

**COUNTY GOVERNMENT OF MAKUENI**



**COUNTY ASSEMBLY OF MAKUENI**

**SECOND ASSEMBLY – SECOND SESSION**

**VOTES AND PROCEEDINGS**

**TUESDAY, 20<sup>TH</sup> MARCH, 2018 AT 2:30 P.M.**

1. The Assembly assembled at thirty minutes past two O'clock.
2. The Proceedings were opened with Prayer.
3. **PRESIDING:** - Hon. Sharon Mutinda.

4. **COMMUNICATION FROM THE CHAIR**

The Speaker gave a Communication regarding the invitation of Members to a public participation forum at Kwa Kathoka on Friday, 23<sup>rd</sup> March, 2018 to deliberate on the County Integrated Development Plan (CIDP), 2018-2022.

5. **PAPERS:**

The following paper was laid on the Table of the Assembly:-

The Report of the Joint Committee on Health Services and Committee on Delegated County Legislation on the Makueni Universal Health Care Access Programme.

*The Chairperson, Committee on Health Services.*

6. **NOTICES OF MOTION:-**

The following Notice of Motion was given:-

**THAT**, this Assembly adopts the Report of the Joint Committee on Health Services and Committee on Delegated County Legislation on the Makueni Universal Health Care Access Programme.

*The Chairperson, Committee on Health Services.*

7. **STATEMENTS PURSUANT TO STANDING ORDER 50:-**

The following Statements requests were made:-

- i. Request for a Statement (No. 27 of 2018) from the Committee on Culture, Gender, Youth and Community Development regarding the status of Enzai playgrounds in Mukaa Ward.

*The Member for Mukaa Ward.*

**(Statement committed to the Committee on Culture, Gender, Youth and Community Development, to respond within 14 days. Response due by 3<sup>rd</sup> April, 2018)**

- ii. Request for a Statement (No. 28 of 2018) from the Committee on Health Services regarding construction of staff quarters at Maiani Salvation Army Dispensary.

*The Member for Mukaa Ward.*

**(Statement committed to the Committee on Health Services, to respond within 14 days. Response due by 3<sup>rd</sup> April, 2018)**

8. **MOTION: ENFORCING BANNING OF SAND HARVESTING AND CHARCOAL BURNING AND TRADING OF THE SAME**

Motion made and Question proposed:-

**THAT**, AWARE that, the Constitution of Kenya, 2010, in Article 69 stipulates the obligations of the state in relation to the environment as:-

- i. ensuring sustainable exploitation, utilization, management and conservation of the environment and natural resources, and ensuring the equitable sharing of the accruing benefits;
- ii. working to achieve and maintain a tree cover of at least ten per cent of the land area of Kenya;
- iii. encouraging public participation in the management, protection and conservation of the environment;
- iv. establishing systems of environmental impact assessment, environmental audit and monitoring of the environment; and,

- v. eliminating processes and activities that are likely to endanger the environment,  
-- among others;

**AWARE** that, on 24<sup>th</sup> February 2018, the Deputy President issued a 90 day moratorium on logging on all forests in the country, due to acute water shortage in the Country;

**AWARE** that, for Makueni County, scientific forecasting has predicted that in coming decades human influenced climate change will cause dramatic transformations in the biophysical systems that will affect human settlements, ecosystems, water resources and food production;

**NOTING WITH CONCERN** that the so called human influence is mainly deforestation for charcoal burning and the practice of uncontrolled sand harvesting leading to drying of rivers;

AWARE that, already poor rains have led to staple food yields declining since the mid-1990s, with total crop failure during some years.

**NOW THEREFORE**, this Assembly urges the County Government of Makueni to enforce banning of sand harvesting and charcoal burning and trading of the same throughout the county to mitigate against the adverse effects of climate change.

*Hon. Harrison Mwanzia Mutie, MCA*

Debate arising;

Debate interrupted;

**PROCEDURAL MOTION: - AMENDMENT MOTION**

Motion made and Question proposed;

**THAT**, the resolution be amended by inserting the following words after the word “Makueni” in the second line: “*National Government Agencies among them Ministry of Interior and Coordination of National Government, Kenya Forest Service, Kenya Wildlife Service and National Environment Management Authority*”.

*(Hon. Kevin Mutuku, MCA)*

Debate arising;

Question put and agreed to.

**AMENDED MOTION: ENFORCING BANNING OF SAND HARVESTING  
AND CHARCOAL BURNING AND TRADING OF THE SAME**

Motion made and Question proposed:-

**THAT**, AWARE that, the Constitution of Kenya, 2010, in Article 69 stipulates the obligations of the state in relation to the environment as:-

- i. ensuring sustainable exploitation, utilization, management and conservation of the environment and natural resources, and ensuring the equitable sharing of the accruing benefits;
- ii. working to achieve and maintain a tree cover of at least ten per cent of the land area of Kenya;
- iii. encouraging public participation in the management, protection and conservation of the environment;
- iv. establishing systems of environmental impact assessment, environmental audit and monitoring of the environment; and,
- v. eliminating processes and activities that are likely to endanger the environment,  
-- among others;

**AWARE** that, on 24<sup>th</sup> February 2018, the Deputy President issued a 90 day moratorium on logging on all forests in the country, due to acute water shortage in the Country;

**AWARE** that, for Makueni County, scientific forecasting has predicted that in coming decades human influenced climate change will cause dramatic transformations in the biophysical systems that will affect human settlements, ecosystems, water resources and food production;

**NOTING WITH CONCERN** that the so called human influence is mainly deforestation for charcoal burning and the practice of uncontrolled sand harvesting leading to drying of rivers;

AWARE that, already poor rains have led to staple food yields declining since the mid-1990s, with total crop failure during some years.

**NOW THEREFORE**, this Assembly urges the County Government of Makueni, National Government Agencies among them Ministry of Interior and Coordination of National Government, Kenya Forest Service, Kenya Wildlife Service and National Environment Management Authority to enforce banning of sand harvesting and charcoal burning and trading of the same throughout the County to mitigate against the adverse effects of climate change.

*Hon. Harrison Mwanzia Mutie, MCA*

Debate arising;

Debate interrupted;

**PROCEDURAL MOTION: - AMENDMENT TO THE AMENDED MOTION**

Motion made and Question proposed;

**THAT**, the last paragraph of the Motion (resolution) be amended by inserting the following words after the words “sand harvesting”: “*in line with the Makueni County Sand Conservation and Utilization Act*”

*(Hon. Kevin Mutuku, MCA)*

Debate arising;

Debate interrupted;

**PROCEDURAL MOTION: - ADJOURNMENT OF DEBATE**

Motion made and Question proposed;

**THAT**, pursuant to Standing Order 116, the debate be now adjourned.

*(Hon. Harrison Mutie, MCA)*

Debate arising;

Question put and agreed to.

- 9. ASSEMBLY ROSE:** – at twenty six minutes past four O'clock.

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**MEMORANDUM**

The Speaker will take the Chair on  
Wednesday 21<sup>st</sup> March, 2018 at 9:30 a.m.

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