REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Wednesday, 7th October, 2020

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

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

PRAYERS

BILL

Second Reading

THE LAIKIPIA COUNTY DISASTER MANAGEMENT BILL

Hon. George Karuiru: Thank you, Mr. Speaker. Mr. Speaker, Sir, I beg to move the following bill;

The Laikipia County Disaster Management Bill, 2019 for the second reading.

The Members of this House have the copies of this bill. I would want to appreciate their warm reception towards the foresaid bill and their acceptance. We did a report on the public submissions. The bill clearly states with no technicalities. I just beg the Hon. Members to put across and consider the Public Participation Report. I would want to clarify on the purpose of the act. Its purpose is to provide the frame work for preventing and mitigating disasters and ensuring effective and efficient preparedness and response to occurrence of any disaster.

We did this at length. I just want to quote as the Hon. Deputy Chairperson of the committee had talked about. This is on the issue of the email that was given when we advertised and did the public participation. Mr. Speaker, the email through you should be changed because it seems inactive. I would like to appreciate the members of the public who came and brought their submissions regardless of the inactiveness of the email given.

I would want to remind the Members that part of this bill was a peanut, allow me to use those words. It was started by the last regime which did not do well. At this second reading, I would urge the Members to participate with what they think is of importance in this important document for it to be implemented and become a law.

I do not want to categorise the elected or the nominated. Our task as the Hon. House is that we are all here to serve the Laikipians. We will have a way forward and a direction with a purpose to serve diligently. This morning we have in place a Disaster Risk Management Bill. We will be a little bit safe as the bill clearly indicates that some of these things do not call for to come. They just come. That is why they are disasters.

We will be ready if we are set with these matters. It indicates that there is preparedness before and when there is a disaster and even after a disaster. I beg the Hon. Members to support

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the second reading of this bill. I know that it will be a mark. I cannot say that we have delayed. I had put it when we were putting the County Secretary but this House rejected him. They were later able to put him in place due to his performance and efficiency.

There are counties that have fronted in putting their bills. I commend the committee. We have researched and benchmarked in Isiolo and other counties that have had this bill before us. I know that we were at probation. The document that is in front of the Hon. House will be the best with all the matters that touch the Laikipians in terms of disaster and risk management. I would want to call my abled Deputy Chair to second this bill. Thank you.

Hon. Chris Mark: Thank you, Mr. Speaker. I would like to commend the Chair of our abled committee and our committee in which I am proud to be a Member of, for such a job well done. The Disaster Management Bill has been a long time coming. Today, I received some bad news of a young man who was very instrumental in guiding us in the earlier days during the Disaster Management Bill. He rested in peace today. He is called Joseph. May he rest in peace.

He was really instrumental with the Impact Group. They took us through the national level and the need for there to be a Disaster Management Bill. This is so that we are not reacting but are pros in the county. This means that we can put the necessary steps to detect, predict, fore-see, fore-tell and put proper prevention and preparedness measures but not after the after math of a disaster. We are then able to make sure that we have protected lives and properties in case we are struck by any disaster or calamity in whichever nature and magnitude.

This makes sure that there are no disruptions in the normal day to day workings in our county and the society. We prosper when our property and people are well protected and taken care of. It puts in place measures to make sure that funds are properly used. The Public Finance Management (PFM) Act already puts a certain percentage of what can be used in the county's annual budget for disaster purposes. There are no regulations or laws to see who or even a committee manages that in a prudent manner.

It is good that we have such a bill coming for the second reading. I know that the Honourable colleagues would want this to pass. They have lived in Kenya. I do not know if there is anyone who was born outside Kenya. Even if they were born outside, I have seen them in Kenya for a better part. I have at least seen them since 2017 in this House.

They know that in Kenya, we are not immune to disasters and calamities. We have floods happening. At times you can even predict that after a long rainfall we will have a drought season. The issues of cattle rustling at times border a disaster. This is because property is destroyed and people are displaced.

It is good that we have such a bill with the proper stakeholders. When we started, as the Chair has said, we went and saw the best practices. That is why we were able to go to Isiolo, Nairobi and consulted the Red Cross. These are the people who are experienced in dealing with disasters that have affected the country as a whole and even some areas and what have you. We are then able know the best way and how we can put the committee.

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We want to also have the faith-based community. This is that they are also part of it in the composition. We know that they play a big role. They shield us with their religious institutions during such a crisis. We have even put the Meteorological Department which is a national organ. It has not been instrumental or utilised at the county level. With those remarks, I second the second reading of this bill. Thank you.

(Question proposed)

Hon. Peter Matunge: Thank you, Mr. Speaker. I wish to thank the committee for bringing this bill for the second reading. I had said earlier that this is one of the most important bills. It will enable us as a county to deal with the disaster issues. As I had said earlier during the Public Participation Report debate, I think we need to move with speed. This is so that we see that the county has this bill.

I just wish to raise some issues here. These issues have been captured under the Public Participation Report. I believe that during the Committee of the Whole House either the Members or the committee will bring some amendments on the bill. In part one of the interpretations, it was seen to be important that we define what risk is. It was seen during the public participation. We also need to look into how to define disaster reduction and disaster mitigation.

Section 3 is on the purpose of the act. I think it was elaborate in the Public Participation Report on the issue of the object of the bill. I believe that it was for us to guide on what we really want to do with this bill in Laikipia with the issues of disaster. I think that section needs to be introduced. This is to deal with the issue of the objective of the bill especially in the way it was articulated in the Public Participation Report. This is something that has been done and dealt with by experts.

Lastly, is on the issue of Disaster Management Master Plan. The master plan can enable put an action plan on how to deal with the issues of disaster management. Mr. Speaker, see section 11. *The department shall collaborate with other public and private sectors, stakeholders and prepare the county Disaster Management Master Plan within six months upon the commencement of this act.*

Section two of that says that *the Disaster Management Master Plan prepared under this section shall be deemed to be a sectorial plan for the purposes of County Integrated Development Plan.* What I am not seeing here, I believe that it can be introduced as an amendment, is for how long do we have this master plan in place? How long will it need to be reviewed? A master plan should be serving for a given period of time. How frequent does it need to be reviewed? With those few remarks, I second the second reading of this bill. Thank you.

Speaker: May I now call upon the mover to give a reply.

Hon. George Karuiru: Thank you, Mr. Speaker. Allow me to welcome back the Hon. Member who is seated near Hon. Suge. I would like to thank all those who have participated and even those who kept quiet. I know that they have gone through this bill and that they have embraced it. I am hoping as Hon. Peter Matunge has said, that there will be amendments.

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Currently, this bill does not have those amendments in the reports from the public. They are going to be incorporated during the third reading. All the amendments will be captured and discussed. He spoke about the elaboration of risk and disaster. It will be included in the Committee of the Whole House.

I would like to remind the Members of the inclusivity of us as a committee that was not put in place. This is about the follow up of the County Assembly. It is well indicated in the Public Participation Report that all those stakeholders who joined hands with us to formulate this bill actually saw the importance of the submissions from the Executive in their annual reports. This is so that we also make the follow ups.

Mr. Speaker, through you, I would want to welcome inputs from the Members. They go with this document together with the Public Participation Report. We will have the best document in this House with the incorporation of the members of the public plus our inputs. I beg the Hon. House to join hands and embrace the second reading of the Disaster Management Bill. Thank you.

(Question put and agreed to)

PROCEDURAL MOTION

Hon. Daniel Nyausi: Thank you, Mr. Speaker. On behalf of the Leader of the Majority Party who is not in this afternoon and also his Deputy, I beg to move the following motion;

> THAT this House approves the application of Standing Order No. 28(2) to allow it adjourn its sittings for Thursday, 8th October, 2020 at 2.30 pm and to resume on Tuesday 13th October, 2020 at 2.30 p.m.

Hon. Speaker and indeed the whole House, the leadership of this House has organized the training of Members of this House for the next four nights. We will be officially starting tomorrow night and therefore this will necessitate Members to travel tonight to Nairobi so that by tomorrow at 9.00 a.m. we will be seated and ready for the beneficial topics that have been arranged by this Assembly.

So I request the Hon. Members to join hands in this because it is for all our purposes noting that many at times the Members of this House have not been able to refresh a bit due to Corona. I think that this is the best time to resume back to our normal duties because now we are allowed to do much of our work because Corona is going down every other day. So we find it very necessary to equip our Members once more so that they will have more energy to finish the year. So I am finding this training to be very necessary for the Members and indeed the entire county. With those few remarks I wish to request my brother, Hon. Matunge to second this motion.

Hon. Peter Matunge: Thank you, Mr. Speaker. I wish to second the motion that has been moved by Hon. Deputy Speaker. He has clearly articulated that education and capacity building is never enough. For the purpose of making the Members of this House more effective and efficient in their work that is the reason why we need to add more skills in our work. With those few remarks, I second the motion.

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(Question proposed)

Hon. Stephen Ndiritu: Asante, Bwana Spika. Nasimama hapa kuunga mkono hoja ambayo iko mbele ya hili Bunge. Kulingana na yule ambaye ameleta hili hoja nafikiri ameeleza kinagaubaga sababu ya kuahirisha Bunge kuanzia siku ya kesho hadi Jumanne ndio sisi kama Wajumbe tuwe na yale mafunzo ambayo itaweza kutupatia nafasi nzuri ya kufanya kazi yetu.

Bwana Spika, Wajumbe wakati mwingine huwa na mambo mengi na kuna kazi ambayo tunafaa kufanya kulingana na sheria na kwa hivyo ni vizuri mara kwa mara tuwe tunawekwa laini kwa sababu hata kanisa huwa tunaenda kila Jumapili kukumbushwa mambo ya Biblia ambayo huwa tunasoma kila siku. Katika hii kazi ambayo tunafanya tunafaa pia kuwa na kikao ambacho tunaweza kukaa na kuelezana mahali tumefikia na mahali tunaenda.

Vile vile katika hali ya utenda kazi wetu kuna sehemu ambazo tunafaa pia tuwe tukikumbushwa kama vile nimesema kwa sababu kazi ambayo iko mbele yetu ni nyingi na inataka mtu awe amejiandaa na akiwa na ujumbe ya kutosha. Elimu haina mwisho kwa sababu hata nimeona wazee wa karibu miaka sabini wakiendelea na mafunzo. Kwa hivyo wakati tunaendelea kukumbushwa mambo ya Bunge, hiyo ni muhimu zaidi maana tutakuwa tunakumbuka na wakati tutarejea tutakuwa na nguvu ya kufanya kazi inavyostahili. Hata kama sasa tunafanya kazi inavyostahili bado ni vizuri tuwe tukikumbushwa.

Hata tukikaa tunafaa tena baada ya miezi miwili tuwe tukirejea pale ili tuweze kukumbushana vile Bunge inavyopaswa kuendelea kuhusu ile kazi iliyo mbele yetu na pia tuweze kufahamishwa ni kamati zipi ambazo hazijafanya kazi zao na ni changamoto zipi ambazo huwa zinatukumba. Kwa hivyo naunga mkono na kama vile Naibu wa Spika ameelezea, hilo ni dhihirisho ya kwamba tunastahili tuwe na hicho kikao. Kwa hivyo tunafaa kuahirisha Bunge na tuweze kurudi hapa tarehe 13/09/2020 saa nane na nusu. Asante.

Speaker: May I now call upon the mover to make a reply.

Hon. Daniel Nyausi: Thank you, Mr. Speaker and thank you Members who contributed on this motion. I want to put across that I am very sure that Members will find this training very relevant to their duties and even relevant in our lives forever. Thank you and I beg the House to support.

(Question put and agreed to)

CONSIDERED RULING

Speaker: As Hon. Chris Mark said, there is a young man who has been very productive from parts of Laikipia North and who really engaged us as far as this Disaster Management Bill is concerned. He has also rested and we also say that may he rest in peace. Our hearts and prayers and our condolences are with the family. He has really played a part that when this Bill is read, he has also contributed greatly because through that organization, they have really been on the forefront to ensure that this bill comes up. They have facilitated some meetings and therefore we stand with them during this time and pray that the family may find strength.

Secondly, I wish to remind you of the training that we will be having tomorrow in Nairobi. The Deputy Speaker did say that we have training for the next four nights but for the

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sake of HANSARD the training will not be during the night but during the day. We will have it for the next four days but in the spirit of learning we can extend the time as long as we do not offend the curfew time. For the fact that some of us have not been to Nairobi for quite some time due to fear of COVID, I would encourage us to study during the day until 5.00 p.m. so that we leave the available part of the night for people to navigate Nairobi and at least meet friends and visiting places where you have not visited for quite some time.

Let us also ensure that we are also there. I have the programme and the training starts quite early at exactly 9.00 a.m. for opening remarks. It is important for us to travel overnight to be there in goodtime so that we will not have to keep others waiting. It is a must to attend because it is a learning training and we have a lot to learn like analysing sectorial reports. Things to do with public participation and more. Thank you, so much.

ADJOURNMENT

Speaker: This House now stands adjourned until Tuesday, 13th October, 2020 at 2.30 p.m.

The House rose at 3.00 p.m.

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