

MURANG'A COUNTY ASSEMBLY

THE HANSARD

Wednesday, 22nd July 2015

The House met at 2:42 p.m.

(The Speaker Hon. Nduati Kariuki in the Chair)

PRAYERS

NOTICES OF MOTION

FIGHT AGAINST SECOND GENERATION ALCOHOLIC DRINKS

Hon. Joseph Njoroge: Mr. Speaker, I beg to give the following notice of motion;-

Aware that alcoholism has become a big disease causing pain and agony in many families within the County and at the same time hampering development, further aware that as per the baseline survey conducted by the National Authority on the Campaign Against Alcohol and Drug Abuse (NACAADA) and the University of Nairobi shows that at least 75% of the alcohol users in Murang'a county consume illegal brews, cognizant of the fact that H.E The President of Kenya directed a ban on all the second generation alcoholic drinks and further directed Members of Parliament (MPs), especially in Central Kenya, to lead in the war against destruction of the illicit brews due to the increased cases of alcoholism in Central Kenya and the fact that this is said to be degenerating into a national crises; this Assembly urges:-

1. The County Executive Member (CEC) in charge of Health to liaise with the County Commissioner to implement the present directive to its logical conclusion.
2. The CEC for Health to cancel all licenses of the outlets selling second generation alcoholic drinks within Murang'a County.
3. The CEC to first track the implementation of the Alcoholic Drinks Control Act, 2014.
4. The CEC to submit a work plan on the implementation of Alcoholic Drinks Control Act.

Mr. Speaker, I urge the Hon. Lucy to second this motion.

(Loud consultations)

The Speaker: Order! Order! This is a notice of motion.

(Laughter)

You are going too fast.

(Laughter)

STATEMENTS

CONSTRUCTION OF A NURSERY SCHOOL AT GITEI VILLAGE, MBIRI WARD

Hon. Danson Mburu: Thank you Mr. Speaker, I hereby wish to respond to a statement that was asked by Hon. Njoroge who is the MCA for Mbiri ward, concerning Gitei nursery school. In an Assembly sitting held on 19th March 2015, Hon. Joseph Njoroge requested for a statement from the chairperson of Education, Research, Information and Technology and E-government committee. The questions were as follows:-

1. Is the chairperson aware that during the financial year 2011/2012, Local Authority Service Development Plan lapsed, and the defunct county council of Murang'a proposed the construction of a nursery school in Gitei village in Mbiri ward and the school has not been constructed to date?

2. Why has the county government not implemented the lapsed project and in particular construction of this nursery school?
3. When will the said project be undertaken?

Mr. Speaker, on 23rd March 2015, and as is required by the standing orders, a letter was written by the CEC Member for Education and Technology Training requesting for a response on the above statement. On 20th April 2015, the CEC Member wrote a letter which was received by the Clerk to the County Assembly and forwarded to the committee. In a committee meeting held on 1st July 2015, the committee discussed the response but the members were not satisfied with the explanation given.

It was then resolved that a more detailed response be sought from the CEC Member for Education and Technical Training. Consequently, the committee wrote a second letter on 2nd July 2015, requesting for a detailed response to the requested statement, which was forwarded to the Clerk on 7th July 2015. In a committee sitting held on 8th July 2015, members discussed the response to the requested statement and after a few deliberations on its contents, approved the said response for the presentation to this Assembly.

Mr. Speaker, it is now my pleasure to present the said response to the House. One, the defunct county council of Murang'a had proposed the construction of the said Early Childhood Development Educational (ECDE) centre. This office is in receipt of the reports from the Assembly on the proposal to construct the said ECDE centre in the year 2011/2012. Efforts have been made by this office to get documentation evidencing the said proposal or possible funding of the said project with no success.

Two, the said ECDE centre project has not been implemented by this office because documentation of the same has not reached us. The department is in the process of gathering facts concerning the project from the Transition Authority (TA), which is yet to communicate. Three, the project will be undertaken early in the financial year. Thank you Mr. Speaker.

The Speaker: The questioner.

Hon. Joseph Njoroge: Mr. Speaker, as the chair has told this House, this statement was written on 19th March 2015, we are now in July and up to date I have not received a good answer that I can forward to the people of Gitei. As he has said, ECDE is a devolved function in the county. This ECDE centre was factored into the budget of 2011/2012. The committee could have sought where the money that was set aside for the construction of this nursery went because only the foundation was done. Therefore, the committee has not done anything towards this project.

According to the answer we have received, I do not see how we can wait any more for the committee to give a response, not unless you direct the committee otherwise. This statement has taken too long because it is now four months down the line yet we still do not have the answer. I am not satisfied with the answer and I request the committee to go back to the drawing board and do something towards this statement because they are not clear when they say that it will be done during this financial year. Mr. Speaker, there is darkness somewhere.

The Speaker: You are not the only one who has noticed that something is amiss with this statement because I have noted that there is no answer in the order paper. I do not know whether the rest of the members have that answer in their order papers. That is an issue because once a question has been tabled, it ceases to be an interest of the mover; it becomes an interest to the whole House and the whole House should be in a position to follow the question and the answer. I therefore direct that this question be asked again. Let us have the proper answer on Wednesday next week and the answer should be in the files. Next

STATUS OF KAIHUNGU BRIDGE

Hon. John Kiarie: Thank you Mr. Speaker, I am the vice-chair of the committee on Public Works, Roads and Transport and I stand on behalf of the chair and the committee. We have not been in a position to table the response of Kaihungu bridge within the time that we had requested. I request that we be given 14 more days because we had a chance of visiting the bridge this morning accompanied by the area MCA, Hon. Kago and the engineer. We all agreed that we are going to do a comprehensive report and table it, thank you Mr. Speaker..

The Speaker: Granted.

NUMBER OF CONTRACTS AWARDED IN THE FINANCIAL YEAR 2013/2014 AND 2014/2015

Hon. Joseph Kimani: Thank you Mr. Speaker I am the chairperson Finance, ICT and Economic Planning and this is the response to the statement that was asked by the Hon. Joseph Machiri.

In a letter dated 31st March 2015, the committee sought for the response from the CEC for Finance, ICT and Planning. The said CEC was expected to avail the response on or before Tuesday, April 14, 2015, he, however, failed to do so and this compelled the committee to write a reminder on folio no.5 (10) (3). The committee then granted a grace period to the CEC for Finance, ICT and Economic Planning until Friday July 10, 2015, to avail the aforementioned response failure to which the committee would summon the said CEC and institute legal procedures against him for contravening the Constitution under the provisions of the Public Finance Management (PFM) Act.

Consequently, the said CEC responded in a letter dated 13th July 2015. The committee noted with much concern the magnitude and the gist of the matter and expedited the prosecution on the said issue. In that regard, I beg to respond to the statement.

The question was how many contracts were awarded in the 2013/2014 and 2014/2015 financial years. The response is that the county government awards contracts on continuous basis, either large or small. These contracts are either for construction works, supply of goods or provision of services.

In the 2013/2014 financial year, there were five large contracts awarded. We also had over 200 medium and large contracts that were awarded. In the report, we have the list of the contractors awarded in the annex. In the financial year 2014/2015, we had 20 large contracts and over 300 medium and small contracts awarded. The annex is attached

The Speaker: Order! Order! This is a very important question and you are giving a lot of information that is very detailed. Unfortunately, the members cannot follow it because they do not have the response in their order papers. I therefore terminate your answer and I direct that this question be asked again on Tuesday next week so that members can follow the answer.

(Applause)

MOTIONS

ESTABLISHMENT OF ALCOHOLIC DRINKS CONTROL DIRECTORATE

Hon. Rebecca Mwigigi: Hon. Speaker, I beg to move the following motion:-

Aware that section 4 (1) of the Murang'a County Alcoholic Drinks Control Act 2014, established the Alcoholic Drinks Directorate, cognizant of the fact that a high number of dependents of alcohol in our county are currently suffering from withdrawal syndrome due to non-consumption of alcohol, this Assembly urges the County Executive Committee member in charge of Health Services to establish the Alcoholic Drinks Control Directorate which shall;-

1. Establish the treatment and rehabilitation facilities and programmes for persons dependent on alcoholic drinks.
2. Ensure the treatment and rehabilitation facilities have the necessary human resource for effective operation
3. Ensure that the treatment and rehabilitation are designed in a manner that is accessible and affordable to persons dependent on alcoholic drinks,

Hon Speaker, I thank H.E The President Uhuru Kenyatta for giving his executive directive that all those second generation Alcoholic drinks be withdrawn from the market, destroyed and the dens where they are made be closed with immediate effect. The operations were carried out; in some places they were successful.

Hon Speaker, these people who have withdrawn from alcohol are very hard to be dealt with by their families alone. Human resource is a very valuable asset in this country and more in our county, when this human resource is interfered with, this is something which you cannot recover unless you take drastic measures. That is why I am asking the CEC health to come up with a control directorate, which will consist of doctors, nurses, nutritionists and people involved in sporting activities so that these people can recover.

Hospitals are made for those who are sick and alcoholism is not sickness. If we put all these people into hospitals, our hospitals will be full. These people will get the mentality that they are sick and they will not agree to do anything for the community, but if they are taken to rehabilitation centers, where they will be loved, given good food and properly advised, there will be pastors who will visit them and tell them that there is life after alcoholism, they will recover and be useful to the community.

It is very sad when we see them lying on the roads because of unscrupulous business people who have decided to make illicit alcohol without thinking of their customer's future. They just want to kill them and finish our tomorrow. We have had experiences, the Hon. members can witness this, that there are nurseries in our county that have been closed. The reason is that we do not have another generation and the generation after us is already interfered with. Few are normal, they went to school, some with University degrees but when you ask them why they went into this, they say they are desperate, they do not have jobs. A lot of things have to be done and be done urgently so that we can rescue some of these people.

Some of the homes where these people come from, as one member told me that he has one in his ward who is mad and is terrorizing everyone at home. If there is a place they can go to, by the time they go back home they will be sober and able to contribute to growth.

Alcoholic rehabilitation needs professionals who have dealt with alcoholism, not injections just to make them sleep. They need to be told what they should do, which treatment, exercise and if possible they be given work to do around the rehabilitation centers. These homes are better situated around the areas they come from. I am urging the whole House, if we could have each sub- county with a home to rehabilitate these people, after that I know they will be strong enough and they will start working and looking for jobs.

The cottage industry which we have been talking about in this House will have people to be trained and then we can have useful citizens after this.

Cabinet Secretary Waiguru has not visited our county on National Youth Service (NYS) recruitment and we would want her to wait for a while because those who are strong can go but we also need those people who will be rehabilitated because they are strong enough, that they will be recruited to NYS so that they will have something to give to their families.

Some of them have left their families, the families have been suffering. They are happy when they hear that their loved ones can be rehabilitated in such a way that they can go back

and start caring for their families. Most of these children do not have father figures and some do not have anyone to look up to when they leave school.

They think that drinking is bad because they have been drinking since the kids knew them. If these homes are made in every sub- county, we have many facilities like Kimorori primary where people were moved from and the facilities are empty and if the people concerned are requested to allow the county to use the property and then these people are treated appropriately, they will become important to the County.

Hon. Speaker, these facilities are at times very expensive. I know one in Limuru and people cannot afford the charges. For us to help our community, we need to make these places affordable. If possible, for the first generation, they should be free such that we will not have cost excuses; some of these people have disagreed with their families. If we ask for money, nobody will pay for them; they will remain at home until they die. It is only those who are very sick who should go to the hospitals, anyone who can talk, walk and reason

(Hon. Joseph Ndung'u rose on a point of information)

Hon. Joseph Ndung'u: I wanted to inform the Hon. member that the motion she is moving is already contained in the Murang'a County Alcoholic Drinks Control Act 2014, that we have already passed and it is already in force. Part 4 of the Act states that there shall be established County Alcoholic Drinks Control Directorate.

She is talking of ensuring that the rehabilitation and treatment facilities have the necessary human resource, this is already provided in part 4 (d), so we are moving motion and we already have an Act and even passed the regulations. We are moving a motion within another Act, to my understanding. I beg to be corrected if I am wrong, thank you Mr. Speaker.

Hon. Rebecca Mwigigi: That member is a member of the delegated legislation committee, he knew that this motion was coming and he has been waiting to get publicity while we know

The Speaker: Order! Order! You cannot impute wrong motives. In any case, I think the Hon. member has raised a very pertinent issue, that you cannot bring a motion to implement a law. We shall be telling the CEC nothing, so continue and be brief; he has pointed a very important matter.

Hon. Rebecca Mwigigi: Thank you Mr. Speaker, for your wise advice, I will be very brief that the Act and the motion together be acted upon quickly. We have passed many Acts and motions but they have not been acted upon. I will request this motion to be acted upon with urgency, thank you.

The Speaker: I would advise the Hon. members as they contribute to this motion; a law is much stronger than a motion because the law has to be followed because a motion is just a wish for the CEC to Act in a certain way. I am going back to what the Hon. member there said, if there is a law, then that law is much stronger than any motion and if we have passed that law, we have in actual fact passed the motion. We are going through the motion because it is there and because the motion has been accepted.

Hon. Rebecca Mwigigi: I call upon Hon. Wadome to second this motion

Hon. Danson Mburu: I stand to second the motion and I do not understand how we will go about this because when you say it is in the law, we are contributing towards the law which I above the motion. I would only say that we are dealing with sick people. The spirit of the motion was asking for a rehabilitation and Alcoholics Control Directorate to care for the sick. Before the Act is implemented, something needs to be done to save these people who are suffering. We see them looking withdrawn because there is nothing they are doing at the

moment, they are idle and sickly and if there is anything that can be done, let it be done as the motion suggests, thank you

(Question proposed)

Hon. Martin Mwangi: Asante Bwana Spika, naunga mkono mjadala huu. Sheria iliyowekwa na bunge hili inafaa. Tunapongea kuhusu walevi hawa ambao wamegeuka, sio kuokoka ni vile pombe imeondolewa kwa soko.

Hili jambo lazima tuwe waangalifu nalo kwa vile tunaongea ni kama tunaongea kuhusu mashujaa, lakini hawa watu wanafaa kuwa jela. Jana tuliona hawa walevi wamegawiwa barabara wajenge maduka.

Madaktari wanasema, pombe na madawa mengine ya kulevywa yakikaa siku 21 bila kutumiwa, yanapungua kwa asilimia hamsini. Kitu cha muhimu, kama vile Rais alisema ni kuhakikisha pombe haipatikani, siku 21 zikiisha tutakuwa na suluhu hamsini kwa mia, hao wengine wafanye vibarua. Tunaona vijana wameingia kwa kazi, hili swala litajisuluhisha vizuri, lakini tusiongee kana kwamba hawa watu ni mashujaa. Watoto wao hawasomi na wameharibu boma, waambiwe sasa watafute vibarua. Lakini watu wale walikuwa wanalewa si mashujaa, hawa ni watu wamesumbua nchi na familia zao, sasa wakafanye kazi

(Applause)

Hon. Joseph Ndung'u: Thank you Mr. Speaker, I stand to support and apologize to the member.

Hon. Joseph Ndung'u: Thank you Mr. Speaker, I stand to support and apologise to the member if she felt that I hurt her. I am not good in hurting people so it is only that I gave out my views, the law is there and I found it not important to go back to whatever we have already discussed.

But at the same time I support the motion, especially the third point that says that we ensure that the treatment and rehabilitation are designed in a manner that is accessible and affordable to persons dependent on alcoholic drinks. I will support that.

I already know that we have a rehabilitation centre at Ihura stadium and it is operational but not all people from all corners of the county can be able to come to Ihura stadium for treatment and counselling, that is why I support the third point that we put these rehabilitation centres in places where they are accessible to all people. Otherwise I support the motion.

Hon. Rosemary Wakuthii: Thank you Mr. Speaker, I support this motion because it will ensure rehabilitation facilities have the necessary human resource for effective operations.

As we are talking now, we have progress in the field, those being treated, but if you go out there because last night I was there when they were starting the process and I found the nurses were inadequate. I would only wish if the government could add more staff so that they will be able to deliver these services more effectively. I also pray that if these people can also train Community Health Workers so that they may be able to offer services in the villages because today morning, three reformed drunkards were brought to my home and they were requesting for jobs, so I had to deploy them at home so that they may be able to get food for today. They were telling me that they were each given a prescription of medicine worth Kshs 600 each but they were not able to raise the amount so I requested them to bring the prescription I buy them the medicine and I will be deducting the amount from what they will be earning from my farm so that they may feel that they have owned that process.

Thank you Mr. Speaker, but I want to support the motion simply because I know if they reform we shall be having many employees within our county and the work that is supposed to be done by youth they will be doing it because I know we have a motion we passed in this

House recognizing the youth and that they have to be employed. If they are sober I know they will be involved in road construction jobs within the wards, thank you.

Hon. Mary Watiri: Thank you Mr. Speaker, I will take this opportunity to thank the mover of this motion and thank The President who has taken a very important initiative on alcohol which has been affecting our people in Murang'a county.

I think the government should take an initiative especially in Murang'a county which has been which has been mostly affected by alcohol. This should be a continuous process where we follow that our people do not go back to drinking, it should not be a part time issue.

The directorate which has already been formed should take action to see that the illicit brews are not back in our county. I feel that it is important as the hon. members have said, to make the rehabilitation centres for these people because these people are already sick, it will be a very difficult to rehabilitate them in a collective manner. It should be a continuous thing to rehabilitate them so we should take rehabilitation centres closer to the people and mostly in sub-counties. Thank you Mr. Speaker, I support the motion.

The Speaker: I ask the mover to respond. Sorry Peter Kariuki

Hon. Peter Kariuki: Asante sana Mheshimiwa Spika, nasimamia watu walioumbwa tofauti na ningependa niweze kwanza kupongeza Rais wa Kenya kwa ajili ya uamuzi aliofanya. Ningependa niwape methali hii inayosema 'mgala muue haki yake mpe'.

Methali hii inamaanisha ya kwamba unaweza kufanya jambo lakini jambo hilo likaweza kusaidia watu wengi sana. Kwa upande mwingine kuna wenye kampuni za kutengeneza hizo pombe haramu ambao wataumia, lakini ajabu ni kwamba atakuwa ameokoa maisha ya watu wengi Kenya na pengine wataenda mbinguni.

Mheshimiwa Spika sikuhubiri nahubiri

(Laughter)

lakini sababu ambayo nimeamua lazima nichangie mswada huu ni kwa ajili kuna wengi ambao walibebwa na pikipiki ambayo ilikuwa na dereva aliyekuwa mlevi na alikuwa ametumia pombe zile ambazo ni haramu, akaangusha abiria wake na kumfanya awe na ulemavu, hasara ikaingia kwenye nchi hii yetu ya Kenya na hasa kwa kitongoji chake.

Hivyo basi namuunga mheshimiwa Rebecca Mwicigi mkono kwa ajili ya kufikiria mjadala huu ingawa ulikuwa umepitwa kwa ajili ya sheria ambayo ilikuwa imeundwa tayari na kamati.

Ningependa kuunga sana kwa ajili ya nambari tatu ya kwamba wale ambao wamekuwa walemavu kwa ajili ya ulevi waweze kuletewa jinsi ambavyo wanaweza kuona madaktari ili waweze kujua ingawa wamekuwa walemavu sio kumaanisha ya kuwa ni mwisho wa dunia, asijiue aweze kuletwa mtu ambaye atamsaidia kwa njia ya maisha ili aweze kujua ulemavu sio mwisho wa dunia. Hivyo basi naunga mjadala huu kwa hiari yangu yote.

The Speaker: The mover to respond.

Hon. Rebecca Mwicigi: Thank you members for supporting this motion. I wish to thank you Hon. Speaker for allowing members to debate it and as the first respondent said that these people are not heroes, I agree with him but since they are our people we need to rehabilitate them so that they can be heroes of tomorrow.

Affordability, you have heard that without this motion we would not have known that there are people who have been charged Kshs. 600 and they cannot afford it, Hon. Wakuthii has said she has already engaged them in her farm so that they can get Kshs. 600 to pay for the medicine. Unless we help them they will finish this medicine and will not come back to hospital because they cannot afford it.

Illicit brews, we cannot over emphasize that we do not want those places that has been closed because of selling illicit brews to be opened tomorrow and enforcement officers should be educated in such a way that they will not open those premises that were already

closed and if I cite Hon. Ndung'u Njogu, it is alright but some of the points I have raised here are not included there because it needs implementation.

Hon. Kariuki is very sympathetic with the disabled and I do also sympathise with them. Those who are completely disabled should be treated at no cost so that they can go back to the community at large.

I wish to stop there and urge the Alcoholic Drinks Control Act 2014, be implemented without further delay, thank you

(Question put and agreed to)

ADJOURNMENT

The House rose at 3:32 p.m.