yellow paper which is the Bill you will be able to follow know where the words fall in. Section 11 be amended by inserting the word risk between the words disaster and management so that it can 'read disaster risk management' The yellow document which is the Bill, if you can go to that section and place the words, you would know how it will read. Thank you.

(Question on the amendment proposed)

Chairperson: I want to ask the mover to reply.

Hon. Chris Mark: Thank you for supporting.

(Question on the amendment put and agreed to)

(Clause 11 as amended agreed to)

Clause 11(3)

(Question proposed)

Hon. Chris Mark: Hon. Chairperson, I beg to move;

THAT Clause 11(3b) be amended as follows; Section 11 (3) be amended by inserting paragraphs as follows;

a) The comprehensive hazard profile in the county.

b) The manner in which the mitigation measures and early warning system shall be integrated with the development plans and projects the roles and responsibilities of each department of the County Government in relation to the measures specified.

I urge the Members to support.

(Question on the amendment proposed)

Chairperson: I wish to ask the mover to reply.

Hon. Chris Mark: Thank you for your support, let us keep up with the spirit. Thank you.

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(Question on the amendment put and agreed to)

(Clause 13 as amended agreed to)

Clause 14

(Question proposed)

Hon. Chris Mark: Hon. Chairperson, I beg to move;

THAT, Clause 14 be amended as follows; Section 14 be amended by inserting a new subsection sub-section 3 as follows; that the Executive Member shall ensure that the report is submitted to the County Assembly.

I urge the Members to support.

(Question on the amendment proposed)

Chairperson: Members, this is a very important Clause because after everything is done that report needs to come to the County Assembly. I ask the mover to reply.

Hon. Chris Mark: That Clause is very serious like the Chairperson has said and I have seen the Members agreeing by nodding their heads. Thank you, I urge you to support.

(Question on the amendments put and agreed to)

(Clause 14 as amended agreed to)

Clause 2

(Question proposed)

Hon. Chris Mark: Hon. Chairperson, I beg to move that Clause 2 be amended as follows: that section 2 be amended by inserting the following definitions in the appropriate alphabetical order:

"Disaster risk management" means the systematic process of using administrative directives, organizations and operational skills and capacities to implement strategies, policies and improved coping capacities in order to lessen the adverse impacts of hazards and the possibility of disaster.

"Disaster risk reduction" means the concept and practice of reducing disaster risks through systematic efforts to analyse and manage the casual factors of disasters, including through reduced exposure to hazards, lessened vulnerability of people and property, wise management of land and the environment, and improved preparedness for adverse events.

"Disaster preparedness" means a package of precautionary measures, taken in advance of an imminent threat to help people and institutions respond to and cope with the effects of a disaster.

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"Mitigation" means a substantial reduction of the impacts of a disaster in case it goes beyond preventive measures.

"Hazard" means a dangerous phenomenon, substance, human activity or condition that may cause the loss of life, injury or other health impacts, property damage, loss of livelihoods and services, social and economic disruption, or environmental damage.

"Prevention" means on focusing on measures aimed at impeding the occurrence of a disaster, and at minimizing its harmful effects on the community, property and the environment.

"Response" means the interventions taken during or immediately after a disaster. Such actions are directed towards saving lives and livelihoods and dealing with the immediate damage caused by a disaster.

"Vulnerability" means the characteristics and circumstances of a community, system or asset that makes it susceptible to the damaging effects of a hazard.

I urge Members to support this.

(Question on amendment proposed)

The Chairperson: Members, it is your time to contribute to Clause 2 which has been amended on the Floor of the House by the Hon. Member. I now wish to request the Mover to reply.

Hon. Chris Mark: Thank you for the support.

(Question on amendment put and agreed to)

(Clause 2 agreed to as amended)

Long Title

(Question proposed)

Hon. Chris Mark: Thank you, Chairperson. I beg to move that the long title of the bill be amended as follows: On the title of the bill insert the word "risk" between the words "disaster" and "management" so as to read "The Laikipia County Disaster Risk Management Bill, 2020". I urge Members to support this.

The Chairperson: I want to request the Mover to read the amendment again.

Hon. Chris Mark: Sorry, Chairperson. I beg to move that the long title of the bill be amended as follows: On the title of the bill insert the word "risk" between the words "disaster" and "management" so as to read "The Laikipia County Disaster Risk Management Bill, 2020". I urge Members to support.

(Question on amendment proposed)

The Chairperson: It is just the title so I also want to ask the Mover to reply.

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Hon. Chris Mark: Thank you for the support once again. Let us vote on this.

(Question on amendment put and agreed to)

(Long title agreed to as amended)

Short Title

(Question proposed)

(Question on short title (Clause 1) put and agreed to)

(Short title agreed to)

REPORT AND CONSIDERATION

LAIKIPIA COUNTY DISASTER MANAGEMENT BILL, 2019

Hon. Chris Mark: Hon. Chairperson, I beg to move;

> THAT the Committee of the Whole do report to the Assembly its consideration of the Laikipia County Disaster Management Bill, 2019 (Laikipia County Bill number 4) and its approval thereof with amendments.

Thank you.

(Question put and agreed to)

(The House resumed)

(Temporary Speaker (Hon. Veronica Ikunyua) in the Chair)

Chairperson: Thank you, Madam Speaker. I beg to report;

THAT the Committee of the whole has considered the Laikipia County Disaster Management Bill, 2019 (Laikipia County Bills Number 4) and its approval thereof with amendments.

Thank you, Madam Speaker.

Hon. Chris Mark: Thank you, Madam Speaker. I beg to move;

> THAT the House do agree with the committee on the said report.

Thank you.

(Question proposed)

(Question put and agreed to)

THIRD READING

LAIKIPIA COUNTY DISASTER MANAGEMENT BILL, 2019

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Hon. Chris Mark: Thank you, Madam Speaker. Madam Speaker, pursuant to Standing Order 131(2) I beg to move;

THAT the Laikipia County Disaster Management Bill, 2019 (Laikipia County Bills Number 4) be now read a third time.

I request Hon. Joseph Suge to second this. Thank you.

Hon. Joseph Suge: I second.

(Question proposed)

(Question put and agreed to)

(The Bill was accordingly read the third time and passed)

ADJOURNMENT

Temporary Speaker (Hon. Veronica Ikunyua): This House stands adjourned until tomorrow Thursday 13th May, 2021 at 2.30 p.m.

The House rose at 3:10 p.m.

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