



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Second County Assembly – Third Session

Tuesday 30<sup>th</sup> July 2019

The House met at 2.30 p.m.

*[Hon. Acting Speaker (Mr Chege Mwaura) in the Chair]*

#### PRAYERS

**Hon. Acting Speaker:** Clerk, proceed.

#### COMMUNICATION FROM THE CHAIR

##### TRANSMISSION OF THE PUNGUZA MIZIGO CONSTITUTIONAL AMENDMENT BILL

**Hon. Acting Speaker:** Hon. Members, I wish to make the following communication regarding a paper that is going to be laid shortly on the transmission of the Punguza Mizigo Constitutional Amendment Bill, 2019 to the County Assemblies.

Hon. Members, my office is in receipt of a letter dated 18<sup>th</sup> July 2019 from the Chairman of the Independent Electoral and Boundaries Commission regarding the transmission of the Punguza Mizigo Constitutional Amendment Bill, 2019 to the County Assemblies. The letter reads as follows:

“The Independent Electoral and Boundaries Commission received a draft Bill to amend the Constitution by popular initiative pursuant to Article 257 of the Constitution of Kenya, 2010 dubbed; ‘Punguza Mizigo Initiative’. The said initiative was promoted by the Third Way Alliance of Kenya, in compliance with Article 257 (4) of the Constitution of Kenya, 2010.

The commission undertook a verification exercise to confirm whether the Punguza Mizigo Initiative was supported by at least one million registered voters. The commission has since verified that the initiative has been supported by 1,222,541 registered voters. This is, therefore, to notify you that the initiative has met the requisite threshold as provided for in Article 257 (4) of the Constitution, 2010.

Pursuant to Article 257 (5) of the Constitution of Kenya, 2010, the Commission thereby submits a copy of the draft Punguza Mizigo Constitutional Amendment Bill, 2019 to your County Assembly for

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consideration within 3 months of the date thereof. In conformity with Article 257 (6), you are required to submit the decision of your County Assembly to the Speakers of the National Assembly and the Senate.”

Hon. Members, the Punguza Mizigo Constitution Amendment Bill, 2019 is therefore admitted and properly with us. Similarly, the chair is in receipt of a petition from parties who have moved to the High Court seeking orders to stop the assemblies’ consideration to this Bill. The said orders as far as we are concerned have not been issued and therefore we shall go on.

Therefore, Hon. Members, I now draw your attention to the provisions of Article 257, which provides the following regarding the consideration by the County Assembly on the constitutional amendment Bill by the popular initiative which reads as:

*“Article 257 (1) An amendment to this Constitution may be proposed by a popular initiative signed by at least one million registered voters;*

*(2) A popular initiative for an amendment to this Constitution may be in the form of a general suggestion or a formulated draft Bill;*

*(3) If a popular initiative is in the form of a general suggestion, the promoters of that popular initiative shall formulate it into a draft Bill;*

*(4) The promoters of a popular initiative shall deliver the draft Bill and the supporting signatures to the Independent Electoral and Boundaries Commission, which shall verify that the initiative is supported by at least one million registered voters;*

*(5) If the Independent Electoral and Boundaries Commission is satisfied that the initiative meets the requirements of this Article, the Commission shall submit the draft Bill to each county assembly for consideration within three months after the date it was submitted by the Commission;*

*(6) If a county assembly approves the draft Bill within three months after the date it was submitted by the Commission, the speaker of the county assembly shall deliver a copy of the draft Bill jointly to the Speakers of the two Houses of Parliament, with a certificate that the county assembly has approved it;*

*(7) If a draft Bill has been approved by a majority of the county assemblies, it shall be introduced in Parliament without delay.”*

Hon. Members, the IEBC has dispensed with its mandate as far as the matter is concerned and have forwarded the Punguza Mizigo Amendment Bill, 2019 for the county assemblies’ consideration.

For that, Hon. Members, we turn back to Article 257 (6) which provides that the county assembly approve the draft Bill within 3 months after the date it was submitted by the Commission. The Speaker of the County Assembly will deliver a copy of the draft Bill jointly to the Speakers of the two houses of Parliament with a certificate that the County Assembly has approved it.

Hon. Members, the exposition of the procedure of the processes requisite for consideration of the Bill once transmitted to the County Assembly. As it is now, it is not laid out in the Constitution nor indeed in the County Standing Orders. Accordingly, Hon. Members, I must invoke Standing Order No 1 to provide direction as far as the Assembly’s procedural consideration process for the Bill is concerned.

Standing Order No 1 provides that:

*“In cases where matters are not expressly provided for by the standing orders or by other standing orders, any procedural motion shall be decided by the Speaker.”*

Hon. Members, in providing direction, two key issues come into mind. Namely; is the Constitution Amendment Bill under Article 257 of the Constitution to be considered in the same manner as a regular bill of the County Assembly or does the Constitution require under Article 256 to approve a call for simple straight forward resolution of the County Assembly which either negates or okays approval of the Bill?

To begin with, Hon. Members, in addressing the first issue, we must briefly converse what our procedure demands of us when considering a bill in the traditional sense and then reflect on what the Constitutional dictates under Article 257 (6) and whether such a process speaks to what is required for us in this instance.

Hon. Members, several questions suffice. Were we to run the bill through the process outlined in Standing Order No 121, would it be subjected to public participation? What would become if the public views and our views on the Bill? Would there be opportunities for amendments during the committee of the Whole House or subsequent processes? Would this process then tie in the approval expected of us under Article 257 (6)?

Hon. Members, the answer to the foregoing questions is a resolute no. The nature of the duty bestowed upon us is such that we cannot amend nor have any further meaningful consideration to the Constitutional Amendment Bill other than to simply approve or in the alternative negate our approval for the same. This brings me to the second issue at hand where the constitutional requirement under Article 256 to approve merely calls for a simple straightforward resolution of the County Assembly, which either negates or okays the Bill.

Hon. Members, it is my finding that the framing of Article 257 (6) leaves us no space for anything else other than to proceed with the Bill in the manner that results in a resolution of the House either approving or negating such an approval. Even if we were to proceed as if it was a normal bill, our processes will not lend themselves proper to the requirement at hand. Still, were we to apply the provisions of Standing Order No 121 mutatis mutandis, we would have arrived at the same conclusion being that we are incapable of amending the Bill nor forwarding to Parliament anything other than the resolution of either approving or negating such approval as contemplated by Article 257 (6).

In these circumstances, I now direct as follows regarding the consideration of Punguza Mizigo Constitutional Bill, 2019:

1. That the Punguza Mizigo Constitutional Amendment Bill, 2019 is hereby referred to the select committee on Assembly Business.
2. That the select committee on Assembly Business prepares a resolution motion on the Bill for consideration by the Assembly.
3. That the select committee on Assembly Business allocates time for the Assembly's consideration on the said motion keeping in mind the requisite constitutional timelines.

I now direct that the Punguza Mizigo Constitutional Bill, 2019 be now laid by the Leader of Majority.

## PAPERS

**Hon. Abdi Hassan:** Thank you, Mr. Speaker Sir. Pursuant to Article 257 (6) of the Constitution of Kenya, 2010, I beg to lay the following Paper on the Table of the Assembly today, Tuesday 30<sup>th</sup> July 2019: The Punguza Mizigo Constitutional Amendment Bill, 2019. Thank you.

*(The Paper was laid on the Table)*

**Hon. Acting Speaker:** Thank you. Following the presentation of Punguza Mizigo Bill to the County Assembly of Nairobi Hon. Members, my office is similarly in receipt of a letter from the Chairperson of the Third Way Alliance being the promoters of the Punguza Mizigo Constitutional Bill, 2019. The said letter regards a request for an opportunity to explain the contents of the Bill to the hon. members of the County Assembly of Nairobi by hosting Dr. Ekuru Aukot and his team on a day that my office finds convenient for the County Assembly.

Hon. Members, having perused the contents of the Constitutional Amendment Bill before us, I find it prudent that the Third Way Alliance be granted audience to address hon. members on the said bill. Accordingly, hon. members are welcomed to a sensitization meeting under the auspices of the Third Way Alliance to be held tomorrow 31<sup>st</sup> July 2019 at Charter Hall from 11 am. It is my hope that the sensitization meeting goes a long way in enlightening all of us on the contents of the Constitutional Amendment Bill before us. Thank you.

So, Hon. Members, we shall be hosting the promoters of the said bill so that we get a chance to interact and ask as many questions as possible so that as you come to debate, you do it from a point of information.

I also direct that the Serjeant-at-Arms circulates the Bill to every member for their careful consideration before tomorrow.

Hon. Themendu.

**Hon. Jeremiah Themendu:** Thank you, Hon. Speaker. Pursuant to Standing Order No. 191 (6), I beg to lay the following Paper on the Table of the Assembly today, Tuesday 30<sup>th</sup> July 2019: The report of the Sectoral Committee on Environment and Natural Resources on the inquiry into the discharge of industrial influence gas in Nairobi City. I beg to lay.

*(The Paper was laid on the Table)*

**Hon. Acting Speaker:** Thank you. There is also something from Finance and Appropriations. Chair of budget? Vice Chair?

**Hon. Robert Mbatia:** Thank you, Mr. Speaker. Pursuant to Standing Order No. 191 (6) and No. 131 (4), I beg to lay the following Paper on the Table of the Assembly, today 30<sup>th</sup> July 2019: The 17<sup>th</sup> report of the Select committee on the County Finance, Budget, and Appropriation on the Nairobi City County Corporations Bill 2019. I beg to lay.

*(The paper was laid on the Table)*

**Hon. Acting Speaker:** Thank you. We will proceed with it once the House Business Committee pronounces itself on that. Next order.

**NOTICE OF MOTION**

**Hon. Acting Speaker:** Hon. Themendu.

ADOPTION OF THE REPORT ON THE INQUIRY INTO THE DISCHARGE OF INDUSTRIAL INFLUENT GAS IN  
NAIROBI CITY COUNTY

**Hon. Jeremiah Themendu:** Thank you, Hon. Speaker. I beg to give notice of the following motion. THAT, this Assembly adopts the report of the Sectoral Committee on Environment and Natural resources on the inquiry into the discharge of industrial influent gas in Nairobi City County laid on the Table of the Assembly on Tuesday 30<sup>th</sup> July 2019. Thank you.

**Hon. Acting Speaker:** Thank you very much.

**STATEMENTS**

**Hon. Acting Speaker:** Hon. Charles Thuo, you have a statement request. Proceed.

REQUEST FOR A STATEMENT REGARDING CONSTRUCTION OF STADIA IN THE COUNTY

**Hon. Charles Thuo:** Thank you, Hon. Speaker. Pursuant to Standing Order 45 (2) (c), I wish to request for a statement from the Chairperson of the Sectoral Committee on Transport and Public Works regarding the construction of stadia in the County.

Hon. Speaker, Section 8 of the County Governments Act, 2017 gives the county assembly the mandate of approving the budget and expenditure of the county government amongst other roles. In exercising this role, county assembly allocates funds to various expenditure items for both recurrent and development pursuant to Article 185 (3). It is also expected to carry out oversight over the executive with regards to the foregoing role and allocation of resources.

Hon. Speaker, this Assembly has allocated funds for the construction of stadia in this County e.g. Dandora Stadium. The Assembly, while exercising its oversight role, is expected to be informed on all that is involved in the implementation of the said projects.

Hon. Speaker, in the statement, the Chairperson should inquire into and report on:

- i. The amount of money budgeted for excavation work and the amount of money paid to the contractor who undertook the said work;
- ii. Prove of payment for excavation and transportation of construction material to the County; and
- iii. Cost of all construction materials that were imported from outside the country for use on the project, including taxes paid and attach import declaration forms for the same.

Thank you.

**Hon. Acting Speaker:** Thank you. Hon. Njihia, I think matters of stadia are under cultural and social services.

**Hon. Abraham Njihia:** Hon. Speaker, can the Member give us two weeks? Tomorrow, I am meeting some officers regarding the same stadia. We will be able to give the response by Wednesday next week.

**Hon. Acting Speaker:** Your clerk can facilitate so that we get a faster response. Hon. Wakarindi, is that okay?

**Hon. Charles Thuo:** I am okay, Mr. Speaker.

**Hon. Acting Speaker:** Thank you. Hon. Njihia, you also have a statement request.

**Hon. Abraham Njihia:** Yes, Hon. Speaker. Kindly allow me to convey my message of condolence to the people of Kibra following the demise of our Member of Parliament, Hon. Ken Okoth. I also convey the same to the people of Bomet County following the demise of their Governor, Hon. Joyce Laboso.

REQUEST FOR A STATEMENT REGARDING RATES AND RENT WAIVERS GRANTED BY THE COUNTY  
EXECUTIVE

Hon. Speaker, pursuant to Standing Order No. 45 (2) (c), I wish to request for a statement from the Chairperson of the Select Committee on County Finance, Budget and Appropriations regarding the rates and rent waivers granted by the County Executive both formally through advertisings and informally through declarations made by the Governor.

Hon. Speaker, the Governor recently announced a waiver for house rates arrears owed to the Nairobi City County Government by tenants who have failed to clear their debts due to the financial challenges. The move was meant to ease the debt burden in rental arrears for most of the tenants and bring a new chapter in the management of rental payments for the houses. However, the tenants continue to receive threats of eviction and harassment from County Government employees on the pending rent arrears despite the Governor's directive.

Hon. Speaker, in the statement, the Chairperson should inquire into and report on:

1. Status of both formal and informal waivers made by way of declarations by the Governor and their enforcement;
2. Measures taken by officers of the Planning Department to enforce the Governor's declaration and if none, the reason for failure to do so; and
3. Actions taken against officials who continue to harass and intimidate tenants of the waived rent arrears despite the directive by the Governor.

Thank you, Hon. Speaker.

**Hon. Acting Speaker:** Thank you. Which committee is your statement directed to?

**Hon. Abraham Njihia:** Budget and Appropriations.

**Hon. Acting Speaker:** Alright. Chairman of Budget?

**Hon. Robert Mbatia:** Thank you, Hon. Speaker. I know that it is a weighty matter and it has been a general concern. We request to be given two weeks to respond.

**Hon. Acting Speaker:** Alright. Hon. Njihia, two weeks?

**Hon. Abraham Njihia:** It is okay, Hon. Speaker.

**Hon. Acting Speaker:** Thank you.

(Point of order)

Hon. Majority Whip?

**Hon. Waithera Chege:** Thank you, Hon. Speaker. Allow me to interfere with today's agenda and request your able desk to allow the chamber to observe one minute of silence for two leaders that we have lost in the course of the last two weeks. One is the Governor of Bomet, Hon. Joyce Laboso and Hon. Ken Okoth, MP Kibra. Thank you.

**Hon. Acting Speaker:** Yes, indeed it is a mourning time in Kenya. The Hon. Whip is proposing that we observe a minute of silence for the departed members. May I also give chance to two more to contribute on the same issue so that we can proceed? Hon. Emily Odour, member of Speaker's Panel.

**Hon. Emily Odour:** Thank you, Hon. Speaker, I would like to support this and as we all know, these are two important people in our lives. Especially for women, we have lost a very important person. This is the first woman who garnered many votes to get the seat.

In Kibra, we have also lost a very important leader. If you see the development the Hon. Member has done in Kibra in the last seven years, we need to appreciate. I support that we observe a minute of silence.

*(Hon. Ng'ang'a walked out of the House)*

**Hon. Acting Speaker:** Order, Hon. Ng'ang'a! There is a serious issue on the Table and you cannot just walk out when a colleague is being discussed. I hate to interrupt members' movements, but because of the issue at hand, I think it just demands some respect and then I will allow you to move as you want. Proceed, Hon. Member.

**Hon. Emily Odour:** Therefore, I totally agree and support the Majority Whip that we observe a moment of silence to recognize our heroes. Thank you.

**Hon. Acting Speaker:** Very well, thank you. Hon. Doris, Chair of Women Caucus.

**Hon. Doris Kanario:** Thank you, Hon. Speaker for this opportunity. I also stand to echo the same sentiments the Majority Whip. Indeed, it is a sad time for all of us and for the families that have lost their loved ones.

On the same, I would urge the Implementation Committee to push for a motion that was brought before this House last week about cancer to see that it is implemented in this County so that at least the cancer cases can be curbed. The Executive can be put to task to do it.

I also wish to convey my sincere condolences to the affected families. I believe they have been affected in one way or the other. This also includes our own member of this House. So, I stand to support.

**Hon. Acting Speaker:** I think the Hon. Majority Whip proposal as gained support. I know others will be supporting it too. Since it has disrupted the session, I will allow members to observe a minute of silence and then we can proceed with Assembly business.

Hon. Members, let us be upstanding for the two leaders for a minute.

*(Hon. Members stood and observed silence for a minute)*

Thank you, Hon. Members, have your seats.

The next Member who had a statement is the Hon. Member for Dandora Area I

**Hon. Peter Wanyoike:** Thank you, Hon. Speaker. I have two requests for statements if you can allow me, I can read the two of them.

**Hon. Acting Speaker:** Yes, they are all going to the same Committee.

REQUEST FOR A STATEMENT REGARDING RISK POSED TO RESIDENTS BY LACK OF GUARDRAILS ALONG KOMAROCK BRIDGE IN DANDORA AREA I WARD

**Hon. Peter Wanyoike:** Thank you. Pursuant to Standing Order No. 45 (2) (c), I wish to request for a statement from the Chairperson of the Sectoral Committee on Transport and Public works regarding the risk posed to residents by lack of guardrails along Komarock Bridge in Dandora Area I Ward

Hon. Speaker, there are several cases of pedestrians drowning while using the Komarock Bridge have been witnessed due to lack of guardrails. This poses a great danger to the area residents, having reported the matter to the resident engineer who was inspecting the construction of the Komarock Road.

Hon. Speaker, in the statement the chairperson should inquire into and report on:

- i. Steps the County Executive has taken to replace the guard rails on Komarock Bridge; and
- ii. Measures the County Executive is taking for maintenance of the public bridges.

Thank you.

TO REQUEST FOR A STATEMENT REGARDING THE RISK POSED TO RESIDENTS BY GROUNDED VEHICLES PARKED ON PEDESTRIAN FOOTPATH IN KWA MBAO AREA IN DANDORA AREA I WARD

Pursuant to Standing Order No. 45 (2) (c), I wish to request for a statement from the Chairperson of Sectoral Committee on Transport and Public Work regarding the risk posed to the residents by grounded vehicles parked on pedestrian footpaths in many parts of Nairobi County, especially in Kwa Mbao Area along the Komarock Road in Dandora Area I Ward.

Hon. Speaker, several cases have been witnessed in the area whereby pedestrians have been knocked down by vehicles on the road while walking since the pedestrian footpaths have been occupied by grounded vehicles. The matter has been reported severally to the Sub County Administrator and the Ward Administrator and no action has been taken.

Hon. Speaker, in the Statement, the chairperson should inquire into and report on:

- i. Whether the County Executive has instituted any measures to have vehicles towed away from the pedestrian footpaths;
- ii. Safety measures put in place by the County Executive for its residents;
- iii. Whether there is a policy in place on encroachment on pedestrian footpaths; and
- iv. Measures the County Executive is taking in protecting public spaces.

Thank you, Hon. Speaker.

**Hon. Acting Speaker:** Thank you. Chair? Vice Chair or any Member of Transport? Hon. Joyce.

**Hon. Joyce Kamau:** Hon. Speaker, I request the Member to give us 14 days.

**Hon. Peter Wanyoike:** Thank you, Hon. Speaker, I am okay.

**Hon. Acting Speaker:** If you are okay, it is fine. Thank you very much. I have another one for Hon. Ndungu. It will be moved tomorrow because I do not know if there is anyone to hold brief for him.

**BILL***(Second Reading)*

## NAIROBI CITY COUNTY CORPORATION BILL, 2019

**Hon. Acting Speaker:** Hon. Kabiro, do you have anything to say?

**Hon. Mbugua Kabiro:** I beg to move that the Nairobi City County Corporation Bill, 2019 be read a second time.

**Hon. Acting Speaker:** Proceed now with the debate for purposes of capturing the right procedures.

**Hon. Mbugua Kabiro:** Thank you, Mr. Speaker. As I was saying, the county government corporation is a company that is owned by the government and solely operated for gains by the government. Legally, it is a commercial entity on behalf of the government.

There are more than 119 state corporations in Kenya. We interact with most of these corporations on day to day basis. We interact with Kenya Power, Kenya Investment Authority that promotes investment in Kenya, and New Kenya Co-operative Creameries that deals with the processing of dairy products in Kenya. National Housing Corporation is not a new thing in this Assembly. I am so sure that many of us have interacted with it in different phases of life.

Mr. Speaker, according to the Overseas Development Institute which is a global think tank, there is more to democracy than elections. Yet election is one of the most prevalent actions that we connote to democracy. I will tell you about the election cycle in Kenya. We have five-year spells of the election cycle; 1992, 1997, 2002, 2007, 2013 and lately the 2017 general elections 5 years each since the advent of multi-party democracy. These five years comes with hampering of service delivery to deserving people, the citizens of this country and specifically Nairobi where most of the population of this country is concentrated. Services like water, health and garbage collection are hampered by these election cycles. Why do we need them to be organized in such a way that they will not be hampered by these election cycles? The way to solve this is to organize them in specific ways such as establishing corporations. This is why I am proposing the Nairobi City County Corporations Bill.

Mr. Speaker, health, garbage collection, housing among others are things that we consider as basic needs. If we organize these specific things within these corporations, then it will be an added advantage for; one, the Governors of this County and two, for the prosperity and service delivery to the common mwananchi who is a resident of Nairobi.

This Bill shall give effect to Section 6 (5) (a) of the County Governments Act of 2012 on the powers of the County Government. Specifically, the section allows that for the purpose of service delivery, the county carrying out its functions. It says:

*“Section 6 (5) (a) A county may establish a company, firm or any other body for the delivery of a particular service or carrying out of a particular function”.*

Mr. Speaker, that summarizes the whole Bill. This is why we are saying that we can form an entity like the Nairobi Water and Sanitation Corporation, the Nairobi Housing Corporation and help the National Government to implement the Big Four Agenda without any form of disruptions or political interference. We can form the Nairobi City Garbage Corporation and the Nairobi Health Corporation. Why would a patient go

to Mbagathi Hospital and lack a syringe yet they are in plenty in Mama Lucy Hospital.? Why would a patient go to Mama Lucy Hospital and lack drugs that would help him or her deal with an ailment like malaria yet they are in plenty and expiring at Pumwani Hospital? Mr. Speaker, we need to consolidate and form a corporation that will make sure that specific resources are well distributed across the county.

Mr. Speaker, the objective of this Bill is to provide a legal framework for the establishment of management and operations of a county corporation. This will provide a uniform code of governance for County corporations, not forgetting that it will give effect to the provisions of the Constitution in that, it will help in the implementation of the national values and principles of governance set out under Article 10, the principles of leadership and integrity set out in Chapter 6, the values and principles of public service set out in Article 232 of the Constitution among other provisions.

Just for you to understand why I am doing this, the Nairobi City County Corporations Bill is very simple and yet very necessary to set a beginning for bringing up bills that will then establish specific County corporations. The bill is well summarized and simple and has several parts. Part 2 deals with the establishment and powers of county corporations. Here we see how a county corporation is established or formed. The criteria by which a county corporation is formed is well put out in this part. How then a county corporation is dissolved, is smoothing that is well captured in that part.

Mr. Speaker, in Part 3 which deals with the management of county corporations, the Bill talks about appointments, composition, and sizes of these boards. In this bill, we propose that the number of the board members should not exceed nine (9) and that the chair should be appointed by H. E. the Governor. The members should be appointed by the County Executive Committee Members who are responsible for that specific county corporation through a gazette notice. What is their term limit? It is well documented in this bill. The term limit is three years and is renewable, which makes a total of six years. That someone based on the evaluation of competencies can then be able to get another term that will allow him to serve Nairobi better.

In Part 4, it talks about control of the finances of the county corporations. We are dealing with assets; we are dealing with books of accounts. This will help a committee in this House called the Public Investment Committee. Instead of dealing with only Nairobi Water, we will provide many other accounts for them to look at.

Mr. Speaker, in conclusion, I wish to ask and plead the hon. members in this House to support this Bill. I would also encourage them to thereafter come up with bills that would then make sure that the enactment of this Bill is a reality. I know some are gearing to sponsor these bills and I am happy about that.

I wish to call upon Hon. Robert Mbatia, MCA Kariobangi South and Chairperson of Budget and Appropriations Committee to second. Thank you.

**Hon. Robert Mbatia:** Thank you, Mr. Speaker. I second that this Bill be read a second time. I want to echo my friend on this very wonderful idea and the wisdom that brought this into being. I want to confirm that this Bill came to our committee. We have sat with the only existing institution that should be a corporation, Nairobi City Water and Sewerage Company owned 100% by the County. we also sat with other interested parties and stakeholders and the County Attorney.

I want to confirm to this Assembly that this is a bill that is long overdue to have been in place. as much as we are going to enrich it, and that is the beauty of the Assembly business is that one comes with a

good idea and it is made a better idea with the members. Mr. Speaker, I know there are some parts that we have proposed for bettering it. Corporations are very key in the provision of services and we thought that in its formation, as much as due diligence will have been done, we need also some members of the public to participate in it. We are bringing in a provision that members of the public will play a part as we shall be forming those County corporations.

Mr. Speaker, as Hon. Kabiro has indicated, this Bill will provide for social inclusion. The services in some areas like today we were having public participation on the finance bill and we went to Kibra. It was unfortunate that people are disillusioned because they seem not to be getting the services. They sent us back almost violently but we understood them because they feel that there are some services that the County is not providing for them. But with the County corporations like Garbage Disposal Corporation in place, it will be solely supervising that service. That will bring a lot of professionalism and inclusion. So, parts that feel they have been left in the provision of services that should be rendered by the County, with corporations in place and professionalizing these functions, then every Nairobiian will feel part of Nairobi.

Mr. Speaker, I support and say that this Bill is worth its salt. Thank you.

**Hon. Acting Speaker:** Thank you.

*(Question proposed)*

**Hon. Acting Speaker:** Hon. members, the floor is open for debate. Hon. June Ndegwa.

**Hon. June Ndegwa:** Thank you, Mr. Speaker. I rise to support this Bill and I am so proud that it has been brought up by Hon. Mbugua Kabiro, who is nominated on behalf of youth. The Nairobi County Corporations Bill comes in at a time that we need it most. I want to echo the voice of the Chair of Budget that it could not have come at a better time.

Mr. Speaker, state-owned corporations are a symbol of economic sovereignty because these organizations seem to harmonize or seamlessly bear up the cost of goods and services. If this Bill will see the light of the day, it will curb up a lot of our economic issues as to why goods and services cost a certain amount of money. We have even seen in Public Accounts Committee (PAC), we have seen goods and services being overly priced by certain individuals yet the market price is seemingly very low. I am hoping that by the time this Bill is being assented, it will be a point of accountability for taxpayers' money. People will know where their money is going.

Developed countries such as Chile have done these state corporations in their provinces and it is a success story. The corporations have dominated even natural resources, transport industry, and waste management.

Mr. Speaker, we have seen cases whereby say Murang'a County has accused Nairobi County of using their water. If we have a water corporation, this will be the organ that speaks for Nairobians and leave the legislators to do much more of what we are supposed to do.

I am also in agreement and support this Bill because it will come to promote a lot of industrialization, trade and regulate development within the wards. We don't want to see one ward sorting water or sanitation problems and the other ward not sorted. It will bring harmony in the development of Nairobi. I think this is well deserving to Nairobians. We should applaud Hon. Mbugua Kabiro. Nairobi will eventually Corporations Bill that will seem to bring and regulate all these together.

Mr. Speaker, I want to highlight a case that was mentioned today at the Health Committee meeting that Nairobi does not have a functional lab. With the exposé that was done in the news a few weeks ago about the use of chemicals in the preservation of meat, we had to use the National Government public lab which has their line of work that they have to do. it becomes a tall order. out of the 40 samples that were given, we only have ten of the results that have come in. if we have this Bill, I imagine in the health sector, we will be able to promote and equip some of these labs that we require.

Thank you, Mr. Speaker, I beg to support.

**Hon. Acting Speaker:** Thank you. There being no other request, I call the mover to reply.

**Hon. Mbugua Kabiro:** Thank you very much, Mr. Speaker. I would like to thank the House for supporting this Bill. I beg to reply.

*(Question put and agreed to)*

*(The Bill was read a Second Time and committed to a Committee of the Whole House)*

**Hon. Acting Speaker:** The next order, Hon. Themendu, let us push it to tomorrow.

Thank you for making it happen, we have been able to push a bill to the next stage and do considerable business with the time that we had.

### ADJOURNMENT

**Hon. Acting Speaker:** We will adjourn till tomorrow, Wednesday 31<sup>st</sup> July 2019 at 2:30 p.m. The House Business Committee shall meet on notice by the Clerk's office. Thank you, hon. members.

***The House rose at 3:52 p.m.***

