

# COUNTY ASSEMBLY OF NAKURU

## THE HANSARD

Wednesday 23<sup>rd</sup> November, 2016

*Assembly Building*

*The House met at 3.00pm*

*[The Temporary Speaker (Hon. Eunice Muriithi) in the Chair]*

### PRAYERS

### COMMUNICATION FROM THE CHAIR

#### POTATO CYST NEMATODE (PCN)

**The Temporary Speaker** (Hon. Eunice Muriithi): Thank you very much honourable Members, we have a Communication from the Agriculture Committee on Potato Cyst Nematode (PCN) pandemic.

The Committee on Agriculture is honored to bring to the attention of this House that potato farming in Nakuru County is in jeopardy following the emergence of the **Potato Cyst Nematode, PCN**. PCN is a bacterial infection that affects plants in the *Solanaceae* family, such as potatoes and tomatoes. The disease affects the roots as these nematodes attaches themselves in the roots of these crops where they suck food elements from the plant. When the disease affects a potato, it causes retardation and eventually it hinders production.

Since Nakuru County is one of the richest potato growing Counties in Kenya due to its conducive climate, potato becomes the second staple food as well as cash crop to the residents. In due regard to this, we would like to sensitize our community about the pandemic. We would therefore like to share this information with as many people as possible by asking the honorable Members to chip in.

The main characteristics of the affected crops include:

- i. Yellowing of the leaves and wilting, and
- ii. Stunted growth and reduced size of the crop.

The following are the control and preventive measures that farmers should be sensitized on:

- i. Farmers to report the situation immediately to the local agricultural office for proper action to be taken,
- ii. Planting clean and certified seeds,
- iii. Avoid continuous planting of potatoes and instead engage regular crop rotation with non – host crops (those that do not belong to the potato family). It should be noted that the disease can last up to seven (7) years in the soil, once it has been infected,

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- iv. Proper soil fumigation as a way to kill nematodes,
- v. Cleaning and disinfecting the planting equipment and machinery to prevent the spread of the disease,
- vi. Regular soil testing and minimizing soil movement. Soil movement through wind and water can be prevented by planting cover crops. Processing facilities such as livestock and crop wastes should be well taken care of to prevent the disease spread, and
- vii. Potatoes should be segregated while storing them depending with the fields.

As a Committee therefore, we appeal that in an effort to enable this County accommodate the food security issue, we sensitize our residents through the various public forums and *barazas* for the realization of a food security and stable Nakuru County.

Thank you very much. This was from the Chair, Agriculture Committee. So Members, this is a very serious thing that has happened to our County as far as this infection and in this Report you are being sent as ambassadors to sensitize our people on the same. Kindly take initiative on this Communication.

**The Temporary Speaker** (Hon. Eunice Muriithi): Honourable Gicamu

## PAPER

### FINANCE COMMITTEE REPORT ON BUMASUTRA SACCO

**Hon John Gicamu:** Thank you Madam Temporary Speaker, I have two papers to lay to this honorable House and I will start with a Report on Bumasure Sacco, regarding the mineral extraction, there was a dispute between Nakuru County and the said Sacco to Mai Mahiu cess barrier. So I may wish to take the Honorable House through that Report and the Committee's mandate.

The Finance Committee is established under the Nakuru County Standing Orders and it is mandated to oversee the granting and administration of donation and grants and also identifying and advising the County on new revenue measures and streams and also monitoring and implementation of the Finance Bill and also many other roles that the Committee has been mandated to do.

I want to acknowledge the Honorable Members of the Finance Committee for their commitment during the investigation period that the Finance Committee undertook.

### **Background**

During the Public Participation that was held in Naivasha sub county on Friday 4th November 2016, the Committee learnt that a Company known as Bumasure Savings and Cooperative Society Limited was not submitting mineral extraction charges at the Mai Mahiu cess barrier as stipulated in the Finance Act 2015.

The Committee therefore resolved to visit the site on Friday 11<sup>TH</sup> November 2016 to find out why the company was not paying the said charges. The committee met the board Members of Bumasure savings and cooperative society Limited on Monday 14th November 2016.

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## Findings

On Friday 11th November 2016, the Committee met Naivasha Sub county enforcement officer, revenue officer and the Deputy Sub county administrator, area MCA who is Hon. Stephen Ng'ethe and also the Ward Administrator in charge of Mai Mahiu ward.

During the discussion the following was noted:

That sometimes in January 2016 Bumasutra savings and cooperative society Limited filed a Petition; Naivasha Constitutional Petition no 6 of 2016 challenging the Constitutionality of the Nakuru County Finance Act 2015. The court heard and dismissed the case but made a declaration that Nakuru County Government has no legal mandate to levy mining ... in respect of stones, marram, ballast, pumice and sand.

This decree was served to the County Government and after consultation, the CEC Finance amended part four of the Finance Act , of the second schedule by deletion of the term royalties and insertion of the word extraction charges for alternative minerals including sand, stones, ballast and pumice in line with the mining Act no 12 of 2016.

This was done in the Nakuru County Gazette supplement of no 15of 3rd November 2016.

It is important to note that even after this amendment was done the said company; Bumasutra Savings and Cooperative Society Limited declined to pay the charges.

The Committee further noted that the National Police Service was hesitant in assisting the County Government to enforce the amended law which in turn led to loss of a lot of revenue between 3rd and 11th November 2016

The Committee was therefore convinced that the Naivasha Security team led by the OCS and OCPD were compromised by the Cooperative Society towards failure to submit the extraction charges. After the committee held a consultative meeting with the Naivasha enforcement sand revenue officer, it was resolved that the Cooperative society be banned from transporting building materials from Mai Mahiu quarries.

After this decision was made, the cooperative Society gave in and its membership started to remit the mineral extraction charges on Saturday 12<sup>th</sup> November, 2016.

Later, on Monday 14<sup>th</sup> November, 2016, the committee held a consultative meeting with the Cooperative Society and the CO Environment after which it was resolved that the SACCO pays the arrears within fourteen days as from that particular day.

## Recommendations

The Committee therefore recommends that:

1. Bumasutra Savings and Cooperative Society Limited pays the arrears of extraction charges to the County Government for the days; 3rd-10th November, 2016 within 14 days from Monday the 14th November 2016.

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2. Bumasutra Savings and Cooperative Society Limited should continue to remit the mineral extraction charges on daily basis to the County Government as stipulated in Part IV of the second schedule of the Nakuru County Finance Bill, 2015 awaiting enactment of the Finance Bill, 2016.

I therefore wish to table this first Report

*(The Report was laid on the table)*

**The Temporary Speaker** (Hon Eunice Muriithi): Thank you very much, you can able that. Do you have another report?

## PAPER

### FINANCE BILL 2016

**Hon John Gicamu:** Yes I have the second report but I may wish to table and Hon Members I think you have a copy of the same; that is the Finance Bill 2016. Hon Members, today I was just tabling it but tomorrow kindly ensure you come with the same copy and this Report. This is because this Report has the amended Clauses that I will be taking you through. Kindly Members come with the copies of the Bill tomorrow for easier perusal of this report and the Finance Bill. Without much ado I wish to table this Report.

*(The Report was laid on the Table)*

The Temporary Speaker (Hon. Eunice Mureithi): Thank you very much you can also table the same report. Thank you hon Gicamu for the two reports that you have tabled.

## NOTICE OF MOTION

### FINANCE COMMITTEE REPORT ON BUMASUTRA SACCO

**Hon John Gicamu:** Hon Temporary Speaker, I wish to give a Notice of Motion;

THAT this House adopts the Report of the Sectorial Committee on Finance on Bumasutra Sacco on regard to mineral extraction dispute at Mai Mahiu Cess Barrier tabled before this House on 23rd November 2016.

**The Temporary Speaker** (Hon Eunice Muriithi): Thank you Hon. Gicamu for that Notice of Motion which is due for discussion. We now stand adjourned until tomorrow at 2.30 pm.

*(The House rose at 3.15 pm)*