REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Wednesday, 4th September, 2024

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

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

PRAYERS

Speaker: Hon. Anthony what is it?

Hon. Anthony Theuri: Mr. Speaker, we have one person who is unproperly dressed, Hon. Stephen Ndiritu. He came in his pyjamas and we need to dismiss him.

Speaker: We need to confirm from the clerk. Is the Hon. Member unparliamentary dressed?

(It was confirmed that the said Member was parliamentary dressed)

Speaker: Hon. Anthony, are you satisfied with the dress code of the Hon. Member.

Hon. Anthony Theuri: No, because there is a difference between a tie, a shoe string and a rope. Now Kagondu is literally tying a rope.

Speaker: I don't know of a member called Kagondu.

Hon. Anthony Theuri: Hon. Stephen Kamau Ndiritu from Thingithu.

Speaker: Hon. Members, are you satisfied with the Members dress code?

Hon. Nicholas Mwaniki: I think that it is only that the tie is not well aligned. I would request the Deputy Speaker to help him get his tie aligned so that he can be dressed accordingly.

Speaker: Thank you. Hon. Anthony Theuri, Hon. Mwaniki has requested that you may assist the Majority Whip. Hon. Stephen, do you want to protest?

Hon. Stephen Ndiritu: Langu ni moja tu. Mimi nimevalia kulingana na taratibu ya Bunge. Mheshimiwa Anthony ni kijana na unajua ya kwamba hawa vijana wanavaa zile mavazi ya loafers. Mimi ni mzee na ukiangalia, nimevalia kulingana na kanuni ya Bunge. Ningataka uulize serjent kama nimevalia inavyostahili. Hii ambayo nimevalia ni tai na hata Wabunge wengine hawawezi kuvaa kama hii kwa maana hawana pesa. Hii ni tai ya bei ghali na wanafaa kuheshimu hii tai.

Speaker: Hon. Stephen, I want to state that in this House we do not have *vijana* but Hon. Members. For that reason, I will give you leave just to step aside and properly put on your tie. Kindly put on your tie properly. You need to comply. Thank you. Hon. Members, I had seen Hon. Mugweru. Do you want to interject or we proceed with the business? Let us proceed.

COMMUNICATION FROM THE CHAIR

VISITORS IN THE ASSEMBLY

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Speaker: Hon. Members, I have got two communications to make. Allow me to recognize the presence of our great citizens of Laikipia County who have today visited to see how we deliberate on various businesses of the House. I would like to recognize the presence of Salome Gataka, Mary Kalombia, Ruth Nyokabi, Benson Kalama and Cecilia Njoki. You are welcome to the House; it is a House that has your representatives and you are free to sit and listen as long as you follow the order of the House.

CASA OFFICIALS

I have got another communication. Hon. Members, I would like to let you know that it has been decided in various meetings in County Assemblies Sports Association that there will be a CASA competition in Laikipia majorly in Nyahururu. I want to communicate to this House that we will be having a team from CASA drawn from all the County Assemblies, approximately 40 members who will be here tomorrow in this Assembly. I would like to invite all of you Members by 9.00 o'clock tomorrow to help us receive them as they come to be with us before they proceed to Nyahururu in preparation for the CASA games. Thank you.

PAPER LAID

ALCOHOLIC DRINKS CONTROL BILL, 2024

Hon. Nicholas Mwaniki: Thank you, Mr. Speaker. I beg to lay the public participation report on the Laikipia County Alcoholic Drinks Control Bill, 2024.

(Hon. Mwaniki laid the Paper on the Table)

Speaker: Thank you, Hon. Mwaniki and I also wish to than Hon. Stephen for compliance. Congratulations, you look spectacular now and welcome back to the House.

NOTICE OF MOTION

ALCOHOLIC DRINKS CONTROL BILL, 2024

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

> THAT this Assembly adopts the public participation report on the Laikipia County Alcoholic Drinks Control Bill, 2024 by the sectorial Committee on Labour, Social Welfare and Community Services dated 3rd September, 2024.

STATEMENT

STATUS OF ACTING CHIEF OFFICER FOR HEALTH

Hon. Irene Wachuka through Hon. Catherine Umija: Thank you, Mr. Speaker. A statement was tabled here in the Assembly by Hon. Anthony Theuri Wambui on 21st May, 2024 requesting for a response regarding the acting Chief Officer in the Department of Health.

Mr. Speaker, Sir, the Labour Social Welfare and Community Services Committee has sent several letters to the Executive through the Office of the County Secretary seeking response on the same. However, the response received has not been satisfactory. So Mr. Speaker, the committee hereby wishes to carry out an intensive inquiry to the statement raised and the response thereto by a way of report to the House on Wednesday, 25th September, 2024.

Speaker: Thank you. Let me inquire from the Member who had sought for the statement. Kindly, are you okay with the response?

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Hon. Anthony Theuri: Thank you, Mr. Speaker. I don't have a choice since the Chairperson is not here. I have to adhere because 25th of September is not far. We still have to wait and I believe that the Committee of Labour are going to give us justice. We cannot joke with health and I believe that all of us are working for the good of Laikipia. So, for now I agree. Thank you.

Speaker: Thank you. I can see the vice chair and some Members. Just ensure that as you have stated, substantively that report will be tabled in this House at that time.

MOTION

ALCOHOLIC DRINKS CONTROL BILL, 2024

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

THAT this Assembly adopts the public participation report on the Laikipia County Alcoholic Drinks Control Bill, 2024 by the sectorial Committee on Labour, Social Welfare and Community Services dated 3rd September, 2024.

Mr. Speaker, on behalf of the Chairperson for Labour Committee, Hon. Wachuka I wish to read this report.

Mr. Speaker Sir, the Laikipia County Alcoholic Drinks Control Bill, 2024 underwent first reading on 19th June 2024 after which it was committed to the Labour, Social Welfare and Community Services Committee. The Committee members held a meeting during which they proposed that the bill be taken for public participation within the County.

The public participation exercise was held within the County in accordance to Article 196 (1) (b) of the Constitution of Kenya and Standing Order No. 120(3). The report highlights the proposals, and recommendations from the various participants across the County.

Mr Speaker Sir, the Labour, Social Welfare and Community Services Committee members organised several meetings in which the Committee members were taken through the proposed Bills and in which they gave their input. The Public participation was agreed upon by the Committee. A Notice to the Public with a call for memoranda was placed in The Daily Nation Newspaper on 11th July 2024 annexed to this report as annex 1.

PUBLIC PARTICIPATION

Pursuant to Article 196(1) (b) of the Constitution, Section 24 of the Laikipia County Public Participation Act 2014 and Standing Order 120(3), the County Assembly invited interested Members of the public investors, Civil Society Organizations, Community Based Organizations, Faith Based Organizations, Non-Governmental Organizations, any interested members of public and special interest groups to submit written submissions/comments and or inputs/memorandums on the Laikipia County Alcoholic Drinks Control Bill, 2024. The memorandums were to be forwarded to the Office of the Clerk by 24th July 2024.

Mr. Speaker Sir, the Office of the Clerk received a total of two memoranda from the Public in regards to the Laikipia County Alcoholic Drinks Control Bill, 2024 annexed to this report as annex 2 and annex 3. The Committee also held a meeting on 28th August 2024 with the stakeholders who had submitted memoranda namely: Laikipia County Bar Owners Association; and the Office of County Commissioner to deliberate further on their submissions.

In addition to the points listed in the Memorandum submitted by the Laikipia Bar owners Association and the Office of the County Commissioner, there were the following additional proposals:

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Page 13 S.8(2)(d) that the provision of town administrator be deleted. Further, the committee may consider deleting the whole of section 8 on the Ward committee. In the event that S.8 is retained, the Laikipia Bar owners suggested that subsection (g) and (h) be deleted.

Page 17 S.11A (1)(J) Delete the word alcoholic after the word Hotel.

Page 40, S.49(4) that the word thousands be added between Five hundred and Kenya shillings on the last sentence.

Page 53 clause 5, Bar and Restaurant, and clause 6- Nyama Choma Joint that the time be amended to read 8.00 a.m. to 11.00 p.m. on all days.

On the issue of issuance of licenses, the bar owners suggested that one license should be issued per building instead of several licenses being issued in one building.

Mr. Speaker Sir, the Labour, Social Welfare and Community Service Committee recommends that;

1. The Bill proceeds to second reading.
2. Members of the House considers the views of public at the Committee of the Whole House.
3. The House adopts the Labour, Social Welfare and Community Service Committee's Public Participation report on the Laikipia County Alcoholic Drinks Control Bill, 2024.

The Committee as currently constituted, comprises of the following members: -

1. Hon. Irene Wachuka - Chairperson
2. Hon. Eunice Salaten - Vice-Chairperson
3. Hon. Catherine Umija - Member
4. Hon. Caroline Kihika - Member
5. Hon. Nicholas Mwaniki - Member
6. Hon. Stephen Ndiritu - Member
7. Hon. Paul Leshuel - Member

Acknowledgement

Mr Speaker Sir, on behalf of the Labour, Social Welfare and Community Services Committee. I wish to extend my gratitude to the members of the Committee for their dedication and commitment to their work. The committee also extends its appreciation to the office of the Speaker and Office of the Clerk of the County Assembly of Laikipia for their support that has enabled the committee to participate in this duty and steer it on the path to accomplish its mandate.

Mr. Speaker, as stipulated by this report, this is an alcoholic drinks control bill. As we have gone through the bill as a committee, the recommendations that come from the public are paramount because this is alcohol being consumed and sold to our people. Having guidelines on alcoholic drinks and beverages sale in our county is very paramount. As the government has stated, including the President and the Deputy President, this duty has been given to the Deputy

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President of the Republic of Kenya, to look into the issue of alcohol consumption in this country.

The control of alcohol consumption in this country is paramount because it is not food, it is alcohol. In order to have a workforce that will be able to deliver in this country, we have to control substance abuse and the quality of alcohol being consumed by our people. We have to control the licensing and number of bars in our county. As stated by this bill, the public participation done on the ground, and having a memorandum being done by the entrepreneurs who participate in this business is very key because these are investors.

Being the people who generate revenue in this county, they must be heard because their view is paramount. If we do not help them on how to conduct business in this county, we cannot be able to levy funds or revenues from their businesses. This is where the County Government comes in to help the entrepreneurs so that they can be able to support us in matters of revenue. We cannot also be part of oppressing their businesses. We have to review these laws and ensure that they are not oppressive to their businesses. We also have to make sure that they are supported by the same government which they voted for.

That is why we had a sitting with them in the boardroom of this premises so that we can take their views. In that meeting, they forwarded their memorandum and it is the one that is guiding us on how we can accord them support and make substantive changes in this alcoholic bill. We also had views taken from the administration department which comprises of the County Commissioner himself. They brought in their recommendations so that we can create a balance between the administration part, the political class and the business class.

Mr. Speaker, that is why having this bill and the recommendations in the memorandum is timely because it is time that we structured this bill to accommodate each and every party in this county. I call upon Hon. Stephen because he is a businessman in this county and has been here for quite a while to second this bill. Thank you.

Hon. Stephen Ndiritu: Asante, Mheshimiwa Spika. Nimesimama kuunga mkono mswada ambao umeletwa Bungeni na mwakilishi wa wadi ya Tigithi. Kwanza, nampongeza kwa sababu ameleta ripoti kulingana kamati walivyokubaliana. Amesoma yale yote tuliyokubaliana katika ushirikishi wa umma na kueleza Bunge kinagaubaga ya kwamba mabadiliko tunayostahili kufanya tutayafanya kwa njia ya utaratibu na tutahakikisha kuwa biashara katika Kaunti ya Laikipia inafanyika pasipo kumfungia mtu yeyote nje.

Mheshimiwa Mwaniki ameeleza ya kwamba wakati tunaunda sheria, tusiunde sheria ya kuwagandamiza wengine. Mimi mwenyewe ni mchungaji, ninaweza kuhubiri. Najua watu wanaelewa hivyo. Kwa hivyo ninapoongea kuhusu pombe, sisemi pombe ni mbaya. Kunayo pombe mbaya inayowaua watoto wetu na kuwaangamiza wananchi hasa jinsia ya kiume.

Mheshimiwa Spika, nakumbuka wakati Naibu wa Rais aliingia Nyeri alisema kuwa wanaume wamefilisika. Alisema kuna mahali alienda akapata wanaume wanalala chini ya kitanda na wanawake wanalala juu. Kwa hivyo, kulikuwa na matatizo. Aliporudi alisema sasa mambo yako sawa na ni kwa sababu alipigana dhidi ya pombe mbaya.

Tulipoketi na wamiliki wa mabaa, walitueleza kuwa hao wako kwenye mstari wa mbele kuhakikisha kuwa wamepigana dhidi ya pombe haramu. Katika kanisa letu tunasema kukunywa kidogo si vibaya. Kanisa yetu inakubali mtu anywe kidogo bali si nyingi ya kujimaliza. Kwa hivyo, tunapozungumza kuhusu huu mswada lazima tujue kila mtu ana haki. Mheshimiwa Spika, naomba uniokoe kutoka upande wa kulia...

Speaker: What is it, Hon. Shuel? Hold on, Hon. Stephen.

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Hon. Paul Leshuel: Mr. Speaker, I am happy to see that we have a pastor here but he should tell us which church that says one can drink a little but control oneself. How can you control yourself when you take alcohol, and you know that if you become an addict, you cannot control yourself? Can he please tell us which church is that?

Speaker: Thank you. Before we proceed on that, I will allow Hon. Member as he responds to finalize his secondment, kindly.

Hon. Stephen Ndiritu: Mheshimiwa Spika, unajua Kanuni ya Bunge inasema wazi ya kwamba wakati ninaafiki mswada, sifai kusumbuliwa na mtu yeyote. Mheshimiwa Shuel amesimama lakini kwa sababu ya heshima na umri wake, namweleza kuwa kanisa letu liko wazi, na hata yeye ataingia. Kanisa letu lina askofu na ni kanisa Katoliki kutoka Roma. Najua yeye pia ni mwanachama ila anajifanya hajui.

Mheshimiwa Spika, sisi hatuna shida. Kukunywa kidogo si vibaya na hata kwenye Biblia kuna mazungumzo kuhusu pombe. Hata hivyo, kuna pombe haramu ambayo ndiyo tunazungumza kuhusu. Kupitia huu mswada, tunataka kuweka udhibiti, sheria ambayo itamwongoza kila mtu ndio wanaofanya biashara wapewe nafasi ya kufanya biashara yao bila kugandamizwa wala kuonewa ili tuhakikishe kuwa biashara katika Kaunti ya Laikipia zinasonga mbele.

Mheshimiwa Spika, nilimsikia Mbunge wa Mathira alipokuwa anaongea na kusema kila mtu hupata furaha yake kutoka mahali fulani. Wengine wanapata kutoka kwa *muratina.* Alisema hivyo na kuwataja, nasi hatuna shida. Alisema kuna wale wengine kwa mfano Shuel wanaokunywa Tusker, na ni sawa. Kile ambacho mtu anakunywa apewe nafasi ya kujiburudisha. Hakuna haja ya kuweka sheria yenye itawagandamiza wengine.

Mtu anayefanya kazi ya baa sio mwizi wala mkora, ni mtu anayetafuta riziki. Ukiingia kwenye baa, kuna utaratibu. Kuna masaa ambayo huwezi ruhusiwa kunywa pombe. Ukienda saa mbili huwezi kufunguliwa uingie kunywa pombe. Wanaofanya kinyume cha sheria ndio watafuatwa na serikali, kwa sababu ikisemekana ni saa mbili basi ni saa mbili. Ndio maana naunga mkono vile ambavyo Mheshimiwa Mwaniki amelieleza Bunge. Hii ni ripoti ambayo tunaomba hili Bunge liangalie na kupitisha ili kutoka hapo tuende katika *Third Reading* ya bili yenyewe.

Kwa hivyo, mimi naunga mkono na nawaomba hawa Wabunge wote, kuanzia Mheshimiwa Gathoni ambaye ni Mwakilishi wa *ghetto*, Mheshimiwa Mugweru, Mheshimiwa Gitahi ambaye ni rafiki yangu sana na anaunga mkono huu mswada, tuupitishe. Haya ni mambo ambayo sisi wenyewe tuko ndani yake kabisa kuhakikisha kuwa biashara inafanywa kwa njia inayofaa.

Mheshimiwa Spika, litakuwa jambo lisilo la busara kama wengine wetu tutaunga mkono sheria itakayogandamiza wengine. Ukienda hapa mtaa wa Nanyuki ambapo nina wakilisha, mabaa yamewaajiri watoto wetu kazi. Simaanishi watoto wachanga, kwa sababu nikisema watoto huenda Wabunge wakadhani ni watoto wachanga. Yeyote aliye chini ya umri wangu ni kama mtoto kwa sababu ni mdogo kuniliko. Namaanisha kuwa watu wa umri wa miaka thelathini au ishirini wameajiriwa kazi, na hao ni watu wazima. Wamepata vibarua, wanalisha watoto wao na kuwasomesha. Wengine ni akina mama na wamefungua biashara zao pale. Wako na watoto kwenye vyuo vikuu na wanapata riziki yao kwenye hizo vilabu.

Vilabu haviuzi pombe pekee bali hata nyama. Baadhi yetu tunakula nyama na kufurahia, na ni lazima tufurahie kwa sababu maisha ni haya. Mwingine aliimba juzi kuwa maisha ni haya tu. Tusipounga huu mswada mkono, tutakuwa tumewaharibia wengine. Mimi

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nasema ya kwamba tukae kama Wajaluo. Wajaluo ni wazuri kwa sababu wao husema tunaishi mara moja tu. Unaishi masiha starehe na mambo yanasonga mbele. Kwa hivyo, naunga huu mswada mkono na kumpongeza Mheshimiwa Mwaniki kwa kusimama kidete na kutetea ripoti ya kamati inayosema kuhusu utaratibu uliowekwa kuhakikisha kuwa biashara inafanywa.

Mheshimiwa Spika, katika sheria waliyoileta na ambayo tuliona ina shida, walisema kuna sehemu ambapo biashara haitafanywa. Huko kutakuwa kufanya ukiritimba wa biashara zingine kwa sababu hatuwezi kusema biashara itakuwa Nanyuki pekee ilhali mwananchi ana haki ya kutembea popote na kila mtu ana haki ya kufurahia anavyotaka. Mtu akiwa kule Karai, Ngobit ama Lamuria, huyo mtu akitaka kujiburudisha lazima aje hapa mtaani. Tutakuwa tumemwongezea mzigo wa kulipa teksi au boda boda na atatumia nauli nyingi kuja kujiburudisha hapa Nanyuki. Acha tupeleke mambo yote mashinani. Watu walio Lamuria, Ngobit, Umande au kule kwetu Baraka wanaotaka kujiburudisha wafanye hivyo wakiwa huko.

Wale wanataka kujifurahisha wajifurahishe kule kwetu Baraka. Kwa hivyo, ni lazima tuweke mambo yote laini na kwa sababu hawa wafanya biashara wanalipa ushuru. Ile pesa ambayo unalipwa wewe Bwana Spika na najua pia wewe ni askofu wa aina ingine. Wewe nakuelewa na wengine hapa. Ile pesa ambayo munalipwa nayo, asilimia inatoka hapo.

Speaker: Take care of time. You are beyond your time.

Hon. Stephen Ndiritu: Sheria inaniruhusu nizungumze kwa muda wa dakika ishirini lakini hata sijamaliza tano.

Speaker: You have spoken for 24 minutes.

Hon. Stephen Ndiritu: Ndio, Bwana Spika na kwa hivyo naunga mkono na kwa sababu huu mswada tutaunga mkono na tutasukuma mpaka dakika ya mwisho. Ninaomba tu hata kama nimepitisha dakika moja, mimi nishifu. Mimi ni kiongozi kwa hili Nyumba, kwa hivyo nafaa kupewa wakati wa kutosha kuchangia kwa mswada. Kwa sababu huu mswada ni muhimu sana kipekee kwa hii Kaunti. Asante Bwana Spika na ninasimama kuunga mkono na ninaunga mkono mswada huu. Asante.

(Question proposed)

Hon. Joseph Gitahi: Thank you, Mr. Speaker. I am so much appreciative, it's only appropriate that I speak before Hon. Paul Leshuel. So that whenever there are issues, he is able to correct me. I want to raise and congratulate the Labour Committee for the robust work that they sat down and deliberated, they have seen the report with its details and its consideration for other issues that are subject to this matter. I want to state that the issue of alcoholism in this Country is raising day by day.

Coincidentally, yesterday as I retired to my place, I was watching a production by D.W talking about the demonic drink. It had a lot of issues on the alcoholic drink. There are a lot of issues stated, I would not want to tire Members with the contents of that production. However, let me quote a scholar that is so topical on the cause of change in civilization. That is James Harvey and he writes a very good presentation 'the mind in the making'.

The cardinal principal of that book states that you see the best philosophy and the best changes are the ones that are developed after an interaction of a matter on the society. We have interacted with this substance called alcohol since time immemorial. It's consumption and its use is embedded in our culture. It is very important that we as the Legislating Body, make laws that will promote the business of this commodity as well as protect the life and the health of consumers and also protect the future generations.

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Having said that, we have interacted with this alcohol and we have seen the effects that have been there. Indeed, Shakespeare was saying there is always a tide in the affairs of man. We have lived and we have had a tile in this Country where we have issues of misuse of alcohol and other substances. Culminating to the issues of lack of future generation and most importantly the dilapidation of the labour market. Where a lot of people have been rendered useless physically and they cannot contribute in the Labour Market.

It is therefore important and incumbent upon this House that we pass a legislation that governs the same. I want to state that you see the business and the sale of alcohol is not illegal and it is not without a history in our cultures and our religions. I think it is the book of 2nd John where Jesus himself turned water into wine to mark the embedment of alcohol in our social activities. It is also recommended.

I don't know whether it is Timothy in the bible. I don't know whether the Quran says. Timothy in the bible instructs Titus and tells him because of his ailments, he should not only be taking water. He should add a little wine. I don't know whether there is a difference between alcohol and wine and the semantics.

Speaker: Hon Anthony Theuri, what is it?

Hon Anthony Theuri: I stand on point of correction, as much as we are discussing here. He misquoted the verse; it is not Titus and Timothy; it was Paul speaking to Timothy. You know it is very bad when you start misquoting the bible, so should acquaint yourself to that. Kindly you must put it the way it is. You must read from the front.

Speaker: Thank you, proceed Hon. Joseph Gitahi.

Hon Joseph Gitahi: I want to say that I welcome the information I might be wrong, I am not so much conversant with it. The few verses that I have it is he that has been teaching me. I want to state that it is time that we as the Legislating body come up clearly for the protection of the business and also other civilization. However, it is important that as we make these laws, we must also protect other things because when we were adopting the doctrine of devolution, there was somewhere we were talking about the promotion of local cultures.

It is important that these laws are able to help us protect these traditional blues and drinks provided they are prepared in the right manner. Having said that, I don't wish to speak much. Or rather, I would like to state that this law is so much welcome in the current times because alcohol does not only destroy health but also the issues of labour. If you look at the judgments that are made by the courts of this Country, alcohol promotes crime and also other issues of juvenile.

It is very important that we pass laws and I would like to urge this House to adopt this report and that we support it in the subsequent stages. Thank you very much Mr. Speaker.

Hon. Daniel Mugweru: Thank you, Hon. Speaker for the opportunity given to me to also to make my contribution as I support the report brought here by the Labour Committee. Before I make my contribution, I wish to congratulate the Labour Committee as I said earlier, that they are making us proud. We will feel good walking in town knowing that we are Members of the County Assembly of Laikipia. This is now the second time that they are making us proud. Hoping that in the near future they will make us proud the third time.

That time we will walk shoulders high. Why I am saying this is because The Alcoholic Control Bill. This one of Laikipia will be one of the best in this Country and these Counties will come here to benchmark with us. They will not go to foreign Counties; they will not go

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anywhere else; they will come to the County Assembly of Laikipia and benchmark and get the Members who stand independently to make the best laws for their people.

As Hon. Nicholas Mwaniki moved the report, and clearly told us about Public Participation, the County Assembly requested for memorandum. Not only from the Bar Owners, it was open even to the religious leaders to bring their memorandum. The government itself to bring their memorandum. The public itself and any individual that feels they have something to say in regards to this bill had an opportunity to bring their memorandum.

So, the memorandum that was brought, the report that was made was based on the memorandums that were brought here. I am sure that this report is collective. It has come from the bar owners, it has come from religious leaders, it has come from members of public and so this is the best for everyone. I am sure that the Honourable Members, it coming from all areas in this County, it is an opportunity now to support this report because it is the best for all of us. If it was meant for a certain group to bring their memorandum, that time some people would feel disadvantaged but now it was open to everyone in Laikipia and so this is the best.

This is the best that the people of Laikipia wanted. The changes according to the memorandum that was brought here because some of us have gone through the report, I really feel that we should support this committee because they brought this report for us. We feel that we are making this law not for this time but also for the near future. The best thing is that the title reads the Alcoholic Drinks Control Bill and so we are bringing the best law to control alcohol in this County.

However, is taking alcohol under control of the bill that we are having here? However, whoever wants to do business in this County, will do it under control of this bill. So, all Members of this House should associate with this bill. The report that is here if you go through it, it is giving our people the best. The businessmen who are doing businesses in this County are getting the best of which we are supposed to help them fully.

He is a senior person in that church. Even the Deputy Speaker who is here is also in support of the same and you have heard Hon. Joseph Gitahi saying that he is the teacher of his little biblical verses in that he has. It is cutting across the County and it is cutting across all groups of people. So, I really support this report and trust that we are going to move with speed to the next reading.

So that we will make it a law that should be followed by everyone in this Laikipia that is including the business men, the people who are taking alcohol, the Government itself. All of us will be guided by this law. Most of the people or rather most of the Counties in this Country, when they were brought the Alcohol Control Bill, most of them never bothered to read even a word. They just moved it, I don't want to say like sheep because Hon. Kagondu will feel as if he is counted there but they just followed blindly even without reading a word.

I really thank the Honourable House of Laikipia because it went through the proposed one and they felt there was the need to do amendments, so that we give our business people the best atmosphere so that they may give the people who take alcohol the best atmosphere. Even the Government itself to work comfortably with everyone. That is why I am saying that this is one of the best bills in this Country, and we will be among the people who will be read in the newspaper having the best bill that controls alcohol in the best way that everyone could wish.

I am sure after we pass this bill, most of the Counties that pass their bill will call for amendments so that they may be associated with everyone. So, everyone in this Country will feel good being associated with us and us as the people of Laikipia and as the Assembly of

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Laikipia, we will also walk shoulders high that everyone wants to be associated with us. Everyone wants to come and benchmark with us and so as the chair of this House, we need to go at a higher speed to make this bill a law.

As we work on this bill it is also important for our government. That is the Executive Arm of Government, to understand and know that we have a responsibility. Now that we have not approved this bill Honourable Speaker, it means they are supposed to work under the Act that was there previously.

It is so unfortunate that the County Government of Laikipia is currently working under this bill that was proposed which we have not approved here. Hon. Speaker, some of business people in this town are being harassed in the name that there is a bill coming. They are being harassed on a bill that was proposed. This time, they should allow our business people to work freely as they wait for us to approve this good bill for them.

The Executive Arm of the Government who are moving around business people especially the bars and *nyama choma* zones telling them that they must Kshs. 30,000 and Kshs 50,000 because you opened your business in a certain time, supposed to take time. Let them be patient and wait. We are working on the bill and we are almost done. Mr. Speaker, probably in the next few weeks they will start using the bill. We have published the bill and done everything.

Mr. Speaker, the Executive Arm of the Government should be notified to understand the powers that are bestowed to this House so that they may adhere to what we are telling them to be patient. We are not telling them to take long, we are just about. We are now calling us to have the third reading and immediately after the third reading, there is nothing else. They will be able to use the bill. What makes them hurry to start punishing our business people?

Hon. Speaker, I support and remain comfortable with the Labour Committee. I am proud of them, now they have made us proud for a second time, we are hoping and trusting that in the near future we are going to be proud the third time. Hon. Speaker, I am expecting that because immediately they are done with this, I know they will be bringing the other issue of the Acting Chief Officer.

So, we will be an independent Arm and a proud parliament of Laikipia County. I support and call upon Hon. Members to continue supporting. Thank you.

Hon. Anthony Theuri: Thank you, Mr. Speaker. I support this motion because a lot have been seen. Mr. Speaker, as we were doing the public participation, Nanyuki is a leisure town. We have nothing more to offer than leisure. We do not cultivate coffee or tea. The major business in Nanyuki is tourism. Anything that touches people directly, must be supported. It has contagious issues because the drafters of the previous one were discriminatory.

The police officers that are harassing business people have their canteen at the police station. I was wondering who keeps time in the police canteen. Who controls them Mr. Speaker? Their neighbours are the Nanyuki Golf Sports Club and the same was not applying to them. Mr. Speaker, I do not know where the drafters were thinking from but every year, I can predict in the next budget that the people who will be affected by the budget will people alcohol and cigarette users.

Mr. Speaker, you are telling us to eat meat of the same cow that you are milking. Mr. Speaker, that is not wisdom and as much as I do not take alcohol, we have reasoning to make. We do not have a problem with alcohol but whoever is consuming it. They are not even taking

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it to the House. They are not taking by force; you drink using your money and then you go home.

Mr. Speaker, we should support them just the way we support other businesses. We should also give them room to expand their business. Just the way we support farmers and the youth, women and other stakeholders in this County, we should embrace them and not discriminate them. They are part and parcel of us. If I have a problem with alcohol, I should deal with it for my family; my wife and my children.

Mr. Speaker, alcohol is like electricity which is a good servant but not a good master so we should embrace it. If we kill alcohol the next time, they are going to tell us milk has gluten and they will tell us not to promote cattle because the vegetarians are saying that we are interfering with environment. We must use wisdom when it comes to dealing with business men especially Laikipia.

Lastly, Mr. Speaker, we are in a democratic country and we serve these people. They spoke their mind and we have to adopt that. We do not want to see the nonsense of the GEN-Z when the President could not hear the voice of the citizen. This is the voice of the citizen. They were sober and they know what they are doing. We have to do what they say.

On this, I support the report and I am waiting for the Committee of the Whole House to make it a last so that they will be an example in this country. I rest my case.

Speaker: Thank you, very much. Allow me to call upon the mover to reply.

Hon. Nicholas Mwaniki: Thank you, Mr. Speaker. I thank the Members for supporting this motion because the driving force of this county is business entrepreneurs. If at all we do not support the business people, there are no other people who we should be supporting. Having Members in this House, I know we will proceed with this bill and we will pass it and make it a law.

I also support the entrepreneurs that have been able to avail themselves today in this Assembly. They are in the gallery. They are Salome, Mary, Benson and Cecelia. I really appreciate their visit in this Assembly so that they can be able to hear from us. They can understand that this Assembly still supports them and we are backing them on this. We will make sure that we pass the bill that supports their businesses.

So, they can be assured that they can be able to communicate to other members that the bill is proceeding in Laikipia County Assembly. They will make sure that they pass it and make it to a law so that they can be able to have a law that guides them on how to conduct businesses. Still the bill will secure them from the people who are there to oppress the alcoholic business in this county.

Mr. Speaker, as I finish, I want to echo whatever Hon. Daniel Mugweru has said that there are people who have started using this bill to oppress the business entrepreneurs in this county. This should go to the enforcers of law and the Executive Arm of this Government that they should not exercise a law that have not been passed by this Assembly. After we pass it, that is when they should go around and execute it.

Having not passed it in this Assembly, then you should not be enforced. Mr. Speaker, I thank the Members and the entrepreneurs. Thank you, Mr. Speaker.

Speaker: Thank you, Hon. Mwaniki and all the Members who have participated. The today's debate is about the public participation report so there will be no putting of the question. However, the Committee of the Whole must understand that it is due. I therefore direct the

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Committee of the Whole to be able to reconsider this report and come up with necessary amendments as discussed here. I will also say that indeed it is true that this is not an act. It is a bill and ought not to be executed. Therefore, the Executive should be directed to wait until this bill has become a law. Thank you, very much. Hon. Members, we will now move to our next business.

PROCEDURAL MOTION

ALTERATION OF THE ASSEMBLY CALENDAR

Hon. Stephen Ndiritu: Thank you, Hon. Speaker. Hon. Speaker, on behalf of the Majority Hon. John Maina Gichuki, I beg to move the following motion;

THAT pursuant to the provision of Standing Orders Number 29(4) this Assembly resolved to alter its calendar as adopted on 6th March, 2024 so as to;

a) Commence its short recess on Thursday 15th September, 2024

b) Resume its regular sittings for the fourth part of the third session on Tuesday 24th September, 2024.

Hon. Speaker, I am tabling this motion so as to alter the calendar so that we resume on this fourth part of the third session on Tuesday, 24th September, 2024. Hon. Speaker, we are bringing this so that we can have time to engage the people who brought us into this Assembly. Hon. Speaker, when we engage them, we come with ideas so that we can have business and support our people.

Hon. Speaker, I think it is important for Members to engage with their families because some of them are family Members and they have children. Hon. Speaker, as guided by Hon. Leshuel all of them are parents including myself. I am a father with children and I also need time to engage with them. These days, whatever you are doing you must also do public participation in your house.

If I have a business, I will have a project plan and I must seek public participation from my family. I will have to speak with my wife and my children so that I get good will to proceed with my business or my project. It is important for Hon. Members to go back to their wards and listen to the ground. There is what the members of public are saying that they need development, roads and water.

Hon. Speaker, they have many issues that we must engage with them. When we resume, we shall resume with energy so that we proceed with other businesses and represent them accordingly. For this reason, we have brought this motion of altering the calendar. Hon. Speaker, when I was reading this motion, Hon. Anthony was whispering to me so that I give him chance to second this motion. I know him, I have been with him and I know what he said in the morning.

I am afraid of him and there is no way I can stand here and give him a chance to second this motion. I am denying him this chance and so will be taking this opportunity to call upon Hon. Leshuel who I know is a good man. I can read his mind and I therefore call him to second this motion so that we can alter the calendar of this Assembly. Thank you.

Hon. Paul Leshuel: Thank you, Mr. Speaker. I take this opportunity to second this motion. Mr. Speaker, it is true that we need to go and engage with our people. We have reports and especially the report on the Labour Committee. The people are waiting anxiously after

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weeks. We need time so that we can be able to compile everything that is pending in this House. Mr. Speaker, you know the business of this House comes from the public and the community.

So, without engaging the community, you may find yourself in a highland. You will be discussing things here that are not touching the public. So, we need to engage the public and especially the people who elected us to be here. When we are engaging on the issues of development, Executive and planning the budget, we can be able to give proper priorities and proper planning for the future of our people.

I second this motion we go for two weeks and I am sure Members will come here again being energetic and openminded. I am sure Members will come back here very energetic and the Deputy Speaker will come back here to tell us about the plots they are about to sell across the county because he will be engaging every corner of Nanyuki. I second.

(Question proposed)

Hon. Anthony Theuri: Thank you, Mr. Speaker. I don't know why Hon. Ndiritu has an issue with since I said he is not properly dressed and that is now water under the bridge. He is becoming a false prophet reading my mind the way it is not supposed to be. I am in support of this motion since it is in the calendar. Why would I not agree to be with my people? They elected me because they love me. I have a family to go to home to. I am still young and I have to populate. It is one of my duties. The only thing that I am not in support is being harassed or being blackmailed.

I support we go to our people and come back with new agendas. As we prepare the budget, we need to also tell our people what to expect in it. I take this opportunity to invite you on Friday; whoever who will be in Nanyuki we meet at the Governor's Parlour where we will be issuing Likii Title deeds. Come support me as we prepare to give other titles to Kalalu, Kwa Mbuzi in Thingithu and Kanyoni. It is an achievement. I want to be very parliamentary, Hon. Kagondu we did this calendar with you and there is no way I can oppose it. I am an UDA member and truthful man. What I speak today, I speak the same tomorrow and the day after. Thank you.

Speaker: Thank you. Seeing the House seems satisfied allow me to invite the mover to give a reply.

Hon. Stephen Ndiritu: Thank you, Mr. Speaker. I want to take this opportunity to thank all those Members who have contributed to this motion. I am proud of them. I also want to thank Hon. Anthony for supporting this motion. It will give us a break to engage our Members of Public. I think Hon. Anthony has invited us to accompany him as he and the Governor gives the people of Likii titles and we are in support of that. I will support you today and tomorrow. Thank you. I request you to support and make sure that this motion passes.

(Question put and agreed to)

PROCEDURAL MOTION

ADJOURNMENT OF THE ASSEMBLY

Hon. Stephen Ndiritu: Thank you Mr. Speaker. I beg to move the following motion;

THAT, pursuant to the provisions of Standing Order No. 29(3) this Assembly do adjourn until Tuesday, 24th September, 2024.

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Hon. Speaker, now that we have altered the calendar, I stand again to beg the House to adjourn from today until Tuesday, 24th September, 2024. On this, I don't want to speak much because Members understand the nature of the motion. I call Hon. Mwaniki to second.

Hon. Nicholas Mwaniki: Thank you, Mr. Speaker. I second.

(Question proposed)

Hon. Daniel Mugweru: Thank you Mr. Speaker. Hon. Stephen is very happy today and I know why. He has said even family needs public participation when starting another project. Let me be sure that another project is not marrying another wife. Anyway, I really support this procedural motion. As a House, we have responsibility of Oversight and Representation. You cannot represent people unless you know what they want. The two weeks are so important to get information and listen to the ground to get what people want so that we may bring their issues in this House.

As Hon. Shuel has said, it is also an opportunity for Committees to work on the reports that are expected so that after two weeks we will be able to come here and work for the people of Laikipia as they expect us. I support.

Hon. Joseph Gitahi: Asante sana Bwana Spika. Nataka kusema naunga mkono mswada huu ambao unatupa likizo kama waakilishi wa wananchi. Niseme kwamba twende tuungane na wao na tusikize yale ambayo ni ya muhimu ili tunaporudi hapa tuyatekeleze kupitia kamati tofauti.

Mheshimiwa Spika, pia sisi itatupa likizo ndogo na familia na marafiki zetu ili tunaporudi hapa tuwe watu ambao wako na akili safi ya kufanya kazi ambayo inaendelea. Kiswahili hakina maneno mengi yale ningetaka kusema kwa Kizungu. Niseme shukrani kwa Mheshimiwa Ndiritu ambaye ameleta huu mswada na pia wajumbe wenzangu ambao wameunga mkono. Asante sana.

Speaker: Asante Mheshimiwa Gitahi. Nataka kutoa nafasi hii kwa aliye wasilisha mswada kuleta majibu.

Hon. Stephen Ndiritu: Asante Bwana Spika. Nashukuru wajumbe kwa kuchangia. Wakati nilikuwa nauleta mswada Mheshimiwa Mugweru ameleta utani kidogo kwamba naenda ushirikishi wa umma *(Public participation)* pengine ya kuoa. Nimweleze mimi nimeoa, niko na bibi mmoja na watoto na sina mpango wa kando. Mimi ni mtu wa familia na mzee wa kanisa na nasimama kidete. Kama vile Mheshimiwa Gitahi amesema, twende mashinani na tuhakikishe yale yote waliahidi kwa *manifesto* yao yametekelezwa.

Kwa hayo machache, nawatakia kila la heri. Mnapoenda manyumbani muwe na wakati mwema. Wale ambao ni vijana na wako na nguvu, kanisa mahesabu yaliyopita yalionyesha kuna jamii ambazo zinapungua. Nawaomba wenye wako na nguvu akina Gitahi na wengine wakifika mashinani waongeze ndio tupanuke, familia ziwe kumbwa na kura ziongezeke.

Speaker: Thank you Hon. Ndiritu. The question has been moved and seconded and replied to. I want to refer you to Standing Order No. 29(3);

> *'On a day when the Assembly scheduled to adjourn to a day other than the next normal sitting day in accordance with the Assembly Calendar, the Leader of the Majority Party or Minority Party or another Member of the House Business Committee shall move a motion of Adjournment which shall be debated for not more than three hours after which the Assembly shall adjourn without question put.'*

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COMMUNICATION FROM THE CHAIR

KDSP LAUNCH EVENT

Speaker: Thank you, Hon. Members. Before I move to the next Order, I have one or two things to remind Hon. Members. That tomorrow we have been invited and you have letters in our group inviting us for KDSP 2 Launch at 10.00 a.m. where we shall have the Department of Devolution PS coming over to join with us both the Executive and the Assembly Government.

The other thing is just to remind us being here tomorrow at 9.00 a.m. I would request Members that since we will have official function at the Governors Place and here equally receiving our visitors that we kindly dress possibly official. If you cannot dress in official, you dress in semi-official meaning normal official without a tie. Please don't come at an official function with sneakers, sport shoes, white socks etc.

PARTICIPATION IN THE CASA GAMES

I would also want to communicate to Members as I had done some time back that no team will participate in the CASA Games if there are no Members of the County Assembly who are participating in those games. I had communicated earlier that on the side of Members, we be led by the Hon. Karuiru from West and assisted by Hon. Mugweru but still the Chair and Vice Chair of the Labour Committee will continue leading together with the Members we have mentioned.

On the side of the staff, we have Jimmy Irungu leading and I'll advice that this will be coordinated very well by the Members I have mentioned. Kindly, avoid having caps *(Makofia)* in the official function. We will also organise that when you come early in the morning you will be able to take breakfast here together with our visitors. For those who come from far and you sleep in a hotel somewhere, you are invited for a breakfast in the morning. If you can be here a bit earlier in the morning so that we receive the guests together.

ADJOURNMENT

Speaker: The sittings of this House now stand adjourned until Tuesday, 24th September, 2024, at 10.00 a.m.

The House rose at 3.50 p.m.

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