

# BARINGO COUNTY ASSEMBLY

## THE HANSARD

The House met on 10<sup>th</sup> March 2021 at 2:35PM

The Temporary Speaker (Hon. Tarus) In Chair

### PRAYER

**The Temporary Speaker** (Hon. Tarus): Okay Hon. Members welcome to this afternoon session, Clerk!

### NOTICE OF MOTION

#### ESTABLISHMENT OF PUBLIC CEMETERIES IN THE SIX SUB-COUNTIES

**The Temporary Speaker** (Hon. Tarus): Thank you Hon. Members we have a notice of motion by Hon. Elizabeth Kipsang MCA Baringo County... Hon. Elizabeth... Okay in her absence Hon. Joseph Leparsalaach the Deputy Majority Leader proceed.

**Hon. Leparsalaach:** Thank you so much Mr. Speaker sir, on behalf of Hon. Elizabeth Kipsang I rise to give a notice of motion. Aware that Art.185(2) and 186(1) of the Constitution of Kenya vests legislative authority in the County Assembly and that it may make laws that are necessary and incidental for the effective performance of the functions of the County Government; Further aware that, the County Health Services function including cemeteries, Funeral parlous and crematoria is devolved function in accordance with Part II of the fourth schedule to the Constitution of Kenya;

Acknowledging that, the Constitution of Kenya further embraces customs/ ultural beliefs including Kenyan Traditional burial rites/ceremonies which are largely emotive in nature but significant in equal measure; Concerned that, the Public Health Act Cap 242 and the land Act of 2012 of the laws of Kenya among other laws do not adequately provide for legal provision that govern the allocation/ planning of cemeteries in Kenya;

Recognizing that burial ceremonies are conducted as the last respect of the dead and they serve to bring closure to the deceased's family; Further concerned that, cemeteries are large burial grounds set aside for interment of the dead within the society and that the capacity of the public cemeteries may not meet the growing demand owing to increased urban population, encroachment of cemeteries due to landlessness among people;

Now therefore this motion urges the County Government to:

1. Allocate public cemeteries to all the six Sub-Counties of Baringo County and clearly demarcate/ zone areas meant for Muslims and Christians;
2. Ascertain/ determine the boundaries of all public cemeteries within the County, fence off to avoid encroachment and pursue grabbed parcels meant for public cemeteries;
3. Establish the size/acreage of all public cemeteries in Baringo County and issue a title/ ownership documents for all existing public cemeteries respectively.

I beg to give notice Mr. Speaker sir.

**The Temporary Speaker** (Hon. Tarus): Thank you for the Notice of Motion, I now refer this notice to the House Business Committee for allocation of time.

### **ADJOURNMENT**

Now that we have no more business in the order paper and Hon. Lemlem said he had something or we defer till further notice... Okay thank you. Now that we are done with what was in the order paper...

Order Members! The House stands adjourned till tomorrow that is on Thursday 2:30pm

The House rose at 2:43PM