REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Wednesday, 5th August, 2020

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

[The Speaker (Hon. Patrick Waigwa) in the Chair]

PRAYERS

QUORUM CALL

Speaker: Clerk, can you confirm whether we have the quorum?

(Lack of quorum confirmed)

(The bell was rung for two minutes)

Speaker: Now we have quorum you can stop the bell.

(Quorum confirmed)

COMMUNICATON FROM THE CHAIR

ROLE OF THE CHAIRPERSON/ALL MEMBERS IN A COMMITTEE

Speaker: Hon. Members, pertinent issues were raised today 5th August, 2020 during the morning sitting regarding the role of the Chairperson / all Members in a committee… Just allow them to come in, let them come in. I wish to draw your attention to several sections of the County Assembly's Standing Orders that shall elaborate further the roles of each member of the committees.

Hon. Members, Standing Order No. 159 highlights the *conduct of election* for the Chairperson and Vice-Chairperson. In this case, all committees in the County Assembly have a Chairperson and Vice-Chairperson. That notwithstanding, Standing Order No. 160 further states, a *chairperson of a committee shall be the spokesperson of the Committee*. A spokesperson is someone engaged or elected to speak on behalf of others.

Standing Order No. 168 states that, *in the absence of the Chairperson and the Vice-Chairperson at any meeting, a Member designated by the Chairperson will take the chair. In the absence of such designated member, the Members present shall elect one of them to take the chair*.

Hon. Members, Standing Order No. 179 highlights the *reports of select committees*. However, I wish to draw our attention to Standing Order No. 179 (2) which states, *the report of a*

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select committee having been adopted by the majority of the members, shall be signed by the chairperson on behalf of the committee.

Standing Order No. 45 (2d) states that, *where a Member requests for a statement from a Committee chairperson relating to matters under the mandate of the Committee, the Speaker may either appoint a day for the statement or direct that the statement be issued on the same day, and the statement sought must be restricted to matters within the mandate of the Committee and which have been exhaustively dealt with and concluded by the Committee or where the Chairperson is authorised by Members to issue preliminary reports to the House.*

Hon. Members, our Standing Orders are elaborate enough on the role of the Chairperson in a committee which is presiding at the meetings of the committee and being the spokesperson of the committee. I wish to emphasise the above roles of the Chairperson as one who performs his role in this Assembly on behalf of the Members of the committee. Thank you and I believe that now settles the issues we had and we are accordingly advised.

PETITION

EXTENSION OF TIME TO RESPOND TO A PETITION BY LAIKIPIA COUNTY BAR OWNERS ASSOCIATION

Hon. Joseph Kiguru: Thank you, Mr. Speaker. Mr. Speaker, Sir, I want to plead with you for an extension of time to respond to the petition by Laikipia County Bar Owners Association. The petition that was tabled in the Assembly on 20th June, 2020 and committed to the joint Committees on Finance and County Planning Labour, Social Welfare and Community Services.

The Members of the joint committee held a meeting with the County Executive Committee Member for Finance, Planning and County Development, the County Executive Committee Member for County Administration and Public Services, the Chief Officer, County Administration and Public Services, the Chairperson and the Chief Executive Officer, Laikipia County Revenue Board to deliberate on the petition.

However, their submissions lacked crucial information which the committee is yet to receive. Mr. Speaker, Sir, the joint committee hereby requests for an extension of fifteen days' period so as to table a comprehensive report on the petition.

Thank you, Mr. Speaker.

Speaker: Kindly make sure that you meet the fifteen days deadline for you to be able to respond.

STATEMENTS

EXTENSION OF TIME TO RESPOND TO A STATEMENT ON DISTRIBUTION OF MARKET STALLS AND KIOSKS IN NYAHURURU AND NANYUKI TOWNS

Hon. Stephen Ndiritu: Thank you, Hon. Speaker for giving me this chance. Mr. Speaker, Sir, the attached statement was read on the Floor of the House by Hon. Catherine Kibue on 2nd

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June, 2020, and committed to Trade, Tourism and Cooperative on the same day. The committee wrote to the CECM Trade, Tourism and Cooperative on 3rd June, 2020, vide Ref CGL/ CA/CM /002/10 requesting for a detailed response on the issue raised on or before 16th June, 2020 but none has been received. It is on a view of the above that the committee is requesting for more time in order to table a response once the CECM responds.

Thank you, Mr. Speaker.

Mambo ya vitu hivi yamekuwa na shida kidogo. Tunajua ya kwamba kumekuwa na kesi katika hayo maeneo. Tumekuwa tukiongea na kuuliza kuhusu hii taarifa. Imekaa kwa muda. Mheshimiwa Spika, nilikuwa naomba kupitia kwa kiti chako, kwa sababu mambo mengine yako kortini, tuiondoe kwa muda ili tuweze kupata majibu baada ya kumalizana na mambo ya korti. Asante, Mheshimiwa Spika.

Speaker: We may not withdraw it as a whole. The only thing we can do is to stop it for quite some time. It will be important for me also to get to note what the issues in court are, the very matter. Therefore, I will be seeking that advice together with you from the legal counsel then I will be able to give direction later. Next statement, there is another response.

RESPONSE TO A STATEMENT ON KIANDEGE DISPENSARY IN IGWAMITI WARD

Hon. Peter Matunge: Mr. Speaker, on behalf of the Committee on Health we have a response of statement on Kiandege Dispensary in Igwamiti Ward. A statement was requested on the floor of the House by Hon. Joseph Kiguru on 8th July, 2020, and committed to the Health Services Committee on the same day. The Committee requested for a response from the Department of Medical Services and received a response on 5th August 2020 vide ref: CGL/Health/C.A/Vol.1/05/2020.

The purchase of Land for construction of the Kiandege dispensary was allocated Kshs. 2 million during the financial year 2018/2019 and a total of Kshs. 3,286,102 allocated during financial year 2019/2020 for construction of phase one of the dispensary.

However, there was an issue on purchase of the said land as attached as annexure 1 which has since been resolved and once payments are made the process of construction of the dispensary will commence.

That is the response of the Committee and we have annexure to the statement. We have attached a response from the department on what they have said and how they have explained the issues that were delaying the process of purchasing of land. There is the issue of the court case that has affected the process due to issues of succession. Finally, there is the final ruling that was made on 30th April, 2020 granting Michael Mwangi as the person to conclude this process of selling of this land.

(Speaker (Hon Patrick Waigwa) left the Chair)

(Temporary Speaker (Hon Catherine Nyawira) took the Chair)

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Madam Speaker, I wish to stop there.

Temporary Speaker (Hon. Catherine Nyawira): This statement had been raised by the Hon. Member from Igwamiti, Hon Joseph Kiguru. I will be giving Hon Joseph Kiguru an opportunity to say if he is okay with the statement.

Hon. Joseph Kiguru: Thank you, Madam Chair. For the first time I want to congratulate the Committee led by the Deputy Chair because the information they have brought to this Assembly is very correct. I am satisfied since I have done my own investigations because of those cases to have an administrator for whoever was to sell the land. I have followed it even in the courts. I am very satisfied and say thank you to the committee. I know because the case has come to the end, I am one hundred percent sure that the issue of buying land for Kiandege Dispensary and construction of phase one will commence immediately after the Senate has agreed about the formula on how counties should have their shares. I am a hundred percent satisfied because the information is very correct. Thank you.

Temporary Speaker (Hon. Catherine Nyawira): Hon. Joseph Kiguru, thank you for that. Hon Stephen Ndiritu, do you have an issue with the statement?

Hon. Stephen Ndiritu: Yes.

Temporary Speaker (Hon. Catherine Nyawira): What is it?

Hon. Stephen Ndiritu: Asante Bi Spika. Nilikuwa ninataka pia kuongezea kwa hilo la Mheshimiwa Kiguru kwa maana amesema ameridhika kumaanisha ya kwamba hiyo taarifa imejibiwa vile inavyostahili. Pia ninamshukuru naibu wa Mwenyekiti wa Kamati ya Afya kwa kujibu kwa niaba ya kamati. Ninamshukuru Spika kwa vile ametoa mwelekeo kuhusu vile kamati zitakuwa zikifanya kazi kulingana na vile sheria inavyosema. Ninamshukuru kabisa na akiwa na taarifa nyingine ailete kwa niaba ya kamati kwa sababu anakubaliwa na sheria. Asante.

ADJOURNMENT

Temporary Speaker (Hon. Catherine Nyawira): You may rise. This House now stands adjourned until tomorrow Thursday, 6th August, 2020 at 9.00 a.m.

The House rose at 2.53 p.m.

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