

COUNTY ASSEMBLY OF NAKURU**THE HANSARD****Wednesday 5th August, 2015***Assembly Building**The House met at 2.45pm**[The Deputy Speaker (Hon. James Tuei) in the Chair]***PRAYERS****COMMUNICATION FROM THE CHAIR****-DEPUTY PRESIDENT'S VISIT TO THE COUNTY****-VISITORS FROM THE COUNTY ASSEMBLY OF LAIKIPIA**

The Deputy Speaker (Hon. James Tuei): Thank you honourable Members, welcome once again and I would like to remind you of our visitor; we will be having His Excellency the Deputy President this Friday in our County presiding in a *harambee* at Kaplamai Secondary School in Amalo ward at 10.00am, at around 12.00 noon he will go Kiptagich; that is my ward and preside another *aharambee* and thereafter go to Keringet; that is Hon. Serem's ward and I believe that would be the end of his visit to this County on that particular day. You are all welcome and are free to choose which place to start with. On behalf of the Speaker, the Executive and the MCAs for Amalo and Keringet, I welcome you all.

Another communication honourable Members is that we will be having visitors tomorrow from the County Assembly of Laikipia and I request you to be punctual and you observe decorum because our guests will be observing everything.

Another communication is that pursuant to Standing Order 43 (2), the Committee of The Whole House shall take precedence over the other Business of the House today because we have quite a number of Businesses pending for example the Bills and would like we all start from the Committee of The Whole House and thereafter we will proceed on with the normal Business of the day, thank you.

(Then)**COMMITTEE OF THE WHOLE HOUSE***(Order for the Committee read)**[The Deputy Speaker (Hon. James Tuei) left the Chair]***IN THE COMMITTEE OF THE WHOLE HOUSE***[The Chairperson (Hon. Eunice Muriithi) took the Chair]***NAKURU COUNTY PUBLIC PARTICIPATION BILL**

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(Resumption of debate interrupted on 23.7.2015 afternoon)

Hon. Michael Ngeshu: Thank you Madam Chairperson, with your indulgence Madam Chair, I seek some clarification; we are not allowed to have any strangers in the House and honourable Janet has just confirmed to me that she is expectant and would like to know whether she should be allowed in this House because she is bringing in a stranger Madam Chairperson.

The Chairperson (Hon. Eunice Muriithi): Honourable Member you are out of order! We cannot discuss it here because as far as women are concerned we will say “*haki yetu*”. It is a biological condition and we cannot debate about that. You are out of order!

Members thank you very much, remember in our Order Paper we still have a Motion to discuss but we are going to start by going through the Bill. You remember we had this Bill before; that is the Public Participation Bill which we left at clause 10 so we will now go to clause 11. Who is making amendment on this Bill, honourable Kareu, the Vice Chair of that Committee? And honourable Kamau get out of the House and you may come back when you are in decorum.

And Member you should be aware that the BVR will not be registering until after some time because we have some Members who just come in, register and leave the House!

Hon. Peter Palang’a: Thank you Madam Chairperson, I just want to reiterate that as Members of this House our dignity is continuously being eroded and being put in jeopardy by some of the Members here and because we are lumped together as MCAs, this House needs to take punitive measures on some of our fellow MCAs. Even some of us are afraid to identify ourselves as MCAs because of what other Members are doing. This is not good and it has been continuing and we seem not to be taking stern actions as a House for us to revert to the respect that we deserve from the community and even amongst ourselves, thank you.

The Chairperson (Hon. Eunice Muriithi): Thank you very much honourable Palang’a, I think it is very clear that the dignity of this House must be upheld. We all know the rules and regulations of this House, we have our Standing Orders and being members of the society we should restrain from wrong doings. We have various Committees that are charged with discipline issues and should there be a Member that anybody thinks is not upholding our dignity out there, kindly come and report it to the relevant Committee and I believe it will be taken care of, and remember Chapter six of the Constitution is very clear about our integrity and when we find out that the same is being challenged then we are going to get ourselves in a lot of trouble, so Members be your brothers’ keeper and when you think there is a problem, kindly report it so that Members can be disciplined, thank you.

Honourable Kareu let us go to Clause 11.

Hon. Peter Macharia: Thank you Chairperson, I would like to move an amendment by deleting the entire part 4 ‘sub-county citizen forum’ and replace it with ‘public participation forums, 11 (a), the County Executive Committee Member or Clerk shall in consultation with the administrators, shall call for or coordinate, facilitate and monitor public participation forums to discuss matters of public interest in the sub-county ward and village levels. 11 (b) an administrator or Member of the County Assembly may also request for a public participation forum in his locality. An amendment in Clause 11 (a) by inserting the words ‘including business and organisation’ immediately after the words ‘levels’, I beg to move.

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The Chairperson (Hon. Eunice Muriithi): Who is going to second? Yes honourable Whip.

The Chief Whip (Hon. Kipng'eno Korir): Thank you Madam Chairperson. I do second that Clause 11 as amended be part of the Bill.

(Question that Clause 11 as amended be part of the Bill put and agreed to)

The Chairperson (Hon. Eunice Muriithi): We go to Clause 12 and it has an amendment. Honourable Kareu.

Hon. Peter Macharia: Thank you Madam Chairperson, the amendment is that 'the public participation forums may involve the larger public or a sector of the public affected by the policy, law or decision of the County Government'. Madam Chairperson it is like there is no amendment there.

The Chairperson (Hon. Eunice Muriithi): The amendment was there. The entire part of that Bill has already been amended so read the whole of it.

Hon. Peter Macharia: Thank you Madam Chairperson, so we move to no. 13 where the Clerk in consultation with the Executive Committee Member facilitate and oversee the effective coordination of public participation and shall part 13 (a), ensure to inform the public on whether financial resources correspond to the nature and scope of public participation planned. 13 (b), ensure that there is efficient and adequate trained staff to carry out planned public participation, (c), ensure that the sub counties, wards and villages, have clear and reasonable timelines for public input and comments and that these timelines are communicated to the participants, (d), ensure that the sub counties, wards and villages, have established a feedback process to the public, including opportunities for the public to forward additional comments on inputs to the decision taken, (e), develop an evaluation framework to the public participation plan, (f) advise the County Executive Committee on matters of policy, relating to public participation, (g) ensure that the public affected groups and stakeholders are informed of the public participation process and how their input was used in the decision taken, (h) prepare and submit reports to the County Assembly on the status of public participation implementation under this Act, (i) to perform any other function as may be assigned by legislation.

Part 5, ward citizens' forum, an amendment by deleting the entire part 4...

The Chairperson (Hon. Eunice Muriithi): Honourable Kareu, I think we are going to stop there, so I will ask for a seconder on that amendment. Honourable Esther.

Hon. Esther Mengere: Thank you Madam Chairperson, I second the amendment.

Hon. Samuel Tonui: Madam Chair, I think there is some confusion on the way we are reading these things and I want to say that we should read where we can amend, so that it can be very easy thank you.

The Chairperson (Hon. Eunice Muriithi): The whole of that Clause was under amendment.

Hon. Samuel Tonui: Then you cannot read the whole of it the way I understand.

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The Chairperson (Hon. Eunice Muriithi): Then what are you going to amend if you cannot read the whole of it?

Hon. Samuel Tonui: You can read a part.

The Chairperson (Hon. Eunice Muriithi): And the whole of that was amended.

(Question that part 4 as amended be part of the Bill put and agreed to)

We go to part 5; Petitions and there is an amendment there.

Hon. Peter Macharia: Thank you Madam Chairperson, under part 5, ward citizens' forums, an amendment by deleting the entire part 5 and replacing with the following wordings, 'part 5 petitions 14, every member of the public has a right to petition to the County Executive or County Assembly over a policy, law or decision that affects him', I beg to move.

The Chairperson (Hon. Eunice Muriithi): We get a seconder for that, yes honourable Muchiri.

Hon. Peter Muchiri: I second that Part 5 as amended be part of the Bill.

(Question that Part 5 as amended be part of the Bill put and agreed to)

The Chairperson (Hon. Eunice Muriithi): We go to part 15, honourable Kareu.

Hon. Peter Macharia: Thank you Madam Chairperson, Part 15; Petitions to the County Assembly shall be governed by the petition to the County Assembly procedures, Act 2014 and shall be in the form described in the Second Schedule with appropriate modifications. Petitions to the County Executive shall be addressed to the relevant Executive Committee Member and shall be in the form prescribed in the Second Schedule with appropriate modifications. And an amendment by deleting Part 6 and its entire sub Clauses, therefore part 7 becomes Part 6 and so on; I beg to move.

The Chairperson (Hon. Eunice Muriithi): I will ask for a seconder for that Part, honourable Malel.

Hon. David Malel: Let me just second Madam Chairperson but I think you could as well take the complains of honourable Tonui that it is just the amendment that is supposed to be read. Otherwise if we keep on reading all the phrases, at the end of the day you will end up remaining with empty seats, otherwise I beg to second.

The Chairperson (Hon. Eunice Muriithi): Members, there is one thing that you do not seem to understand, so let me repeat it; everything in this paper is an amendment and that is what we are reading, okay?

Hon. Agnes Salimu: I think the confusion is coming because most of us do not have the amendments.

The Chairperson (Hon. Eunice Muriithi): But it is outside there, you pick! How many Members do not have? At least quarter of the Members. In the meantime as you wait for your copies, can we go on? We are trying to save time so that we can find time for the KICOSCA practices so kindly let us share and go to Part 6 which has an amendment. Honourable Kareu.

Hon. Peter Macharia: Thank you Madam Chairperson, Part 6 under public participation....

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The Chairperson (Hon. Eunice Muriithi): Sorry, before we go on, we were interrupted by honourable Malel and we never put the amendment on part 5 to question. So who is going to second? Yes honourable Catherine.

Hon. Catherine Waweru: I second Madam Chairperson.

(Question that part 5 be part of the Bill as amended put and agreed to)

Hon. Peter Macharia: Thank you Madam Chairperson, Part 6, public participation affirmative action.

The Chairperson (Hon. Eunice Muriithi): We go to Clause 22 which has an amendment.

Hon. Peter Macharia: Thank you Madam Chairperson.

Clause 22

An amendment by deleting the words ‘*The Clerk shall ensure that*’ appearing at the beginning of the paragraph

(Question that clause 22 as amended be part of the Bill put and agreed to)

The Chairperson (Hon. Eunice Muriithi): We go to Clause 23

(Question that Clause 23 be part of the Bill put and agreed to)

The Chairperson (Hon. Eunice Muriithi): We go to Clause 24 which has an amendment.

Hon. Peter Macharia: Thank you Madam Chairperson.

Clause 24

An Amendment by **deleting** the entire Clause

(Question that Clause 24 be part of the Bill as amended put and agreed to)

The Chairperson (Hon. Eunice Muriithi): We go to Clause 25 which has an amendment.

Hon. Peter Macharia: Thank you Madam Chairperson.

Clause 25

An Amendment by **deleting** the entire Clause

(Question that Clause 25 be deleted put and agreed to)

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The Chairperson (Hon. Eunice Muriithi): We go to Clause 26 which has an amendment.

Hon. Peter Macharia: Thank you Madam Chairperson.

Clause 26

An Amendment by **deleting** the entire Clause

(Question that Clause 26 be deleted put and agreed to)

Hon. Peter Macharia: Madam Chair, I would like to seek your indulgence because there is a lot of noise...

The Chairperson (Hon. Eunice Muriithi): Order Members, remember that we have got another business that we have to complete and also go for practice. Carry on honorable Mureu.

Clause 27

Hon. Peter Macharia: An Amendment by **inserting** the words 'County Executive Committee Member', immediately after the words 'influence the'

An Amendment in Clause 27(1) by **deleting** the words '*a fine or to imprisonment for a period not exceeding two years*' appearing immediately after the words '*liable to*' and **inserting** thereat instead the words '*not exceeding fifty thousand shillings or to imprisonment for a period not exceeding one year or to both*'.

An Amendment in Clause 27(2) by **inserting** the words '*not exceeding one hundred and fifty thousand shillings*' immediately after the word '*a fine*'.

(Question that Clause 27 as amended be part of the Bill put and agreed to)

The Chairperson (Hon. Eunice Muriithi): We are now going to the interpretations which is Clause two, it is on the first page, honorable Macharia. Honorable Kabuu you are out of decorum can you go out.

Clause 2

Hon. Peter Macharia: it reads as follow-

(i) An Amendment by **deleting** the whole interpretation of "Public Participation" as it appears on the bill and give a new interpretation to read: *The process of educating, informing and engaging the public or a representative sector of the public in an open, democratic and accountable forum in formulation of policies, developing laws and making decisions that affect the public*

(ii) An amendment by introducing the words "*County Executive Committee Member*" under Clause 2(1) and interpret it as: "*The Nakuru County Executive Member for the time being in charge of Public Affairs or information*"

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The Chairperson (Hon. Eunice Muriithi): I will ask for a Member to second and sergeant those who are making noise outside should either come in or go far.

(Question that Clause 2 as amended be part of the Bill put and agreed to)

The Chairperson (Hon. Eunice Muriithi): we are now going to preamble, honorable Macharia there is an amendment.

Preamble.

(i) An amendment by deleting the words *AN ACT of Nakuru County Assembly to give effect to paragraph 14 of part 2 of the fourth schedule of the Constitution and Part VIII of the County Government Act...* appearing on the first line of the first paragraph of the preamble and inserting there at the words....*An Act of Nakuru County Assembly to give effect to Article 1, 10(2) (a), 174(c) (d), 196, 232 (1) (d) and paragraph 14 of part 2 of the Fourth Schedule of the Constitution.*

(ii) An Amendment by deleting the sentence “...to dissuade persons from threatening, bringing or maintaining legal proceedings or claims for improper purposes that unjustifiably interfere with such participation” appearing immediately after the word *interest and*

(Question that the preamble as amended be part of the Bill put and agreed to)

The Chairperson (Hon. Eunice Muriithi): We shall go to the new schedule at the last page, honorable Macharia.

Second Schedule

Hon. Peter Macharia: An Amendment by **inserting** the Second Schedule which will outlay the Form of Petition as prescribed under the Third Schedule of the County Assembly of Nakuru Standing Orders

(Question that the Second Schedule be part of the Bill as amended put and agreed to)

The Chairperson (Hon. Eunice Muriithi): we go to the memorandum of objects and reason, honorable Macharia.

Memorandum of Objects and Reasons

Hon. Peter Macharia: An Amendment by **deleting** the word ‘Chairman’ and inserting thereat instead the words ‘Committee Member’

(Question that the Memorandum of Object and Reasons as amended be part of the Bill put and agreed to)

The Chairperson (Hon. Eunice Muriithi): You see how easy it is, when asked what you are doing in the County Assembly the first answer will be legislation and we seem not to be that serious, we shall report back about this Bill, honorable Macharia.

REPORT

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Hon. Peter Macharia: The Chairperson, the Committee of the Whole House has considered the Nakuru County Public Participation Bill 2014 and has instructed me to report its considerations of the Nakuru County Public Participation Bill 2014 with amendments, I beg to move.

(Question proposed)

(Question put and agreed to)

(The House resumed)

[The Deputy Speaker (Hon. James Tuei) in the chair]

REPORT

THE NAKURU COUNTY PUBLIC PARTICIPATION BILL, 2014

The Deputy Speaker(Hon. James Tuei): Thank you honorable Eunice carry on.

Hon. Eunice Muriithi: Thank you Mr. Deputy Speaker, I want to report that the Committee of the Whole House has been very successful today, we had all Members and they were all in decorum and those who were not in decorum were sent outside, I would also want to seek your permission that the biometric voter register be put on for the Members to sign in as we wait for the other discussion. Regarding the Bill we were deliberating on, I would like to report to you that the Committee of the Whole House has considered the Nakuru County Public Participation Bill 2014 and its approval thereof with amendments, I beg to report.

The Deputy Speaker(Hon. James Tuei): Thank you so much honorable Eunice, I would also like to commend on the way we handled today's business, this wonderful, thank you very much and let carry on like this. The mover...

Hon. Peter Macharia: Thank you Mr. Deputy Speaker, I beg to move that the House do agree with the Committee in the said Report.

(Question proposed)

(Question that the House do agree with the Committee in the said Report put and agreed to)

The Deputy Speaker(Hon. James Tuei): The mover of the Bill

Hon. Peter Macharia: Mr. Deputy Speaker, I beg to move that the Nakuru County Public Participation Bill, 2014 be now read the Third Time, I beg to move.

(Question that the Nakuru County Public Participation Bill, 2014 be now read the Third Time put and agreed to)

(The Bill was accordingly read for the Third Time and passed)

MOTION

COUNTY GOVERNMENT TO ADOPT THE REPORT OF THE COMMITTEE ON ROADS AND PUBLIC WORKS ON BENCHMARKING TRIPS TO KISII AND MACHAKOS ON SOLAR STREET LIGHTING

Hon. Ezekiah Kariuki: Thank you Mr. Deputy Speaker, due to skyrocketing power bill I beg to move a Motion;

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THAT the County government adopts the Report of the Committee on Roads, Transport and Public Works during benchmarking trip to Kisii and Machakos Counties on solar Street Lighting that took place on 8TH to 10TH June, 2015 laid before this House on August 4TH, 2015.

The Committee embarked on a fact finding mission to find out the best solar lighting model and the Committee recommended the Kisii model which according to our opinion was found to be the best, we also recommended that the Contractor who installed the solar lighting in Kisii County to visit our County and do a demonstration here at the County Assembly compound; This House passed a Motion requiring the County government to adopt the solar system and when the County started putting the solar lights, they were deemed and that is why the Committee went to Kisii and Machakos Counties to seek more knowledge on the best Solar Lighting System and I humbly request this House to support this Motion, thank you.

The Deputy Speaker (Hon. James Tuei): Thank you very much, can we have a Member to second.

Hon. James Mwaniki: I second the Motion

The Deputy Speaker (Hon. James Tuei): Thank you, the Motion is now open for debate, let us go according to the protocol, we shall start with the majority leader and then the other members.

The Leader of Majority (Hon. Samuel Njane): Thank you very much, first and foremost I would like to congratulate the Committee through their able Chairperson for the good work they have done particularly on their visit to the County of Kisii and Machakos, nevertheless it is well known that the reason why the Committee embarked on a trip to Kisii and Machakos was out of the Street lights that the County government intended to buy to replace the famously known Flood lights.

It is well known that at some point in this House a Motion was brought by honorable Steven Kihara, it is also known that some of the honorable Members had already allocated their ward money for the purchase of flood lights but because of the huge bill that was brought to this House, they intended to change from flood lights to street lighting.

I want to say that despite the fact that one of the reasons cited by the Committee is the skyrocketing of the power bill, that is not the main reason for us to divert from flood lights to street lights, the reason is that the street lights are well suited to be fitted in the towns and not the areas that we have.

All people around the urban areas were very optimistic that they were going to get security out of the flood lights and improving security is one of the reasons we want to light up our urban areas. It will look awkward to introduce street lights in villages, my proposal is that it will be prudent that the House to adopt that the street lights be put within towns but let us be given options to have the flood lights that work better to our people in the villages. I believe the intention of the mover of the Motion was particularly to bring down the cost of the power bill especially within our towns.

It would be prudent because it is we the Honorable Members who give out the money. Last financial year I had given out 2 Million. Let my Kshs 2 million be used to purchase the flood lights that are equivalent to the Kshs 2 million and that would be proper. Let those Members that

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are from the towns, if there is any money that they have given out for the street lights let them have the number of street lights that are equivalent to the money that they have given out because ours as a House is to give better services to our people.

So despite the fact that I congratulate the Committee but I propose that let us have options for the flood lights and for the security lights.

The Deputy Speaker (Hon. James Tuei): Thank you, Honorable Member for Subukia you want to inform us.

Hon. Peter Muchiri:(On point of information) Mr. Deputy Speaker I want to do some correction in the listing of the Members in that Committee. If you go to number 14 you will see the person written there is not a Member of that Committee while I am a Member of that Committee and I am not listed. As you correct that one I also rise to support the Motion

The Deputy Speaker (Hon. James Tuei): Order! Order! You are standing on a point of information. Honorable Member for Hells gate.

Hon. Jonathan Warothe: Mr. Deputy Speaker I also want to commend the Committee for the trip, however I do not agree with that Report. When I was a councilor I was the first person to install this solar lighting and probably I have experience that would assist this House when they are making decisions.

We had a partnership with one of the firms; that is Longonot Horticulture and we installed this lights in a place called Karagita. One is the issue of vandalism. These kinds of lighting are very prone to vandalism and even theft. The other issue is that they are not bright enough and if you look at our estates, we have Kaptembwa we have Rhonda we have other densely populated areas. If surely we go by this kind of lighting, it we will be a disservice to our people.

I am proposing, if you look at Nakuru County and I congratulate His Excellency The Governor of Nairobi County, what he did is that he negotiated with top Kenya Power and Lighting Company officials and they were able to reduce the tariffs by half at 50% for street lighting and Nairobi County is not a producer of Power and Nakuru County is.

I am proposing and I am urging The Governor of Nakuru County His Excellency Kinuthia Mbugua to also do the same so that we can have a tariff that is friendly, we can have a tariff that reduces our power bills by half. These Companies, the KenGen and the GDC are supposed to pay rates for the ratable properties including the land that they operate on. They do not pay a single shilling to this County.

Secondly they are supposed to pay for approval of buildings, even including laying of those pipes. They do not pay anything to this County. The central Government does not pay us rates and is supposed to pay us what is called CILOS Contribution in Legal Rates. There is a lot of revenue, if I remember, in Naivasha they had an arrears of Kshs260 Million for Naivasha Municipal Council alone. You can imagine if we calculate for the entire County.

What we are saying is that The Governor of this County is supposed to come up very strongly and negotiate with Kenya Power so that the tariff can be reduced by even 70% so that we can be able to pay for the street lights. I beg to disagree with the Report.

The Deputy Speaker (Hon. James Tuei): Thank you Honorable Member. Honorable Member

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for Visoi.

Hon. Edward Kamau: Thank you Mr. Deputy Speaker, I want to congratulate the team for visiting Kisii and I think that is the most important thing. What I want say our concern is flood lights for security. With all due respect the County Government did not visit Kihumba, all the small towns in that area to see what happens. I would like to say, in many parts of this town of this County we have already installed Kenya Power floodlights. Like in Rongai town we have already installed Kenya Power floodlights. In the financial year 2015/2016 we are going to install in other towns, it would be a discrepancy and political suicide for us to have Kenya Power floodlights in one market place and solar in another one, because the solar ones are more likely to fail and they are going to embarrass us. I want to support the Honorable Member for Hells gate. What is the advantage for Nakuru County in hosting olkaria power generating plant and what do we get from it. I support fully that the Governor should negotiate for lower tariffs for Nakuru County so that all the towns can get the Kenya Power floodlights. The cost of power even in rural areas has gone down, when it is going down the Jubilee administration takes credit and it would be irony of the highest order to hear that we are running away from what the Jubilee administration is reducing and making it accessible to the rural areas.

So I am totally opposed to the Report and we are still going to Kenya Power for floodlights and for security. Thank you.

The Deputy Speaker (Hon. James Tuei): Thank you very much. I was trying to observe gender but I do not see any lady. We go by the precedency, Minority leader and then we go to gender then Member for Elburgon thank you.

Leader of Minority (Hon. Daniel Ambale): Thank you Mr. Deputy Speaker for respecting that precedence today, and I do not mean you have not done it before, you have done it before but for today it is very important.

I want to congratulate our colleagues in this Committee for the very good job they have done. They have cited various places they have gone and I want to say here that there were reasons to why they went to these places. We know very well that the Committees of this House are not supposed to be playing or neither were they playing an implementation exercise. Having gone to identify which lights we need in Nakuru or whatsoever must have been a reserve of the implementers of this County.

I want to acknowledge the fact that they went because I believe it must have been informed by certain situations that were prevailing at the time.

I was a Member and present that day when a Motion to replace street Lights in Nakuru with solar lights was done by Members of this House in very good spirit. That Motion was passed in this House overwhelmingly. I want to believe that there is always ways in our system to circumvent proper manner of working.

The reason why this Committees must have gone to Kisii and very many other places is because the same lights that had been installed before in this County did not work. That is what informed the Members of this Committee following the outcry from the public.

I know we will all accept the fact that procurement procedure is legislated and must be followed. I understand very well that we have engineers in this County who are very technical and highly

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qualified. I do not understand the situation under which they could make specifications of lights that cannot perform. I heard a few members of the public describing those lights as ‘Korobois;’ those little kerosene lamps, something that can only light a place less than 10 centimeters circumference, very small.

I want to say this; there is nothing that is good for rural but bad for urban centres, neither something that is good for urban centres but bad for the rural. What is bad is bad. We can use very many words to describe what we feel inside about this Motion, there is no point of disagreement, there is no point of saying I do not know what we passed but, there is no point in saying that it is good for rural and bad for urban. The main reason is that this Motion as placed in this House is not consumable. This is what these Members know and I am with them. I agree with them that we must not adopt this Motion here. We must come up with a way that we shall ensure that Nakuru gets the kind of lights we want.

People are now talking out of experience, in the initial place when this Motion came here, we were talking about reduction of electricity cost but good enough and by the grace of God the cost of electricity has come down. We also have other funding that are coming through REA we know them to help in electrification of rural areas. These ventures will only help this County if we adopt systems that are universal. When we go for solar systems and the Government is putting up lights through REA, the systems will differ from the systems that we will have put in place as a County.

I would say that we want a uniformed system of electrification which we can use. This morning I met with Hon. Steve, the mover of the Motion that brought up this issue of the solar systems and he was very much in disagreement with installation of solar systems in Nakuru County, and it is not rumors I think he may be in this House. He disagreed with those things and I also want to register my disagreement with those things because they have failed, we cannot adopt that Report, Nakuru County has enough money to pay for electricity, and electricity has become even cheaper and until that time, thank you, and as I sit down I want to say that I oppose it and that Report is not good for the public and for the citizens of Nakuru County.

The Deputy Speaker (Hon. James Tuei): Thank you very much. As I had mentioned earlier, Honorable Member for Elburgon the floor is yours. Then before I wind up this side I will give Honorable Member for Nessuit. Thank you, order Honorable Members, after the Member for Elburgon.

Hon. Florence Njoroge: Thank you Mr. Deputy Speaker. I rise to support, first of all the team that went to Nyamachange, Nyamacharia and all those areas...

The Deputy Speaker (Hon. James Tuei): Order Honorable Member, they did not go to Nyamachange, they went to Kisii, thank you.

Hon. Florence Njoroge: but at the same time Mr. Deputy Speaker I disagree with the Report and I have my own reservation and one, I wish this Honorable House can visit Elburgon as a ward and then they visit the solar panels that were installed there by the MP for Molo, it is a total failure. The project itself is a total failure. So if you are going to embark on the same project then we will be failing the security part of our County and number two, it would be a failure on our side. When we have the World Bank in cooperation with Kenya Power working on the slums, I

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attempted to talk with one of them and my main question was, as you subsidize for the slum areas can we also do it for these floodlights because at the same time, the World Bank is there. I think the County Government can try and negotiate, the channel is there.

This is our third year since we came into this Honorable House, lets agree that there are some wards where we have the floodlights under Kenya Power and they are doing fine, the only hitch is the payment of the electricity bill which after discussing and Kenya Power agreeing to subsidize, it can always be budgeted for at the beginning of every financial year so that we avoid the embarrassment of having these floodlights being disconnected. I have already budgeted for the floodlights and I am representing Elburgon Ward, I am not going for any other mode of electrifying Elburgon or even giving them security. I want to support especially for the rural areas, the floodlights. Thank you.

The Deputy Speaker (Hon. James Tuei): Thank you very much, Honorable Member for Nessuit

Hon. Samuel Tonui: Mr. Deputy Speaker, first of all I would like to congratulate the team or the Committee for transport and also the Members who are here today

(The Member's phone rang)

The Deputy Speaker (Hon. James Tuei): Honorable Member can you switch off your phone or throw it away, thank you carry on.

Hon. Samuel Tonui: maybe the problem is this Microphone, I am not touching it. Honorable Deputy Speaker, thank you for correcting me. I was saying that I want to congratulate the Committee on Transport of which I am one of them and also the Members who are here today for this very important Report that is being discussed today in this House. Honorable Members, what I want to say is that what the Transport Committee did...Mr. Speaker can I sit down because this thing is acting like it is down here.

The Deputy Speaker (Hon. James Tuei): Thank you, you are too tall for that microphone and I am seeing that you have a problem, order! He cannot kneel.

Hon. Samuel Tonui: I am comfortable here Honorable Deputy Speaker. Honorable Members for the Committee on Transport went to Kisii of which I said I am one of them, did very good work.

Hon. Jonathan Warothe: (On Point of order) is it in order for an Honorable Member to sit on the crest of a chair?

The Deputy Speaker (Hon. James Tuei): Thank you, in fact I was trying to suggest for him to come maybe to where there is a microphone and you are almost exhausting your five minutes, thank you.

Hon. Samuel Tonui: Honorable Deputy Speaker you see the problem I have, these people never considered me when they were installing these microphones but maybe next time they will consider me.

I just want to say that the Committee on Transport did a very good job because I know and I am

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sure what we passed in this Honorable House that time, the Motion brought by Honorable Steve which said, the floodlights were very costly and we want to cut the cost by introducing the solar lights. So it was by that we went to Kisii and as the Transport Committee and all the Members agree that the solar lights will really help to cut the cost but unfortunately those people who procured did very bad job and that is why Members today are opposed to the solar lighting system in our areas.

So, what I can say is that whatever happened earlier, we decided to go and see what is happening in other Counties. We went to Kisii, we went Machakos, we found that Machakos is the worst but Kisii has the best solar lighting system and we said we can adapt the Kisii type and we all agreed as a Committee that those people who installed the solar lighting or the companies be engaged and to monitor them for maybe two years or four to ensure that they work. What I can say is that this Report is good and we should adopt it so that we cut the cost of electricity by use of solar panels. The flood lights can also be used in other areas. I can convince all Members to adopt the Report and at the same time...

John Gachiri: Point of order!

The Deputy Speaker (Hon James Tuei): Proceed hon Tonui

Hon Samuel Tonui: Thank you for protecting me, maybe the hon Member has seen that there is a point I am trying to emphasize, but in conclusion, I beg the Members to support the Report because I am one of the Members who visited Kisii County and I was impressed by the solar powered street lights.

The Deputy Speaker (hon James Tuei): I can see hon Moses with some documents, give me some time then I will come to you.Hon Member from Molo

Hon Joseph Muigai: First, there are some things I want to enumerate concerning the solar powered street lights. What we saw in Kisii pertaining the street lights is different from those installed in Elburgon. We went to Kisii to compare and make recommendation on whether they can work with us in Nakuru. Instead of trashing the entire Report, my recommendation is that we amend it so that the recommendations proposed in the Report, we apply flood lights where it is deemed necessary and we also install solar powered lighting where it is necessary. It is important we consider adopting the Report. This is because it is talking about batteries and the kind of solar panels accompanying the whole system that are durable. Again, Mr. Deputy Speaker, I have not seen you capture the amendments suggested, where a Member thinks it is not appropriate to install solar powered street lights, he or she can recommend installation of electric powered flood lights. This project will give us money to enable us pay bills for electric powered flood lights. If you look at the example we have for Kisii, they have partnered with private investors, whatever they collect from advertisements is going to last for few years through subscriptions in advertisements, this will enable even in areas where solar powered lights will not be put get money to cater for that. If that is recommendable, instead of trashing the entire Report, we adopt a system where we can blend the two. For one, in the streets and in town centers, the solar lights will be appropriate and is different from what we saw here, in Machakos we have both wind and solar and are not good like the ones we saw in Kisii. By blending the two systems, we will not have limited any area from putting both the solar and electricity to boost on revenue and save on cost of energy. I propose we adopt the Report and amend.

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The Deputy Speaker (Hon James Tuei): Hon Member from Bahati and then we go to hon Gichangi

Hon. Peter Mwangi: Thank you Mr. Deputy Speaker, I want to debate on the Motion by saying that, we are going to have divergent views depending on the location of the wards. We have different geographical areas and the views from urban wards will be different from rural wards. If we want electricity powered lights the so called flood lights, then what will happen to remote areas such as Tinete, Nessuit where power is 100 km away? In my view, I want to say across the world, electricity power has never been reliable. That is why even in our compound, we have adopted an emergency power system. Why did we buy a generator here; it is because electricity power in Kenya has never been reliable, we have witnessed six hour power blackout. For example in Kiptagich, it has flood lights and at times you lose power for three hours. Even the nuclear power, they are powered by solar power, I would like to urge our colleagues not to be so conservative. All we know it is good to adopt change. For one, I have seen the queen of England going through the Streets switching off the lights, but in Kenya we don't bother. It has an impact in our economy, by saving Kshs 20 million, it will amount to Kshs100 million in five years, and in conclusion I think Members did not read the recommendations. It does not recommend we adopt Kisii solar lights. The Committee went to Kisii on a fact finding mission to compare the illumination capacity of the 30 watts bulb and 6 meter pole that was being proposed for Nakuru and a 60 watt and 9 meter pole installed in Kisii. We can also make amendment that if the 60 watts bulbs is not lighting well, and also extent the poles to have 4 hones. About security of the poles, they are secure because the batteries are on top of the poles so vandalism is not possible. The good thing about the project is that the company installing has offered to service them for five years. The lights have a warranty of 25 years, what else do we need. For Bahati we have centers that have not seen light for the last 30 years and we are not going to wait for electricity to come to reach areas like Chania or Wanyororo. In my case, any light coming will be a shot in the arm to the affected areas. We should therefore adopt the Report to allow negotiations because the needs for Biashara ward are not same as those of Solai. When we budget for lights, let representatives from urban wards and rural areas be considered but for Bahati, I go for Solar Power.

The Deputy Speaker (hon James Tuei): Right from now I give each Member to contribute for 1 minute

Hon Moses Njiiri: The aim of installing flood lights was to enhance security and secondly increase working hours from 6 to 18 hours among mama mboga and boda bodas. I have done 100 per cent street lighting. The most effective way of lighting our town is floodlights. It is very effective so Mr. Deputy Speaker, our security is very important and we cannot negotiate our security on monetary value simply because others are saying it is very expensive to maintain electric powered floodlights. We are ready to pay whatever amount to ensure our security is enhanced. Our National government is investing heavily on security but in our county we are cutting the cost. We know darkness facilitates criminal activities but because mama mboga is paying taxes and we are not giving them any other services, we say we need to give them electric powered floodlights.

The Deputy Speaker (Hon James Tuei): You have already exhausted your time and I believe hon Gichangi you are through with your 1 minute

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Hon Moses Kamau: Thank you very much. I rise to congratulate the Committee that went to Kisii and Machakos, They were the ones who opposed solar powered panels but according to the Report, they are talking about the issue of saving Kshs 20 million through adoption of solar panels. The money we allocated for flood lights has not been exhausted. We allocated Kshs 12 million while the Department of Roads allocated Kshs 28 million, but during the Supplementary Budget, the same Department wired Kshs 35 million for maintenance of floodlights. By May 2015, already they had done a requisition of Kshs 29 million and therefore they had a surplus amount of Kshs 6 million. By end of the last Financial Year (2014/2015) the actual amount the ministry of Trade allocated for street lights was Kshs 6 million. The argument on expenditure should be ruled out because as a county government we had allocated money which was not fully utilized for this purpose. On the Motion moved by hon Steve Kihara, it was the issue of whether the county should adopt street lighting in urban areas. Therefore I am requesting that whatever was passed in the Budget, Wananchi knew what they wanted, and I have a copy of the Budget which clearly states in black and white what we passed, I do not know who went to procure street lights yet we did not pass it. Some wards like Dundori asked for floodlight masts, and there is Viwandani and Elementaita which asked for high mast flood lights. Also, there is some other areas like Subukia Ward, they requested for Street lights, according to this document (the budget document)...

The Deputy Speaker (Hon James Tuei): Hon Member you may proceed you have one minute.

Hon Moses Kamau: Thank you Mr. Deputy Speaker, I am saying that we go by what was passed in the budget based on the needs of each ward, since there are those that asked for street lights and others wanted floodlights. I propose the following amendments to recommendation number six to read that we install high masts flood lights in rural and estates where there are no major streets, but in urban areas with streets they install solar powered street lights. This is a Jubilee county and therefore I want to tell our constituents that the electricity tariffs have been reduced in Kenya.

The Deputy Speaker (Hon James Tuei): I think hon members, we have exhausted the debate. I want to request that because some of us are going to the field to practice for the games we end there. Are we in agreement that we wind up! We already have an amendment proposed by hon Moses, I will go straight to that. I would have given more time. Hon members, we have divergent views which is actually paramount.

We have an amendment that the solar lights be applied in urban areas and rural areas where there are no major streets be given flood lights for the purpose of enhancing security.

Another amendment is that we go by the needs of individual wards. So let me combine the two and put it to question on the proposed amendments

(Question on the amendments put and agreed to)

Now question on the entire Motion that this House adopts the Report of the Committee on Transport and Public Works on the benchmarking trip to Kisii and Machakos Counties on Solar Street lights that took place from 8th – 10th, June, 2015 as amended.

(Question put and agreed to)

(Members start withdrawing from the House)

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The Deputy Speaker (Hon. James Tuei): Order honorable Members, we are not through. Can we actually observe decorum?

Honorable Members the House stands adjourned until tomorrow at 2.30 pm and we will have some visitors. Thank you very much.

The House rose at 4.35 pm