

BARINGO COUNTY ASSEMBLY

THE HANSARD

The House met on 24th February 2021 at 10:04AM

The Speaker (Hon. Kiplagat) in Chair

PRAYER

The Speaker (Hon. Kiplagat): Sergeant At Arms please ring the bell for five minutes

(Quorum bell rung)

Clerk!

MOTION

REPORT ON THE STATUS OF IMPLEMENTATION OF HOUSE RESOLUTIONS

The Speaker (Hon. Kiplagat): Chairperson Committee on Implementation;

Hon. Ng'otie: Thank you Mr. Speaker Sir for giving me the opportunity to move this motion. Mr. Speaker, on behalf of the Committee on Implementation, it is now my pleasure, privilege and duty to present to this House the Committee's report on the status of implementation of various House Resolutions pursuant to the committee's mandate as spelt out in Standing Order No.194 (2a&b)

Mr. Speaker Sir, the mandate of the Committee is provided for in StandingOrder194 (2a, b) and 3 which states as follows:-

That: The Committee shall scrutinize the resolutions of the County Assembly (including adopted committee reports), petitions and the undertakings given by the County Executive Committee and examine—

(a) Whether or not such decisions and undertakings have been implemented and where implemented, the extent to which they have been implemented, and whether such implementation has taken place within the minimum time necessary and

(b) Whether or not legislation passed by the County Assembly has been operationalized and where operationalized, the extent to which such operationalization has taken place within the minimum time necessary.

3. The Committee may propose to the County Assembly, sanctions against any member of the County Executive Committee who fails to report to the relevant select Committee on implementation status without justifiable reasons.

Mr. Speaker I beg that you will allow me not to read through some sections which may not be so necessary or core, so I beg that I will skip some parts for the interest of time like the acknowledgement and the membership of the committee Mr. Speaker sir.

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

Background;

Mr. Speaker sir, the Committee on Implementation retreated to Kisumu for report writing on implementation status of House resolutions of the 2nd Assembly which commenced on 6th September 2017.

Mr. Speaker sir, it is imperative to note that some of the responses of the 2nd Assembly House resolutions were responded to in our first voluminous report tabled and adopted in this House in November, 2018. The then report covered a period between 2013 to September, 2018.

Mr. Speaker sir, as you are vividly aware that implementation of House resolutions is a continuous process which requires that the committee has to revisit and review the undertakings given by the County Executive Committee Members (CECs) in accordance to standing order no.194 (2).

Mr. Speaker sir, this report is principally aimed at highlighting the House Resolutions which were not responded to in our previous report.

Mr. Speaker sir, this report also addresses earlier recommendations and concerns raised by the committee to the departments which has hitherto been updated by the relevant departments.

Mr. Speaker Sir, the Committee is cognizant of the fact that there is backlog of resolutions to be implemented by the County Executive pursuant to the provision of Article183(3) of the Constitution of Kenya, 2010 which requires that the County Executive Committee submits to the County Assembly full and regular reports on matters relating to the County.

In addition, Standing order no. 187 provides that within thirty days of a resolution of the County Assembly or adoption of a report of a select committee, the relevant member of the County Executive Committee under whose portfolio the implementation of the resolution falls shall provide full report to the relevant committee of the House in accordance with Article 183(3).

Objectives of the report;

Mr. Speaker Sir, this report is in pursuit of the following objectives;

- a) To scrutinize the legislative responses and examine the extent of implementation status of House resolutions by the relevant implementing agencies.
- b) To generate a report to be debated in the House with recommendations which would point out the challenges/gaps to be addressed by the players of implementation particularly the County Executive Committee Members. (CECMs)

Methodology;

The Committee carried out a structured scrutiny to assess the status of implementation of House Resolutions under the said departments. The Committee further invited departmental CECs who appeared before the Committee for consultative meetings aimed at assessing the extent of implementation of House Resolutions.

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

Challenges;

The Committee cited the following challenges which have greatly impacted negatively on the implementation of House Resolutions:

1. There is general laxity, unnecessary delay in submission of responses on implementation status of House resolutions by the Executive Committee members (CECs) and on this Mr. Speaker sir we will be pointing out some departments which we had a lot of problems in submitting this report we went to an extend of calling, writing and even up to visiting their offices and took much time to get the status of the implementation.
2. There is a huge backlog of unimplemented House resolutions owing to the fact that implementation is a continuous and reflective process which focuses on the current implementation status as well as previous undertakings given by the implementing agencies.
3. Failure to adhere to implementation timelines by the implementing agencies contrary to the provision of standing order no.187 read together with article 183 (3)
4. Late submission of committee reports for adoption in the House occasioned by failure to facilitate the committee on time to conduct its report writing exercise which more often leads to responses which are not time bound and at times overtaken by events.

Mr. Speaker sir I will request that in future when we make a request especially this committee on implementation that we be facilitated on time so that we avoid waiting for other committees because this really delayed this committee.

Status Of Implementation Of House Resolutions as Per The Specific Departments;

Mr. Speaker sir, the following departments and other implementing agencies have so far responded to House resolutions that fall under their dockets.

These departments are;

1. Education, Vocational training and ICT
2. Health Services Department
3. Agriculture, livestock and Fisheries Department
4. Justice, Legal Affairs, Devolution, Governance and Cohesion
5. Transport, Infrastructure and Public Works
6. Trade and Co-Operative Development
7. Environment, Natural Resources, Tourism and Wildlife management

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

Adopted/Passed House Resolutions under the Department of Justice, Legal Affairs, Devolution, Governance and Cohesion.

Mr. Speaker sir, the following are the House resolutions and status of Implementation under the Department of Justice, legal affairs, Devolution, Governance and Cohesion, Motion dated 10/4/2019 Motion by Hon. Nelson Lotela on the need to urge the County Government to;

- i. Ensure that, official County public officers' attire bearing the symbols and colors of the County Government is designed.
- ii. Ensure that all the sub County Administrators and Ward Administrators put on this attire at all times when carrying out official duties or attending public functions.

Status of implementation;

Mr. Speaker sir, wearing official attire bearing the symbols and colors of the County Government by Sub County Administrators and Ward Administrators during official duties and while attending public functions is a great move and the County Executive appreciates and support this good idea, I therefore wish to inform this House that this issue is being worked on and will be included in the next budget 2021/2022FY.

Adopted/Passed House Resolutions Under the Under the Department of Health Services;

Mr. Speaker sir, the following are the House resolutions and the responses under the Department of Health services; Motion dated 12/2/2019 Motion by Hon. Ernest Tarus, MCA, Kabarnet Ward, on the outbreak of Hepatitis B in the county in which the motion urges the County Government to;

- i. Urgently sensitize the general public and school going children using all available communication channels on the dangers, causes, prevention and treatment of the disease

Mr. Speaker sir,

- ii. Health education on Hepatitis B has been carried out in all affected areas such as Marigut, Ayatia, Maji Mazuri, and Marigat among other areas
- iii. Provide the Hepatitis B testing and vaccination services freely in all county health facilities Hepatitis B testing and screening is ongoing in all facilities that are in communities that are affected.
- iv. Facilitate the testing and vaccination of the populace in the area already confirmed to be Hepatitis B prevalent.

Vaccination for Hepatitis B is recommended for high risk groups such as;

Health care workers, prisoners and close contacts of hepatitis B cases. This is currently ongoing on need basis.

- iii. Mobilize the populace to get vaccinated against the disease.

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

Mass vaccination of communities is not recommended. It is targeted vaccination that has proven to be effective and less costly.

- iv. His Excellency the Governor declares Hepatitis B a County medical disaster.
- v. Mr. Speaker sir, It is not recommended to declare Hepatitis B as a disaster due to the interventions that have already been put in place. However, there is need for increased financial resources to the health department in order to strengthen hepatitis program response.

Motion dated 19/2/2018 Motion by Hon. Nixon Lemlem MCA, Marigat Ward, on the widespread snake attacks in most parts of Baringo County.

Mr. Speaker sir, the prayers and the implementation status/ responses to the motion are as follows;

1. Ensure that snake bite anti snake venom is readily accessible in all county health Centers and hospitals

The department of health has put in place measures for sourcing of anti-snake venom. This is through allocation of funds to procure the anti-venom as well as collaboration with institutions involved in addressing snake bites like the Division of Neglected Diseases (Ministry of Health).

Despite these measures, the cost of the anti-snake venom is prohibitive thus quantities are not adequate. This notwithstanding, all areas prone to snake bites are issued with anti-venom. This has greatly reduced the number of mortalities and morbidities associated with snake bites in the county. Therefore, the department will benefit more if a fund is set aside specifically for neglected diseases (snake bites being one of them)

2. Ensure that in snake bite prone Sub-Counties, there are properly equipped snake bite rescue centers for emergency cases

In snake bite prone sub counties, the health facilities in those regions are used as rescue centers for snake bite patients though not adequately equipped. However, there is need to cascade rescue centers further into the communities so as timely and immediate action is undertaken to manage snake bite patients.

3. Recruit and train snake bite champions from snake bite prone areas to ensure quick reporting and ease referral to Health facilities

Training and sensitization of health workers on snake bites was undertaken about two (2) Years ago with a bias towards staffs that were in areas with many cases. The county has also appointed a county neglected diseases coordinator where snake bites are included.

Despite these efforts, there has been staff movement and deployment of new staffs to the high burden areas thus there is need for continued training and sensitization of staffs to be able to effectively manage the snake bites. There is also need to capacity build and fund the neglected diseases unit to ensure that snake bite management is championed well to eliminate mortality and reduce morbidity.

4. Put in place a functional reporting mechanism and or a hot line for quicker response to snake victims

There is a reporting mechanism for emergencies using the county emergency numbers for disaster management. The hotlines are not specific to snake bites but for all emergencies.

To enhance reporting, the department will leverage on the now established COVID-19 hot lines to be used for health emergencies and thus enhance prompt response for snake bite cases.

5. Consider in future budgets to set up a snake bite research center of excellence in the County to act as a training research, rescue and Snake Park for venom harvesting and processing of anti-venom, especially for the rare snakes.

Extensive research on snake bites in the county has not yet been done. This has been hampered by lack of financial support towards the research which would foster understating the local dynamics of snake bites in the county thus have practical approaches that are evidence best towards preventing and management of snake bites.

A snake park and a research center for anti-venom is yet to be established and the county should fast track the establishment so as to be able to harvest venom from snake species in the county and develop an effective ant-venom.

6. That this house urges the county government and the national government to fast track compensation of snake bite victims whenever such incidences occur.

Mr. Speaker sir, there has been a debate on compensation of snake bite victims in the same way it is done for the other wild animals like Elephant trample, maul by Hyena etc. There is a policy directive that snake bite be EXCLUDED and I underline that Mr. Speaker... excluded from the cases eligible for compensation. This was occasioned by the huge number of unpaid claims and also cases of falsified claims. It may not be possible to compensate victims with the prevailing directive in place. Compensation is usually from KWS, and the Health sector provides evidence of bite, degree of harm and treatment given, if any.

Motion dated 27/2/2019 Motion by Hon. Sam Lourien, MCA, Tirioko Ward, on the need to curb Counterfeit alcoholic substances entering Tirioko ward and other parts of the county

Mr. Speaker sir, the prayers and the responses to the motion are as follows;

1. Urgently investigate the origin of these counterfeit products in collaboration with agencies such as KEBS and NACADA

NACADA takes samples of all suspected illicit brews, does the testing and shares results with the department; this is because the department lacks the financial capacity to do this. If it is confirmed as counterfeit, the department prosecutes using the Food and Chemicals act by taking the offender to court

2. Impound these products and take necessary action those found culpable of aiding and abetting the vice

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

The department works in collaboration with line Ministries like the Police and the Administration through the office of County Commissioner.

Mr. Speaker sir, response to complaints, seizure of products and prosecution of those handling such products is also the mandate of the Alcoholic Drinks Licensing Board. Enforcement of this function invokes the relevant laws because these are defined in the terms of reference for the Board.

3. Ensure strict adherence to Baringo County Alcoholic Drinks and Control Act, 2016

The health department works with the offices mandated under the act to ensure strict adherence of the act.

4. Review the terms of membership of the liquor licensing Board and NACADA in Baringo county

The bill is currently under review to be in line with National policies and recommendations.

Motion dated 03/4/2019 Motion by Hon. Sam Limo Lourien, on the need to curb rampant smoking in Baringo County

Mr. Speaker sir, the prayers and the responses to the motion are as follows;

1. To construct designated smoking areas in all major towns within the county

The county has no designated places in public clearly defined as “smoking zones”, making it difficult to prosecute those who smoke in public. This has been provided in the proposed Baringo County Tobacco Control Bill, 2018.

2. Ban smoking in all public utilities such as parks, streets, hospitals, schools, bus stops, etc and impose heavy penalties for contravention.

3. Mr. Speaker sir, Tobacco Control Bill has been drafted in consultation with relevant Government and non-Government entities to control smoking particularly in non-designated zones.

4. Fast track on legislation to control smoking of tobacco in the County.

The Tobacco bill 2018, generated through the County Assembly which is now an Act can be used to enforce and control smoking in non-designated zones.

Motion dated 12/6/2019 Motion by Hon. Elizabeth Kipsang, MCA, Baringo County on the need to equip county hospitals with psychiatric wards or mental health units to provide mental health care for patients who are sometimes extremely violent and have suicidal thoughts

Mr. Speaker sir, the motion urges the County Government to;

1. Establish a modern mental facility/ward/unit in all sub county hospitals with emphasis on primary mental health treatment and act as a support system

2. Set a team of experienced psychiatrists and psychologists and highly skilled mental health experts to offer psychotherapy sessions, routine specialized treatment and rehabilitation services for such patients

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

3. Appropriate funds for establishment of above mentioned mental health facilities

Mr. Speaker sir, the Department of Health services Baringo County shall be guided by the recommendations of the report by the Taskforce on Mental Health in Kenya 2020 in addressing the mental health response as contained in the Bill.

Mr. Speaker sir, the department endeavors to put the following measures in place to address the challenges facing patients with mental health problems

- i. National and County governments to implement community mental health services; and ensure a decentralized and integrated mental health services are accessible to communities.
- ii. The Ministry of Health to set aside resources for training, recruitment and deployment of adequate multidisciplinary mental health service providers. We further emphasize that the ministry ensures training and recruitment of mental health professionals to shift the gap in human resources per population ratio.
- iii. KEMSA to provide the requisite range of medications for psychiatric conditions that are modern and evidence-informed and to fulfill its mandate of adoption and procurement of products recommended in the Kenya essential drugs list. The Taskforce recommends:
 - iv. Parliament to amend the Mental Health Act to provide for a Mental Health Fund.
 - v. Government to increase equitable funding for mental health services and expand the scope of financed mental health services, including opening up NHIF cover for mental health outpatients.
 - vi. Treasury to provide for tax exemption for people living with mental illness and tax incentives for organizations and individuals that run approved mental health programs.
 - vii. Department of health will consider setting up a mental health unit at County Referral Hospital. The unit will serve as a referral Centre as well as an internship Centre.

Motion dated 03/7/2019 Motion by Hon. Julius N`gotie MCA, Eldama Ravine Ward, on the need to provide medical facilities and health care assistance to elderly persons and persons living with disability

Mr. Speaker sir, the prayers and the responses to the motion are as follows

1. Audit and register all persons who have attained the age of 65 and above as well as persons with disability

Mr. Speaker sir, registration of persons aged above 65 years and persons living with disability are the mandate of the Ministry Culture, Sports and Social Services. This is to enable them enjoy social protection through affirmative action. The department of health collaborates with the department of social services as a stakeholder and partner to provide health care services to the aforementioned group of persons. The department of health receives statistics and reports from the department of social services for planning purposes.

2. Come up with a universal health care support system to ensure that the above can easily access health services and can be issued with cards to ease their access to the same

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

Mr. Speaker sir, the department of health will be implementing universal health coverage (UHC) which is part of the Big Four Agenda. The implementation modalities of UHC are being worked on that include monthly premiums to NHIF and subsidized cost or free services for special groups that include children under five years, persons living with disability and persons aged 65 years and above. There will be registration for the populace for them to access the healthcare services. Therefore, all citizens will have access to healthcare inclusive of the elderly and persons living with disability.

3. The county government to set aside funds to senior citizens and PLWD can access free health services

Mr. Speaker sir, the county health department continues to provide services to all citizens, health program are provided to the age cohorts as defined by the health policy. Each age cohort has a service package relevant to them. The Baringo County health sector strategic plan 2018-2022 has recognized person's living with disabilities and the health department runs programs in collaboration with partners to serve them.

4. The county government to ensure it expands and operationalizes all health facilities in terms of infrastructure, staffing and stocking of drugs

Mr. Speaker sir, the county government has been expanding health service coverage through establishing of new health facilities and expansion of existing ones. However, investment in physical infrastructure has stretched the human resource capacity which has not grown in tandem. The new health facilities have also stretched the available resources for health products and technologies. It is therefore necessary to progressively increase allocations to the health department to be able to fully operationalize all the health facilities.

Implementation status of The Baringo County Tobacco Control Bill, 2018

The bill has been generated through the assembly and has gone through the various stages of approval. It was taken to the governor for assent and the bill was returned back to the assembly for gazettelement. The bill is now at the government printer for printing.

Adopted/Passed House Resolutions under the Department of Education, Vocational Training and ICT

Mr. Speaker sir, the following are the House resolutions and the implementation status/responses under the Department of Education, Vocational Training and ICT

Motion moved by Hon. Jacob Cheboiwo on the need for the County Government to move with speed and employ more tutors in all polytechnics in the County and equip all these institutions with learning and training equipment.

Status of implementation;

Mr. Speaker sir, the department commenced the equipping of 9 VTCs in 2015/2016 FY, in 2017/2018 FY and 1 VTC in 2019/2020 FY.

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

The department has been requesting for 5 additional instructors to be hired by the County Public Service Board (CPSB) but the setback has been the huge wage bill which has not made it possible by the County Secretary through the CPSB to hire.

Motion moved by Hon. Jacob Cheboiwo on the need for all ECDE Centers across the County, to be equipped with proper furniture such as chairs, tables and other pertinent materials and more importantly increase remuneration of ECDE teachers.

Status of implementation;

a) ECDE Furniture

Mr. Speaker sir, the department has so far supplied and equipped 199 ECDE centers with sets of furniture. A set is comprised of 20 chairs, 5 tables for the children and 1 teacher's table and teacher's chair. A copy of the ECDE centers that received the furniture is attached. It was in two tranches of 72 sets in 2016/17 FY and 127 in 2018/19 FY.

However, for the second tranche of 2018/19 FY, the contractor (Kweli Supplies Ltd) has not completed the supply to Mogotio and Eldama Ravine sub counties and Kolowa , Tirioko, Tangelbei and Churo/Amaya wards of Tiaty sub- county. The contractor cited challenges in accessing timber following the ban of logging by saw millers hence the slow implementation.

Further, it should be noted that the department has budgeted Kshs 35 Million in the 2020/2021 FY to equip all the 478 newly built centres without furniture.

b) Other pertinent materials

Mr. Speaker sir, in the 2019/2020 FY, the department procured curriculum designs (syllabus books) for PP1 & PP2 and text books for PP2 for all the 1045 centers in the county at a cost of Kshs. 4.5 Million from Kenya Literature Bureau (KLB). The books are currently stored at The NCPB stores in Kabarnet awaiting delivery to schools when learning resumes after the closure occasioned by the Covid- 19 pandemic.

c) Remuneration of ECDE Teachers

Mr. Speaker sir, in 2014 when 1861 ECDE teachers were employed, the salaries for the cadres according to their qualifications were as follows:

i) Untrained Teacher (UT)- Kshs 6,000.00 Per Month

ii) Certificate- Kshs 6,500.00 Per Month

iii) Diploma- Kshs- 7,000.00 Per Month

iv) Degree- Kshs-7,500.00 Per Month

Over time, the salaries have been negotiated and adjusted upwards progressively and currently (W.E.F. March 2019) it is as follows:

i) Untrained Teacher (UT)- Ksh.8,000 Per Month

ii) Certificate- Ksh.10,000 Per Month

iii) Diploma- Ksh.11, 000 Per Month

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

iv) Degree- Ksh.12, 500 Per Month

Mr. Speaker sir, going forward, a scheme of service for all the ECDE teachers will solve the disparities in salaries. At the moment, the scheme of service is still in draft stage and negotiations between the Council of Governors (CoG), The Salaries and Remuneration Commission (SRC) and the Teachers Service Commission (TSC) are on-going and until we get a truce, we cannot have a timeline on when the scheme of service will be implemented.

Motion dated 19-03-2019, 2:30 pm Motion by Hon. Elizabeth Kipsang, MCA, Baringo County, on the need to identify the bright and needy students and pupils in order to ensure that there is a kitty to facilitate their learning in their higher level of learning. This Motion urges the County Government to;

1. Ensure that in connection with the area leadership, they should identify bright and needy pupils and students and ensure that there is a kitty to facilitate their learning in their higher level of learning.
2. Monitor and keep progress of these pupils and students to ensure they complete their studies.

Status of implementation;

Mr. Speaker sir, the Public Finance Management (Baringo County Education Bursary and Scholarship Fund) Regulations, 2018 legal notice No.4 of the PFM act on establishment of County Bursary. The awards to needy beneficiaries are done at the ward level. The ward administrator is the secretary and members to the ward bursary committee are:

- (a) The ward administrator-secretary
- (b) Two women appointed by CECM for education
- (c) Two men appointed by CECM for education
- (d) One person with disability nominated by persons with disabilities in the ward
- (e) One youth nominated by CECM for education
- (f) One person nominated from among the active religious groups in the ward
- (g) One chief in the ward

The Member of the County Assembly (MCA) seats in the award meeting. The county bursary and scholarship fund members is all inclusive and very consultative in the process of identifying and awarding the needy applicants.

Mr. Speaker sir, in liaison with the Ward administrator and the chief, the ward bursary committee ought to be informed of any beneficiary who drops out of school due to lack of school fees. It should be noted that the parent or guardian plays a pivotal role on this matter as well.

Motion dated 7/8/2019, 9.30am Motion by Hon. Francis Kibai. On the need to protect Children living with Autism conditions. This motion urges the County Government of Baringo in liaison with the National Government to urgently do the following;

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

1. Establish and construct specific classrooms for children with special needs in order to accommodate autistic learners with a learning space that is appropriately modified and furnished with special equipment and learning materials as needed to accommodate their educational needs with an eventual goal of integration with Neuro-typical students where applicable.

2. Train and employ teachers, paraprofessionals and multidisciplinary personnel such as Occupational therapists as needed who are certified and well trained in effective Autism intervention techniques.

3. Backed by science and research such as Applied Behavior Analysis and individualized educational plans. The primary objective being of mastering academic goals to ensure that interventions are accessible and effective so as to guarantee the success of inclusive education for learners diagnosed with Autism.

4 Establishment of early and accurate interventions such as diagnosis, therapy by specialists, early referrals for severe Autism cases and more awareness on counter autism stigmatization

Status of implementation;

Mr. Speaker sir, All ECDE classrooms currently are designed to be friendly to children with disabilities that include a ramp and guard rails. When cases of extreme disability are identified, assessment is done by specialist from department of health in liaison with the National Council of People with Disabilities (NCPD). Such cases are therefore referred to special schools where the needs of these children are specifically attended to according to the nature of their disability, Autism included.

Teachers who have undergone professional training have knowledge on how to identify learners with disabilities. There is a guideline from the Ministry of Education on the protocol followed in assessing the various disabilities and referrals to the special schools. Continuous sensitization is also done by the ECDE Coordinators during meetings and short trainings on the same.

Mr. Speaker sir, all learners with disabilities Autism included are duly protected in the constitution and disability mainstreaming is a continuous process in the education sector. The learners who are correctly diagnosed to be autistic are referred to special schools where their full potential will be nurtured and realised.

Adopted/Passed House Resolutions under the Department of Lands, Housing and Urban Development;

Mr. Speaker sir, the following are the House resolutions and the implementation status/responses under the Department of lands, housing and urban development

Motion urging the County Government in liaison with the National Lands Commission to do the following as cost-effective strategy for land use:

1. Conduct civic education on importance of proper land use in the County.

Mr. Speaker sir, Ksh.9 million had been allocated to the department of lands to conduct civic education or land clinic in the FY 2019/2020 but the money was removed during the supplementary budget in March 2019. However, the department has done awareness on land

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

matters during routine field work activities in the local Centers during planning and surveying.

Mr. Speaker sir, with collaboration with FAO, the department has initiated the preparation of Land use Policy currently at draft level.

Through Kenya urban Support Program, the department has also prioritized citizen forums in various local Centers to handle among many issues, land use Planning.

2. Initiate Programs on land consolidation and reclamation in the County.

Mr. Speaker sir, the Act on land consolidation was repealed and therefore rendered obsolete. In spite of this, the department will still encourage communities through public forums on the general importance of consolidation.

The department adopts the proposal on land reclamation, and the department is ready to facilitate other departments in line with the laid down procedures to map out and document all lands reclaimed.

3. Monitor and implement land use planning throughout the County.

Mr. Speaker sir, the department has taken this proposal seriously and officers (Planners and Surveyors) have been deployed to sub-counties. For example, we have a planners and surveyors taking care of planning and survey issues in the 6 sub counties. We have also enhanced the efficiency of the county planning unit by hiring the directors of survey and planning as per the national lands commission guidelines.

Additionally, the department has done a requisition for the employment of additional planners and surveys to cover and assist in the monitoring of land use activities within the county.

Motion Moved by Hon Julius Ng'otie on the need for the County Government to put in place the following preventive measures to safeguard the lives and properties of the people of Baringo attributable to fire disaster; Mr. Speaker I will beg that I will not go through the question because we were all hear when we were asking the question but I will go directly to the status of this report on the same that is what they have done concerning the request or the prayers.

Mr. Speaker sir, the department has already acquired a new fire machine for Kabarnet town that is at inspection stage and awaiting delivery. The machine has already been allocated registration number. The department is also in the process of acquiring one machine for Eldama ravine Town having been allocated budget for the same and it endeavors to lobby for more funding to be able to provide all urban areas with Modern Equipment for firefighting.

d) Concerning the proper prioritization of fire disaster preparedness program, the department, has acknowledged the importance of anchoring disaster preparedness in the various long term plans of the county. In this regard the department wishes to confirm that disaster risk and preparedness is among the programs in the CIDP, CIDP and has always featured in our annual budgets. For the past two years the department has been able to secure allocations that has enabled us to procure at least 2 fire equipment (work in Progress). The department is

committed to lobbying for more allocations to enhance this program and to include the human resource to run the sector.

Motion dated 19/7/2020 (Hon. Kipruto Kimosop MCA- Mochongoi Ward) on the encroachment into some parts of Baringo County particularly parts bordering Mukutani and Mochongoi wards by Laikipia County Government. We were all here when the motion was moved and I will not go to the status of the motion by Hon. Kipruto, that;

Mr. Speaker sir, a meeting was held on 8th August 2020 between the two Governments. H.E. Governors, MCA's, CEC's and CO's of Baringo and Laikipia around the border areas met and a resolution was made that the two Chief Officers of both counties take up the issue with their technical staff. Baringo County prepared their report still awaiting their counterparts to finalize on their report. A meeting is to be scheduled for the two counties to meet before a combined/final report is submitted to both Governors.

About Pending intervention by County Governments, Mr. Speaker sir, the department, has taken note of this advice and already advised our Surveyors to suspend any activity in the areas mentioned until such time when a solution is established. Pursuant to Article 188 of the Constitution as read together with part one of the fourth schedule, the National Government through IEBC with approval of the National Assembly and the Senate to undertake independent boundary review between Baringo and Laikipia Counties before the 2022 general elections.

Mr. Speaker sir, Implementation of article 188 as read together with part one of the fourth schedules is important. The department in liaison with relevant stakeholders, and when that time comes sufficient public participation will be conducted in order to ease the process of conducting Boundary review.

On Engagement all leaders, all leaders from both County Governments (Governors, MP's, Senators, MCA's) will be fully engaged with an aim of resolving the boundary conflict that might arise.

On Resolving all boundary disputes, Mr. Speaker sir, the department endeavors to resolve all boundary disputes bordering on the county as and when they arise. This will be achieved through engagement of multisector stakeholders and the communities in dispute. Reference to existing laws and procedures will be a guiding tool in this course.

Committee's Reports;

Mr. Speaker sir, the following are the implementation status/responses of the reports for the department of lands, Housing and Urban development; there is a table there Mr. Speaker sir showing adoption of a report moved by Hon. Ben Koech on Equator Village Polytechnic Land, there are several reports which were adopted, the land was surveyed and registered under equator Village polytechnic

Another adopted Report moved by Hon. Ben Koech, on vetting of the Board member Nominees to the special Municipality Kabarnet, they were vetted, appointed and they are currently in office. Another report dated 16/6/2020 was adopted moved by Hon. Benjamin

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

Koech, on the Local Physical Development Plans for various Markets it was approved by this House as per the approved plans, survey and beaconing of the local centers has already been initiated. Koriema and Chemolingot are examples.

Adopted/Passed House Resolutions under The Department of Agriculture, Livestock and Fisheries

Mr. Speaker sir, the following are the House Resolutions and the implementation status/responses under this Department.

A motion dated 10/07/2019 Motion moved by Hon. John Aengwo, MCA, Saimo Kipsaraman Ward on the need for the County Government to... I will not read all these but I will go to the status of the implementation.

Mr. Speaker sir, the Department of Agriculture, Livestock and Fisheries has a mandate to promote sustainable and competitive agricultural sector through creation of an enabling environment and provision of effective support services, sustainable natural resources management for enhanced food security, income and employment.

It's from the mandate that the department advocates for 10% forest cover as envisaged in the Agriculture (Farm Forestry) Rules, 2009, these intervention targets planting of appropriate trees and fruits in the agricultural land using appropriate technologies.

This will be achieved through;

- i) Support establishment of trees on farm forestry;
- ii) Adoption and promotion of high value fruit tree species such as avocado, mangoes and Macadamia for increasing tree cover;
- iii) County Governments to revitalizing the forest and Agricultural Extension services

Mr. Speaker sir, in the case of Public Gazetted and Community forest areas like Saimo Kipsaraman, Kabartonjo and other parts of the County which are under Kenya Forest Service (KFS), there was a moratorium which was given by the CS in charge of Environment and Forestry, Hon. Keriako Tobiko on the issue of logging activities and other forest related activities including farming.

Mr. Speaker sir, the moratorium was expected to last up to November 2018, but a Taskforce on Forest Resources management and logging activities was appointed by the CS vide Gazette notice No 28 dated 26th February, 2018 which recommended that "The PELIS (Plantation Establishment and Livelihood Improvement Scheme) system popularly known as Shamba system be progressively phased-out in a four year period and NO further PELIS areas should be opened. (See attached press statement given by the CS). And we can see this is already implemented because you can see in areas where there was maize plantation were told to be planting only potatoes maize this time round.

Given that the task Force recommended far reaching recommendations, the Departments of Agriculture and Forestry are currently working closely in implementation of the Agriculture

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

(Farm Forestry) Rules, 2009 as indicated above.

Adopted/Passed House Resolutions under the Department of Environment, Natural Resource, Mining, Tourism & Wildlife Management

Mr. Speaker sir, the following are the House Resolutions and the implementation status/responses of this department. Status of implementation of Lake Kamnarok National Reserve taskforce adopted on 20th November, 2019.

Mr. Speaker sir, Lake Kamnarok National Reserve is situated on the floor of the Kerio Valley in Barwessa Ward of Baringo North sub-county along the Kerio River at the boundary of Baringo County and Elgeiyo Marakwet County. The Reserve lies between longitudes 35° 28' and 35° 36' East and Latitudes 0° 13' and 1° 10' South in the former Rift Valley Province and is about 25 km North of Oinomoi to the southern end of the Lake Kamnarok National Reserve junction on the main Iten/Kabarnet highway.

The Lake Kamnarok National Reserve covers a total area of 87.7 km², with fresh water Oxbow Lake covering a maximum area of 6km² although this fluctuates with seasons. The Lake was formed in 1961 as a result of the Kerio River changing its course, therefore forming an oxbow Lake. The dramatic event of its formation saw people living in the area being evacuated in order to save lives. Mr. Speaker those are just introductory information and Hon. Members can go through, let me go direct to the recommendations of the Taskforce.

Mr. Speaker Sir, the following are the recommendations made by the Lake Kamnarok National Reserve Task force and their subsequent status of implementation.

The Taskforce established that there are two legal notices. The declaration of Kapluk Land Adjudication section of 1980 and the 1983 Lake Kamnarok National Reserve Gazettement. It is clear that there is an overlap. These are two legal notices contradicting. Two options can be considered; either, the gazetted boundary remains as proposed by the community during public hearing in Kaptilomwo and Keturwo Sub Locations and thus electric fencing be considered. The County Government and the KWS to thus recognize and adequately compensate the affected people in Muchukwo and Katibel Sub-Locations whose land had been demarcated; OR, the area under the overlap occasioned by the two contradicting legal notices be excised from the Lake Kamnarok National Reserve.

Status of implementation

The Reserve boundary remains as per boundary plan no. 216/47 which was signed, sealed and deposited copy to survey of Kenya Nairobi and the letter dated 16th January 2009 Ref: 958-9045 from the office of the deputy prime minister and ministry of local government which didn't recommend reduction of the land or degazette of part of Lake Kamnarok National Reserve.

The National Government and the Baringo County Government should take cognizant that by the time 1983 gazette was done, Kapluk adjudication section had been declared in 1980.

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

The affected land owners are recommended for compensation both those with land registration numbers and those without lands registration numbers.

Status of implementation;

The Adjudication of land is not limited to private land and public utility. Therefore the Kapluk adjudication did not exempt the reserve. The National Reserve is the land within the adjudicated area. Hence the County will not compensate since there is human encroachment inside the reserve.

Communities across the sub locations recommended that there is need for them to benefit from the proceeds of the National Reserve, it is our recommendation therefore that the County government to provide priority employment opportunities and revenue sharing mechanism that supports individual and community activities, and enable limited resource access for communities adjacent to the National Reserve. This includes allocating an agreed per centum of the annual revenue collected from the Reserve to the Community as grants for communally agreed projects as proposed by the members during the public hearings.

Status of implementation

The County does not collect revenue from the reserve but intends to adopt the benefits sharing mechanism being used in Lake Bogoria national reserve when the reserve picks up. The County continues supporting community through ward fund and Collection from other tourist sites such as Lake Bogoria national reserve and Lake Baringo conservation area. The staffers who are working at Lake Kamnarok national reserve are employees of the County and they come from Barwessa ward neighboring the Reserve.

It was found out that, there are a number of individuals and public facilities that are located within the boundaries of the gazetted area of the National reserve. The estimated number of landowners as at 14th June 1983 was about 1,000 households; therefore it was recommended that the County government to carry out an audit and verification exercise to establish the accuracy.

Status of implementation

The County with the support of KWS has marked the boundary reserve and carried out EIA for purposes of fencing in August, 2020 and the Ministry of Tourism and Wildlife allocated Kshs. 20 million through KWS for fencing. During the gazette, a period of 60 days was provided for any objection, and where NONE objected the gazette of the reserve.

That public facilities such as schools and shopping centers be relocated outside the boundaries of the gazetted area and also the County Government, Kenya Wildlife Service and Baringo North CDF office to allocate funds to purchase and build the schools that will be affected by the relocation.

Status of implementation

The County has identified three schools namely Lake Kamnarok Primary school, Turuturu primary school and Cheptigit primary school, one church (Kamnarok full gospel church) and

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

a shopping Centre next to the lake. The KWS has promised to relocate them outside the Reserve if the community identifies where they should be built.

The County and National Governments to develop Lake Kamnarok National Reserve under an agreed named Integrated Management and Development plan and to involve community in decision-making processes. Development projects within the protected areas to be carried out in accordance with sustainability criteria and Environmental Impact Assessment reports.

Status of implementation

The County has set a working system on the management of the national reserves within its jurisdiction. The Lake Kamnarok National Reserve Integrated Management and Development Plan will be participatory during preparation and implementation. Second Edition for Lake Bogoria, First Edition for Lake Baringo and First Edition for Lake Kamnarok Respectively.

Conduct civic education programs to expose, sensitize and capacity build the local community on the existing legislations on land, environment, wildlife, community Conservancies and tourism for enhanced peaceful human-wildlife coexistence.

Status of implementation

This exercise on Civic education is Ongoing and working closely with KWS and Provincial administration on awareness and sensitization programs.

The county government to conduct a mapping exercise of the biodiversity of the various habitats in the reserve to identify threat spots, buffer-zone, wildlife migratory and dispersal areas. This exercise to focus on protection and preservation of the original area characteristics through trans-location of original wildlife e.g. The Baringo Giraffe, Buffaloes and Rhino.

Status of implementation

The County through its routine management and operation in the reserve work closely with KWS and ElkeyoMarakwet county on management of the Twins reserve Lake Kamnarok and Rimoi Reserve because it is one ecosystem and Zoned some areas such as kiptilit gully as fragile , lake Kamnarok as threatened Chemoso-Kuikui as migratory route.

To minimize human-wildlife conflict within the gazetted area, it was recommended that the community and Security enforcement agencies stop any human activities that degrades the environment and its biodiversity. Department of Environment to carry out rehabilitation of the degraded gullies, reseed bare land and develop long term programs that will reinstate the environment to almost its original state.

Status of implementation

The County has posted two rangers recently to work closely with KWS personnel and provincial administration to address human wildlife conflict and security. The County through the department of environment, tourism and wildlife has continuously rehabilitated gullies within the reserve with the support of the community.

During the Taskforce exercise, it was found out that the area within and outside the gazetted lands has been degraded by massive soil erosion due to over grazing and wanton destruction

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

of the vegetation, it is our recommendation therefore that the County Government move in with speed to construct dams within the National Reserve and outside to check water runoff speed and provide water. It was recommended that at least one dam per each sub location on inside and outside the gazetted boundaries and piped to nearby households.

Status of implementation

The County with other stakeholders has held barazas to address the issues of wanton destruction of vegetation. The County through the department of livestock has carried out campaigns and sensitization of farmers for the need to upgrade livestock.

The County through the Department of Water has continuously provided clean water and construction of dams outside the reserve. The reserve has some water bodies which are enough for wildlife if human activities are stopped.

The County and National Governments to develop Lake Kamnarok National Reserve Management by constructing tarmac roads from the Kapkokwon-Muchukwo and the Oinmoi – Barwessa that gives access to the Lake for tourists to begin visiting the Lake. Identify Gates for construction and construct roads in and out of the National Reserve.

Status of implementation

The national government has completed the tarmac Oinmoi -Barwessa road and the County has identified two roads to be opened and developed Turuturu road and Chemoso Road. The County Government and KWS to immediately employ the locals as wildlife scouts and security as well as those who are going to manage the gates as clerks. The locals also to be encouraged to form groups that will be guiding the tourists visiting the National Reserve.

Status of implementation

The County government will employ locals as wildlife scouts/rangers when vacancy arises.

The County Government and National Government through Ministry of Lands, settlement and urban development to work speedily in processing of title deeds for all the lands that have been surveyed outside the Lake Kamnarok National Reserve gazetted area and be issued with their Title Deeds so that they benefit from any meaningful development, especially that of attracting investors who would like to put up Hotels and Lodges along the National Reserve.

Status of implementation

The County through department of lands has started the process of demarcation starting from trading centers within Barwessa ward.

Adopted/Passed House Resolutions under the Department of Trade and Co-Operative Development

Mr. Speaker Sir, below are the House resolutions and their subsequent implementation status under this department

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

A report for joint committee dated 28/11/2019 - Adopted report of the Joint committee on Delegated County Legislation and trade, Tourism and Co-operatives on the Baringo County Co-operative Development Fund regulations, 2019

Status of implementation

Mr. Speaker Sir, Baringo County Co-operative Development Fund regulations were passed by the Baringo County Assembly on 28/11/2019, the Fund management committee members were gazetted on 28/02/2020 and regulations taken to Government printer Nairobi to be printed. Follow up is being done by the department.

Fund Committee were inaugurated and inducted on 18/05/2020 in a meeting that was held at Koriema Resort. It was resolved that loan recoveries from Fund beneficiaries be enhanced. Due to COVID 19 pandemic, disbursement of existing funds in the account was postponed till further notice. There was a government directive that public gathering to be avoided. This affected convening of Annual and Special General Meetings whereby members could pass resolutions to apply for the Fund loans,

Mr. Speaker Sir, Ksh.4,690,558.20 was in the Fund account at the close of the Financial Year on 30/06/2020, Revival of dormant Co-operative Societies and registration of new Co-operative Societies is going on.

Mr. Speaker another report dated 28/11/2019 - (2:30PM) - Adopted report of the Joint committee on Delegated County Legislation and trade, Tourism and Co-operatives on the Baringo County Small and Medium Enterprises Fund regulations, 2019

Status of implementation

Mr. Speaker Sir, Baringo County Small and medium Enterprises Fund regulations were passed by the Baringo County Assembly on 28/11/2019,

The Fund management committee members were gazetted on 28/02/2020 and the regulations taken to Government printer Nairobi to be printed. Follow up is being done by the department. Fund Committee was inaugurated and inducted on 16/05/2020 in a meeting that was held at Koriema Resort. It was resolved that loan recoveries from Fund beneficiaries be enhanced.

Bill;

A Bill dated 29/7/2020 –Baringo County Economic Development Corporation Bill, 2019.

Mr. Speaker Sir, the Bill has been accented to by the Governor and forwarded back to the assembly for gazette. The County assembly has already submitted the assented Bill to the government printer for publishing/gazette.

Adopted/Passed House Resolutions under the Department of Transport, Infrastructure and Public Works

Mr. Speaker Sir, the following are House Resolutions for and their status of implementation/responses under the department of Transport, Infrastructure and Public Works. I will not repeat the motion Mr. Speaker because it is something which is still fresh in

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

our minds, that the Motion by Hon Eunice Kakerel on the proposed actions to be taken to alleviate pedestrians, motor vehicle and motorbikes accidents.

Status of Implementation

Mr. Speaker Sir, the department endeavors to engage County enforcement unit and undertake sensitization of 'bodaboda' riders to avoid frequent clashing with other stakeholders.

That no motorbike rider will be allowed to operate without proof of proper training and license to ride motor cycles on the road.

Status of Implementation

It's enforcement will be done by NTSA.

That no motor cycle rider should carry luggage on motor bikes in a manner that is likely to endanger other road users,

Status of Implementation

This will be enforced by the NTSA and the County enforcement unit to ensure road safety.

That all 'bodaboda' operators should put on reflector jackets... the Status of Implementation of this one is that, the measures outlined in the prayers will be enforced by both the NTSA and the County enforcement unit.

That the County government will work with the relevant institutions to organize for training and sensitization programs regularly. That the department of co-operatives and trade will work with the SACCOs of the 'bodaboda' operators on the issue of loans so as to motivate and empower the youth involved in this sector in general.

That the County government through the relevant departments should set aside a funding provision for training and paying license for 'bodaboda' operators at times.

Status of Implementation

Mr. Speaker Sir, A Bill will be drafted after wide consultation with relevant institutions and the stakeholders for setting of all the necessary laws that will provide possible implementation of proper control of the 'bodaboda' by the County Government and to ensure collection of revenue from the businesses.

Another Motion by Hon. Cornelius Cheruiyot MCA, Maji Mazuri Mumberes Ward on 20th February 2019 on institution of road marks to curb serious incidents of accidents.

Mr. Speaker sir, the prayers of this motion and their status of implementation are as follows:

- a) Ensure that the strategic crossing points on all the roads are identified. Mr. Speaker Sir, the department will undertake this exercise on the County roads during Annual Road Inventory Conditional Survey (ARICS) so as to identify the crossing points. As for the national roads, we shall work with the relevant roads agencies and recommend remedial action.

[The Speaker (Hon. Kiplagat) left the Chair]

[The Deputy Speaker (Hon. Cheboiwo) took the Chair]

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

- b) Ensuring that all identified strategic crossing points be clearly marked as the designated crossing levels throughout the County considering schools along the roads. Mr. Speaker sir, once the survey is completed, the department will work with other stakeholders, including local communities to allocate resources for the recommended remedial works.
- c) In putting in place clear signage to the above effect, Mr. Speaker sir, the Signage, markings and in some instances footbridges will be recommended depending on the traffic density and the available resources.
- d) In Ensuring that the Department of Transport and Infrastructure do undertake routine monitoring and maintenance of the designated crossing levels and signage. Mr. Speaker sir, routine monitoring and maintenance will be undertaken during Annual Road Inventory Conditional Survey (ARICS) and recommended actions forwarded for resource allocation in the subsequent financial years.

Finally, the committee general recommendations;

- 1 THAT, the Committee recommends to make its reports on the status of implementation of House Resolutions after every two months to avoid a huge backlog on un-responded to/ non-Implemented resolutions
- 2 THAT, the Committee to constantly engage in serious and meaningful Consultative meetings with the CECMs in a bid to speed up timely implementation of House resolutions.
- 3 THAT, stock taking on the number of passed/Adopted House Resolutions having financial/Budgetary implications be done so as to advice relevant departments to consider allocating funds in the subsequent Budgets to facilitate and speed up implementation of House resolutions with financial implications
- 4 THAT, the Committee on implementation to make regular site/field visits to assess the extent of implementation of projects relating to the motions passed at the floor of the House so as to make its reports factual as opposed to relying wholly on unrealistic and office generated reports by the CECMs.
- 5 THAT, the committee endeavors to rate the performance of CECs in relation to the number of House resolutions /Projects implemented, policies/ Bills generated and the percentage of rollovers in their departments. Mr. Speaker sir in the next two weeks we will be tabling a report and in this report we will be able to demonstrate to this House those departments which we have not mention hear but in that report we will be mentioning as per there activities on resolutions passed here and the Bills generated and other activities.
- 6 THAT, the Honourable Members of County Assembly be advised to legislate within the purview/mandate of the County Government for ease of Implementation of House resolutions as provided for in Article 186(3) and 187(2b) of the Constitution of Kenya 2010.
- 7 THAT, drafting of motions be guided by the principles of Standing Order No.46(2) and 3(f) respectively which stipulates that, before giving notice of Motion, the Member shall deliver to the Clerk a copy of the proposed Motion in writing and signed by the Member; and the Clerk shall submit the proposed Motion to the Speaker.

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

- (3) If the Speaker is of the opinion that any proposed Motion,
- (f) calls for the commitment of public funds for which no provision is made in the current Annual Estimates as adopted by the County Assembly, the Speaker may direct either that the Motion is inadmissible or that notice of it cannot be given without such alteration as the Speaker may approve or that the Motion be referred to the Relevant Committee of the House, pursuant to Article 114(2) of the Constitution.
- 8 THAT, the Sectoral committees to play proactive role in overseeing their respective departmental CECMs to curb rollovers.
- 9 THAT, a meaningful and productive capacity building be done to the Hon members of County Assembly and the staff of both County Assembly and the Executive in order to enhance their capacities and insight to enable them execute their duties with expertise particularly on matters of Implementation, procedure, parliamentary practices and legislative services.

Mr. Speaker you will notice that in our report we have not included the finance committee report which was very vital but it was through some technicalities that I told you earlier where in some cases some departments we could not access such reports and it was real headache and one of this was the department of Finance.

Conclusion;

Mr. Speaker Sir, in the spirit of renewed vigor by the County Assembly Committees to work towards achieving their oversight mandate, it is now my prayer that all Committees be supported with requisite resources and enabling environment in order to achieve their constitutional mandate.

Mr. Speaker Sir, I wish to call my member Hon. Eng. Lemlem to second thank you.

Hon. Lemlem: Seconded.

(Question proposed)

The Deputy Speaker (Hon. Cheboiwo): Debate is open. Hon Elizabeth.

Hon. Elizabeth: Thank you Mr. Speaker I thank the committee for implementation because if we pass motions in this House and they are not implemented it means we are not doing anything but I want to thank the chairman and the members for the good work that they have done and I want to support this motion in the recommendation number one the chairman and the members recommended that the committee to make its reports on the status of implementation of House resolution after every three months to avoid a huge back log and non response to non implemented reports.

Mr. speaker if the committee will adhere to the recommendation number one and they do follow up after every two months most of the reports will be implemented because they will be doing real oversight. I also want to support point number four that the committee to make regular site field visit to assess the extent of implementation of projects relating to the motion

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

passed at the floor of the House so as to make its reports factual as opposed to relying only on unrealistic and official reports generated by the CEC.

Mr. Speaker I support this point because we can be having very good reports on paperwork but if the committee will commit to go to field visit we will realize the implementation of all the motions which we have passed at the floor of the House. I support it and I want to urge the members of the committee to implement on the recommendations that they have brought to this House.

I want to congratulate all the members and I wish that other members would bring their resolutions like the implementation committee thank you I support.

The Deputy Speaker (Hon. Cheboiwo): Thank you Hon. Elizabeth, Hon. Francisca Cheburet.

Hon. Francisca Cheburet: Hon speaker I arise to support these report by the implementation committee and I want to applaud the committee because of the work done. I think this is the committee that other committees have been pestering that they are not doing their work according to this detailed report I think today we should give this committee credit I am so happy to note that this is like an assessment of what we have been doing as an assembly our contribution and the representation that we have been bringing to this House.

I noted with great concern that most of the resolutions that have been brought to this House have been dealt with and the only thing that I would have wished the committee will have given is the number of resolutions that have already been passed and adopted because according to the report I have not seen the report brought by public accounts and investment committee yet there are those parts that was quoted that the implementation committee should take action.

Concerning the motion moved by the Hon. Speaker on the equipments and the materials for PP1 and PP2 I noted that there is a point saying that the materials are kept in a cereals Board.

The Deputy Speaker (Hon. Cheboiwo): Hon. Ngotie should get the information because it's a question.

Hon. Francisca Cheburet: are they kept with the Maize?

The Deputy Speaker (Hon. Cheboiwo): What is it Hon Elizabeth?

Hon. Elizabeth: Thank you I think the concern of Hon Francisca has been dealt with the Hon. Governor launched two weeks ago.

The Deputy Speaker (Hon. Cheboiwo): Hon Elizabeth you are out of order the member was asking the storage of the books if they are stored in the cereals board the mover will reply.

Hon. Francisca Cheburet: The Motion is moved by the Implementation Committee and I didn't see the name of Hon. Elizabeth. On page 24 I was quoting on the point that on 2019/2020 the department procured curriculum designs syllabus books for PP1 and PP2 and text books for PP2 for all the 1045 centers in the county at a cost of 4.5M from Kenya literature bureau the books are currently stored at the NCPB stores in kabarnet awaiting delivery so I was wondering if our library books are also kept with the maize I think it the committee chair should give us a response.

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

I want to appreciate the committee recommendations they are very good and the first point where the committee recommends to have its reports on the status of implementation of house resolution to avoid a huge back log. I appreciate that the more these reports stay some of them will not be implemented or some will be overtaken by events, I was looking at the Motion that was moved by Hon. Elizabeth concerning the students who are brilliant in school and I looked at another Bill proposed by education committee proposing that bursaries should not be given at county level because they are also given at the national level if you look at the two they are contradicting so I want to believe if the implementation committee will give reports it will guide in preparing Bills and other documents in these House.

The committee has put itself on the limelight by stating that they will support this House and ensure that regular site visits are made and I want to applaud them for this I am one of the member in the public accounts and investment committee and we noted that every time we go for public hearings the members who will give you other stories and the CEC will give you different stories. There is a case we went to ECDE in ravine Milimani and we noted that no construction had been done but according to the CECs and according to the public they were saying that the ECDE had been built, if we dint go to that place and noted that there was no building we could be depending on what the CEC said and some of them don't even know where some of these projects are in the county and I want to encourage the team on implementation that before you call for any hearing go to the site and fact find so that you use the same to pin anyone who tries to give false information.

I want to applaud this committee and I would wish if the chair and the committee would give us the number of resolutions that we have passed in this House, the number of Bills and those which have been adopted and I want to appreciate the committee they have done a good job I support the report.

The Deputy Speaker (Hon. Cheboiwo): Thank you Hon Francisca Cheburet, Hon. Kebut MCA Ewalel Chap Chap.

Hon. Kebut: Thank you Mr. Speaker, I want to thank the committee for coming up with such a detailed report and most appreciation goes to the chair who has taken his time to go through this voluminous document Mr. speaker I think this document is an eye opener and it gives us an opportunity to check on areas where we have a problem.

Trough the challenges that the committee pointed out on page 9; There is a general laxity and unnecessary delay in submission of response on implementation status of House resolutions by the executive. I think this is an area where all of us need to look into and its unfortunate that we don't have a report or the resolutions that were passed in these House especially the committee on finance and economic planning where I chair we have come up with several resolutions and for your information some of those resolutions have not been implemented and generally this committee is the key department which gives services to all these other departments.

Mr. Speaker most of our recommendations guides other departments and I would request the chair to still ask for those resolutions from the department because that is a key department.

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

Mr. Speaker In this recommendation I have also not seen the one for water which is also a key department, they need to report back so that we can see the areas that... because water is also an area that is very important resource or very important in our lives and we need to know recommendations or motions which were passed in this House in that department whether they are implementing or not.

Mr. Speaker when other motions like for example this one for 'bodaboda' as we invest with the other stakeholders like the NTSA we also need to look in to... we need to have return on our investment like for example Mr. Speaker it is unfortunate we invest a lot in the bodaboda sector but in return we don't get anything Mr. Speaker especially revenue.

And we have come up with several recommendations so as we invest we also need to look on the return on our investments, we can collect a lot in the department and the revenue Mr. Speaker sir is actually captured in Finance Bill or Act especially for 2018 and it was also captured in 2019 Finance Act.

It is only implementation the department is supposed to collect revenue so they need to report to this House why they are not collecting revenue. Finally Mr. Speaker sir I want to say that the recommendations are very good and only to encourage and if you look at most of our recommendations we actually encourage the sectorial committees to follow up on most of these things.

The oversight role which we are given to do or the mandate which we have in this House as elected and nominated Members, we are not doing our oversight role well Mr. Speaker so we need to move very fast so that we can curb this issue of roll over.

Otherwise if we continue like this like for example we are now in the eighth month of this year and if you check in all the departments they have not given even one contract to mean we might roll over all the projects for this year.

So it is an issue Mr. Speaker, we have interacted with most of this sectorial committees Mr. Speaker, it is a concern which needs all of us to rise up and move very fast so that we can at least assist the citizens of Baringo.

In conclusion Mr. Speaker sir, I support the report and I encourage the department to come up or the implementation committee to check on all other resolutions and bring to this House so that we can go through as a House. Thank you.

The Deputy Speaker (Hon. Cheboiwo): Thank you Hon. Kebut. Yes Hon. Lemlem.

Hon. Lemlem: Thank you Mr. Speaker for the opportunity I just wanted to add a few issues on the report. I am a Member of the implementation committee and this is a good work that my fellow colleagues and myself have done.

Mr. Speaker implementation is key because it is only through implementation that we get results and its only through the results that we get lessons whether we are moving in the right direction or we are moving in a wrong direction.

Mr. Speaker the implementation committee serves as a mirror that creates a reflection of what the House has discussed and passed, today while the chairman was reading through I was to

reflect back just to see what we have done since we came to this House and there are so many wonderful resolutions that we had passed so this is a very key committee helps us to reflect and to look forward on the things that has been done and those which have not been done.

Mr. Speaker the resolution of doing this reflection and doing these reports the recommendations of bringing this report on every two months will put us in to perspective and speed and I fully support my chairman and the committee on that because Mr. Speaker it will help us to fast track challenges and cure them within the time.

Again Mr. Speaker I want to stress on point number five where the committee are now recommending that we rank departments based on how they are implementing their House resolutions, this can also be extended to sectorial committees so that... you know in Africa we are conditioned if you say we are ranking people today everyone will want to be number one.

Everyone wants to be at least among the top , this will create awareness and will spark the need for people to work hard and it will also help the common mwananchi when the committee on implementation produces a list of well performing departments and reasons why we ranked them just the way info truck normally ranks who is likely to be the next president.

So when we rank which department has passed well in terms of resolutions everyone will wake up and that might give us a new perspective especially now that we have ran in to a lot of challenges in this County.

We are known, I don't want to be the private of doom but likely this Government that we are serving might get a record of roll overs, we are starring at a reality whereby by 2022 if we don't pull up our socks if we don't push the executive we might roll over all the money which should have gone to service to mwananchi.

Mr. Speaker and it should be in the public domain that the role of the Assembly is only three to legislate, we oversight and represent the views of our people at no point do we share a blame of implementation.

We pass our budgets on record time we have done anything humanly possible for the executive to perform including even inviting them to our committee rooms trying to shape them telling them do this so that we can move forward, now and then we are dragged in to meetings I want just to go on record that we will be dragged in to meetings like the one that we were called on Monday to go and discuss why things are not moving forward.

We went there provided solutions, proposals but again they are saying that the executive are not providing tangible reasons, I mean even if you present to the Hon. Member for Marigat that you have not done the cattle dip well so what? He should be telling me he has not done this well and he is going to do it the following week better.

Mr. Speaker again it is high time we stand on the resolutions of the House and I call upon the Hon. House after we pass this recommendation of the department of implementation stand with us on disciplining anyone who is not ready to implement the resolutions of this House because that is sabotage.

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

Hon. Members have debated here we have been paid tax payers money and the executive sleeps with it without even giving a polite reason why it is not possible to be implemented. Without even giving timelines, you can imagine the books for ECD was stored in maize store, how low have we degenerated as a County?

(Laughter)

That's laughable such acts should be revisited by this House so that the heads of the various departments should be put in to various perspectives and our focus going forward should shift from meetings and excuses to results, no results then you face a disciplinary action otherwise I support the report. Thank you.

The Deputy Speaker (Hon. Cheboiwo): Thank you Hon. Engineer Lemlem, another Member. So I can give it to the majority leader so that next will be the mover to reply. Yes Hon. Majority Leader.

Hon. Leparsalaach (Deputy Majority Leader): Thank you so much Mr. Speaker sir, I also rise to give my views on this report and first and foremost I support the report and congratulate the committee for coming up with a good report and good recommendations Mr. Speaker sir.

Let me start by pointing some areas that I thought they did not do very well, if you go to page 50 Mr. Speaker sir on a motion raised by Hon. Cornelius. Mr. Speaker sir to me it looks like they have just given an answer what is appearing there is just an answer to the questions raised by the Hon. Member but not really the status of their findings.

Because I thought if it was the case of signage's I thought they would have said that road that crosses to a certain school has been marked and the zebra crossing is already there or in two months' time it would be implemented or the signage's would be appearing there.

But if you see the answers there it is just as they were provided by the department when the answer was being asked however Mr. Speaker sir the recommendations are very good if only we can follow and make sure that whatever is appearing in this report is actually practiced then we will be able somehow to redeem the bad image of the Assembly and of the Government of the day especially Mr. Speaker sir recommendation number one.

If the Members would be able to give us a report in two months which I don't think it will be attainable the chairman of the committee you have given yourself a very high standard which I do not think you will actually fulfill but if you will then you will have done wonders.

All over reports are of two months are normally unattainable so you will have broken a record if you do as you have put in this recommendation. Mr. Speaker sir recommendation number five is also very nice and we should also rate ourselves.

We should also rate the sectorial committees in this Assembly not only the CECs because we also contribute a good performing committee in the Assembly will also put an input to that department and the CEC would be able to perform better.

Disclaimer: The original copy of this Hansard can be obtained from the Clerk, Baringo County Assembly

So Mr. Speaker sir the committee should also rate the sectorial committees on their undertakings and the reports that they give in this House then it will contribute positively to what we do in this Assembly.

Mr. Speaker sir another issue, many a times we go for report writing but the reports that are generated end up in the shelves but they don't reach this House, I think it is the duty of the committee on implementation to make sure that whenever committees goes out for report writing then they must avail that report in this Assembly.

Mr. Speaker it will be accountable to whatever we spend during that time and it is a tax payers' money so we must actually give a report. Otherwise Mr. Speaker sir I congratulate the committee for the work well done many a time we complain about the implementation committee but this time round they have proved themselves that they are capable of doing the work as stipulated under our standing orders. Thank you so much I support the report.

The Deputy Speaker (Hon. Cheboiwo): Thank you Hon. Majority leader. I now call upon the mover of the motion.

Hon. Ngotie: Thank you Mr. Speaker sir I want to take this opportunity to thank the Members who have stayed with us during all this session, Mr. Speaker reading such a report sometimes might be boring especially to those Members who are listening and I want to salute you because you took your time patiently waiting to go through this and all the good things you have said about our committee we don't take them for granted we really appreciate.

Hon. Fransisca what you have said will really give us a boost of the work we will be doing and I want to sincerely say thank you for those other things. Also I take positively other things that we didn't do well and we promise that we are going to do something in the next report and I agree with the Majority leader on that question that the report which is here is exactly what the answer was and we apologize for such small things which we are going to rectify next time.

Concerning why the books were kept at the cereals board we also didn't take it lightly but they told us that they kept there because that area is safe and it is also because they don't have rodents there so it was a safe place.

They have been delivered and distributed the items, it actually not something good but we bear with them otherwise thank you and I promise that being the chairman of this committee we will deliver another report and mostly the one for finance is in that report.

Finance department delayed us and they gave us the report one day to reporting on the report writing and we could not include it here. So in the next one it shall be there. Thank you and God bless you.

The Deputy Speaker (Hon. Cheboiwo): Thank you Hon. Chair of Implementation Committee.

(Question put and agreed to)

ADJOURNMENT

Before I adjourn the House I want to make some few comments one is that the chair education and the Members of education follow the issue on the report of the storage of the books and make sure that it is done as it is supposed to be. We have the various polytechnics we have the ECDs we have the offices and the books should be stored at the right places.

Secondly is that the rating of the committees should be done by the speakers panel and the house business committee so that we see what is happening with the committees. Finally is that all the committees upon seeing the report from the implementation committee which is a very good report all the committees should now embark on inviting and summoning their executive side so that we get the results in time on what is happening in the various committees and departments.

Order Members. There being no other business I now adjourn the House until today at 2.30pm.

The House rose at 12.10pm.