COUNTY ASSEMBLY OF LAIKIPIA

OFFICIAL REPORT

Tuesday, 7th August, 2013

House met at 2.30 a.m.

[The Speaker, Mr. Mariru is the chair]

PRAYERS

MOTION

[Hon. Suge]

Speaker: Yes, Hon. Joseph Suge. Hon. Suge is absent. Didn't he know that…?

Hon. Maitai: Mr. Speaker Sir, Mr. Suge is sitting in another Committee that is ongoing but he had delegated that Hon. Wakahiu would move the motion for him.

Speaker: Okay. I suppose he must have done that in writing.

Hon. Maitai: Yes.

Hon. Wakahiu: Thank you Mr. Speaker Sir. Mr. Speaker Sir I beg to move the following motion:

> ***THAT,*** *aware that Schedule Four (4) of the constitution clearly outlines the functions to be devolved from the National Government to the County Governments, noting that the transition to devolved Government Act contemplates transferring these functions from the National Government to County Governments and recognizing that this transfer shall be guided by a statutory process* ***Appreciating*** *that the Executive has or is going to apply for devolution of this transfer;*
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> *Noting that the County Assembly has already budgeted for these functions, and that there are already ongoing discussions between the various organs and agencies and more specifically the Transition Authority, Council of Governors, Senate, National Assembly, Commission for Implementation of the constitution that is CIC, among others on the process of transferring these functions, noting that implementation of specific national government policies or natural resources and environmental conservation is one of the functions to be devolved;*
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> *Noting further that the County Government has budgeted for this function for the financial year ending 2013/2014. Noting that this function includes soil and water conservation and forests, noting that the County Assembly will finally make a decision on the transfer of this function as per the law; this Assembly urges the County Government to speed up its preparedness to receive and*

execute this function and take all measures to ensure that the function is finally devolved in the immediate term and as per the law.

Mr. Speaker Sir, environment and natural resources being one of the functions that will be devolved to the County Government as I have read the motion, I urge Hon. Members to support this motion so that as we know that natural resources, soil and water conservation are one of the critical areas that the County Government is supposed to look upon since these are some of the aspects that guide and even make our economy to grow. I request Hon. Members that as the County Government prepares itself to receive and execute the functions that we support this motion and come up with measures that will really help our County to grow economically as well as the livelihoods of our people. Mr. Speaker Sir, I request Hon. Member Maitai to second the motion.

Hon. Maitai: Thank you Mr. Speaker Sir, I first wish to congratulate the Member who brought in this motion because I want to second it. Mr. Speaker Sir, every human being is very short-lived unlike the days of Noah and Abraham and King David when people used to live for 200 years or 300 years. In today's life most of us hardly go for over 100 years. When you hear of a case of someone who has lived for over 100 years, those are very exceptional cases Mr. Speaker Sir but when we talk of the natural environment it really outlives most of us and for that reason Mr. Speaker Sir, most of us find it difficult to predict and to think of the many years to come that the natural environment and resources and the impact that they have in the years that we will not get a chance to see.

It is for that reason Mr. Speaker Sir, that most of us sometimes knowingly and sometimes unknowingly end up destroying our natural resources, our environment and many other things that God gave to us because he wanted us to take care of them Mr. Speaker Sir. It is as a result of these things that right now the whole world is lamenting with issues to do with climate change, the destruction of ozone layer and many other things that are naturally destroying human beings because many years ago, we human beings were not able to take care of the environment and our natural resources. Mr. Speaker Si, the whole world …

Speaker: Yes Hon. Wakahiu, are you on a point of order?

Hon. Wakahiu: Yes, it is a point of order. Mr. Speaker Sir, I don't know whether the Hon. Member for Olmoran ***(Laughter)*** is in order to enter the House without a tie.

Speaker: Hon. Member I cannot see. Are you not in a tie?

(Laughter)

Hon. Member, I will request that you leave and come in a tie. I can tell what you are doing. Please leave. Don't dress it up here, you are excused until you have a tie. I think he must have forgotten but Hon. Maitai please proceed.

Hon. Maitai: Mr. Speaker Sir, I was just highlighting just some of the grossest impacts of destruction of Natural resources and environment. I was just mentioning that the whole World is trying to come up with measures to try and bring back on track the damage and destruction that has been done by we human beings over the years which in itself it's proving difficult and it will take many years for us to bring our environment back on track so that we can co-exist as God has planned it Mr.

Speaker, Sir. It is in this spirit that I think we the County Government need to start playing our part and taking the issue seriously; of Natural and environmental conservation and management so that we as a County can contribute to the global welfare for the sustainability of this world.

Mr. Speaker Sir, I believe if you want to bring change and make things better at any level and you must start with yourself, you must start in your House before you even go to the other person Mr. Speaker, Sir. For this reason even as we take environmental issues at a personal level and see how each and everyone of us can play around with it, Mr. Speaker I think the County Government of Laikipia need to take a very strategic position, need to give environmental issues the weight they deserve so that Mr. Speaker Sir we can bring back the glory which the environment brings to the lives of human beings.

Other than natural, co-existence and sustainability that God intended Mr. Speaker Sir, natural resources and management of environmental issues are key to development of this country both economically, socially and in any other aspect Mr. Speaker Sir. Natural resources are gold. When we talk of soil we have functions like Agriculture and livestock. All these depend on management of soil and other natural resources. We have the issue of wildlife that can really earn a lot of money for this County and trees that can be used in other ways of generating income. With those many remarks, I wish to support this motion as I request other Members to really support it. Thank you, Mr. Speaker.

Speaker: Hon. Wakahiu, just to make it in record, we need to see the letter that Hon. Suge gave you for you to move this motion after the session. We want a copy for the Clerk for record because as the Standing Order No. 47 (2) *Safe for a special motion, a Member who has a motion standing in his or her name may authorise in writing another Member to move that motion for the Member instead.*

So it's okay for you to move that motion on behalf of Hon. Suge. Hon. Members I need to propose the question:

> ***THAT**, aware that schedule [4] of the constitution clearly outlines the functions to be devolved from the National Government to County Government; noting that the Transition to Devolved Government Act contemplates a process of transferring these functions from the National Government to County Government and recognizing that this transfer shall be guided by statutory process; **Appreciating** that the Executive has or is going to apply for devolution of this function;*
>
> *noting that the County Assembly has already budgeted for these functions and that there are already on-going discussion between the various Governments Organs and agencies and more specifically the Transitional Authority, Council of Governors, Senate, National Assembly, Commission for Implementation of the Constitution (CIC) among others on the process of transferring these functions; noting that implementation of specific National Government policies on Natural Resources and Environmental Conservation is one of the functions to be devolved; noting further that County Government has budgeted for this*

function for the financial year 2013/2014;

noting that this function includes soil and water conservation and forestry; noting that the County Assembly will finally make a decision on the transfer of this function as per the law; this Assembly urges the County Government to speed up its preparedness to receive and execute this function and takes all measures to ensure that the function is finally devolved in the immediate term and as per the law.

Hon. Jennifer: Thank you Mr. Speaker Sir, I rise to support the motion in regard of environmental conservation and how it is important for the devolution of this department within the Ministry of maybe Natural Resources or Forestry. I just want to give some information on the issue related to Environmental Conservation and more so on climate change, the phenomenon that everybody is talking about in the whole world. If you look at what is happening in this month (August) it is a phenomenon that is not normal or not usual. It's a cold August just like the beginning of July. So there is indication completely showing that the issue of climate change is real. This issue is a very a big topic in the world that everybody is talking about and I think it is going to get good roots when it is devolved because we in the County are the people we get closer to the environment, so I support this motion because we will be able to tackle it there at the grassroots level. When it used to be under National Parliament some of the things went missing and then the whole issue of environmental and climate change were also at the National level. We have a lot of frameworks especially held by the United Nations held through conferences throughout different countries and they called it United Nations for Climate Change Conference.

Then there is another one we call 'CoP' (Conference of Parties). We started with CoP 1 and I think we are now around CoP 18 this year. Those state Members are Members of the UN. They have that big conference where all set parties make a meeting and discuss the issues of climate change and some of us who came from that background know about that, we might have participated in the Climate Change Meeting and at one time we had one in Nairobi, Kenya which is under Conventional Diversity (CBD). So there are a lot of things which the team which will be in charge in this House will work on. It is a big task.

There is a lot of funding coming from parts of the world, big companies that cause emission. Somebody talked about the Ozone layer destruction, off course it is within Geography and Science that it has been polluted and that's the real cause of climate change. The companies that promote the pollution like Oil companies, World Trade Businesses have been identified and accepted to give a lot of money to clean the world, so they came up with strategic planning for various countries. It is headed by somebody called Ngichu who is the head of forestry department. So I think we should have the same thing in the County reflecting what is happening at the National level.

As a County and as a sovereign organ we need to think on how to bring all these things to County level. There are a lot of things like REDD (Reduce, Emission, Degradation, and Desertification) and then there is Carbon Emission. If we have for instance, Mt. Kenya there is a lot of money coming to Kenya through Mt. Kenya, and so this is trading. Am sorry if anyone

knows this, those are things which we need to start working on.

What portion for carbon trade has been paid to Kenya out of Mt. Kenya and the forests we have in Laikipia? So it's the high time that we covered all the crop coverage in our County so that we can present and make the team like the one in Nairobi. So I support this motion and I recommend that a team to work on all these things to be established to be able to embrace and make all the data that is existing at the National level to this County level. I support the motion, thank you.

Speaker: Majority Leader.

Hon. Wachira: Hon. Speaker, I stand here to support this motion because when our own environment is degraded, we have no future for our own future generation and when we are here as Laikipia Government we are here to make future generation enjoy future fruits because they have been laid down in proper way. I say this because if you look at where we have come from, all our forest cover has been destroyed. When this is not protected, in future we shall have no rain, we shall have no wealth and when we want to create wealth for our own County, these natural habitats must be protected and more planted. There was one time when we had this lady called Wangari Maathai. The forest then was so much degraded and destroyed and this lady once said there was no Shamba system anymore. That was Shamba system because it was not there. People used to plant trees and the people who were given that land to cultivate there uprooted trees.

Few years later there were no trees in those areas and then everybody was evacuated from that forest. Nowadays there is a lot of rainfall in those areas, that is, Aberdare and Nyandarua because more trees were planted. When we come to our own forest here, Mt. Kenya, although it was destroyed, we have good climatic conditions and that's why we have tourists coming to this area just to visit the highest peak in our own country. If the tourists come and find this Mountain bare, I think they will not come here again and that's why we need to protect this area because our own natural resources is our own heritage. This heritage must be passed on to the next generation. If we have a country where no flora and fauna was protected, we would just say that our own parents were not good on environmental matters.

The other thing is soil degradation. When we have our own soil bare, there is no future in our own County. Soil is the basic of everything where we have built our own Houses like here, planting our own food and when it is not protected and goes away with soil erosion, in the future we shall not have a good County. Let us make by-laws that will protect our own environment and protect our own natural resources which attract the future and tourism in this County. I stand here top support this motion.

Speaker: Yes Mr. Mwangi.

Hon. Mwangi: I stand to support the motion but before I give my contribution I would like to make some correction from the motion for the purposes of record and between 'Schedule and of' I think we should insert [4].

Speaker: Order, Member, take us slowly.

Hon. Mwangi: On the first line of the Motion, 'THAT, aware that Schedule [4] of...

Speaker: Are you making some amendment or what?

Hon. Mwangi: I was just making some correction for the purposes of record. The motion doesn't have anything to be amended, it's just the correction.

Speaker: Let us hear from the temporary mover.

Hon. Wakahiu: Thank you Mr. Speaker Sir. When I was moving the motion I made a correction by inserting the word [4] although it is not written.

Speaker: You shouldn't, why did you? It's okay you actually concurred with Hon. Mwangi for noting that so that at least it is in record. That is not actually an amendment it's a correction, it's an omission of the word that is not actually substantive. Hon. Mwangi, thank you for that.

Hon. Mwangi: I must also admit that am glad to hear that Majority Leader knows Flora and Fauna. Thank Hon. Majority.

(Laughter)

The serious matter is that nature is very unforgiving and we must conserve it whether we like or not because if we don't preserve it, eventually it will discipline us and if not us our generation. Back in 1990s the vegetation that used to cover our land was very clean everywhere but currently after Elnino I don't know what happened. I thought it was supposed to trigger the growth of vegetation but due to destruction of our environment everything was swept away. It might be due to fire or any other thing but currently in Mt. Kenya we do not have the canopy that used to be there and if this canopy cannot be put in place by afforestation then I do not know, I seek a correction from the Leader of Majority I know he understands these things; afforestation.

We need to afforest the areas around us especially the water catchment areas so that we preserve the green pastures and by creating that canopy we can pull it downwards and spread it everywhere but we cannot start with the desert areas to water catchment areas, we must start somewhere. I will urge the House and the County Government come up with a proper programme to plant trees in the County and we start with Mt. Kenya and the river banks. Thank you Mr. Speaker I support the motion.

Speaker: Hon. Beth.

Hon. Beth: Thank you Mr. Speaker Sir, I rise to support the motion. After seeing the word forestry, this means planting trees. When we come up with a motion we normally come up with a problem and a solution. Therefore, Mr. Speaker Sir, as we said on the Governor's Speech we talked about tree planting and when the budget was being passed, we also allocated money for tree planting. Therefore Mr. Speaker Sir, as I support this motion I would ask the Committee and the Minister concerned to come up with meetings because in our Wards we have already arranged projects with our youths because we need to empower them and they don't know what type of trees they should plant. Therefore, it's good to educate them on the type of trees they should plant, the ones favourable to the climate we have In Laikipia County. Mr. Speaker Sir, I support the motion.

Speaker: Yes, Hon. Jane.

Hon. Jane: Bw. Spika naunga huu mjadala mkono kulingana na mazingira kama ulivyoletwa na Hon. Suge. Mimi vile naona eneo nililotoka limeharibika mpaka unakosa namna ya vile utafanya. Mchanga imechimbwa mpaka tunakosa mahali pa kuchimbia maji na ni kwa sababu ya kuchimba ule mchanga unaozuia maji.

Kwa upande wa miti imekatwa mpaka unaona huruma. Naunga mkono na kusema kama kuna vile tunaweza kufanya tuzuie ili tuwe na msitu na ardhi ambayo inatufaa kwa sababu kulingana na vile tunakaa huko kwetu tunaona hakuna mvua kwa sababu tumekata hiyo miti na ndio inaleta mvua. Kwa hivyo ninaunga mkono mjadala huu na kusema unastahili.

Speaker: It seems that from the chemistry of the House that Hon. Wakahiu you have an opportunity to reply.

Hon. Wakahiu: Thank you Mr. Speaker, I want to thank my Hon. Colleagues who have contributed to this motion. This is the high time that we as the County Government we are supposed to come up with measures or registration on how we would protect our environment and protect our resources that we have been given by God. I want to congratulate every one of you as we join hands to conserve our water, rainy water, we conserve the water catchment areas and for the issues of forestry we come up with measures, we will afforest and discourage tree cutting in areas where charcoal is being burned.

I want to congratulate the Member who has spoken about global warming and the ozone layer. If we destroy our own environment we are destroying our lives and somebody quoted Wangari Maathai that nature is very unforgiving and if we destroy we have no room to live in. Otherwise, I thank Hon. Members for supporting this motion.

Speaker: Thank you Members, I will again not put a question on this motion but I would like specifically because of the issues that have been raised by the Members on the areas of Natural Resource Management as well as forestry to specifically direct that this matter goes to the Committee that is dealing with Natural Resources and Forestry, look at what the Members have raised at length and then bring a report for consideration in this House on or before 31st of October this year. Hon. Members we have discussed several motions on different matters. We have discussed on the region of ten different motions in the last one month or so and we have given those motions to Committees. I would encourage the Committees to start working if they haven't started on specific issues and considering what the Members have said on the issues of that motion.

That should be taken seriously. The Hon. Members if you have forgotten what Members said you can get a copy of the Hansard so that as you go out there and as you call different people, different stakeholders as you do different visits, as you seek other Committees to engage and discuss on those matters you bring a comprehensive report so that we can get policy directions from the deliberations of those Committee. So I would encourage Committees to take that matter seriously and pick up from the deadline. I think the office of the Clerk is making a communication to all those Chairs of those Committees formally, to remind you the assignments and bring up the reports to be deliberated by the House. Thank you. I would like to adjourn the House until 2.30 p.m. tomorrow.

ADJOURNMENT

The House rose at 3.02 p.m.