

**REPUBLIC OF KENYA**  
**COUNTY ASSEMBLY OF MACHAKOS**

**OFFICIAL REPORT**

**Tuesday, 2<sup>nd</sup> March, 2021**

The House met at 2.40 p.m.

*[The Deputy Speaker (Hon. Museku) in the Chair]*

PRAYERS

**Hon. Deputy Speaker:** Good afternoon Hon. Members. Proceed.

**PAPER LAID**

REPORT ON MACHAKOS COUNTY FINANCE BILL, 2020

**Hon. Deputy Speaker:** Hon. Members under this order number we have one business to be transacted by the chairperson of Finance and Revenue Collection committee. The Hon. Stephen Mwanthi

**Hon. Mwanthi.** Thank you, Hon. Speaker. Hon. Speaker, I beg to lay the following paper on the table of the House today Tuesday, the 2<sup>nd</sup> day of March, 2021; the Report of Committee of Finance and Revenue Collection on the Machakos County Finance Bill, 2020. Thank you, Hon. Speaker.

**Hon. Deputy Speaker:** Thank you, Hon. Stephen. Proceed.

**BILL**

*Second Reading*

THE MACHAKOS COUNTY CLIMATE CHANGE BILL, 2020  
(MACHAKOS COUNTY BILL No. 5 OF 2020)

**Hon. Deputy Speaker:** Hon. Members, under this Order, we have one motion; this is the Machakos County Climate Change Bill, 2020 (Machakos County Bill No. 5) to be moved by the chairperson on the committee on Environment, Hon. Robert Kisini. Hon. Kisini you may use this because I think that one they need to...have you sprayed it? Okay go ahead I did not know he had sprayed it. It is okay; use that one.

**Hon. Kisini:** Hon. Speaker, pursuant to Standing Order 121(1), I wish to move the motion that the Machakos County Climate Change Bill, 2020 (Machakos County Bill No. 5) be now read a second time. Thank you, Hon. Speaker. I would request Hon. Kamitu Minority Whip-

--

**Hon. Deputy Speaker:** He is the Minority Leader. Leader of Minority.

**Hon. Kisini:** Minority Leader, sorry.

**Hon. Deputy Speaker:** Leader of Minority.

**Hon. Deputy Speaker:** Leader of Minority to second the motion.

**Hon. Kamitu** seconded.

**Hon. Deputy Speaker:** Thank you, Hon. Alex Kamitu has seconded. You might wish to give some highlights on the Bill and take us through the committee report consideration of the Bill. Go ahead.

**Hon. Kisini:** Thank you, Hon. Speaker. As I take the Hon. Members through the report of the Bill, I would request we first go through it. It is a good Bill, it has good intentions and as I proceed, Members will see it will be of benefit to the Members of Machakos County. So thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Go ahead.

**Hon. Kisini:** Mr. Speaker, I will take you through the report of the Bill. There is the preface, committee mandate and committee membership. If you allow me, I would request I start from the consideration of the Machakos County Climate Change Bill, 2020.

**Hon. Deputy Speaker:** Go ahead.

**Hon. Kisini:** Hon. Speaker, pursuant to the provision of Standing Order 110(2), a legislative proposal was received from Hon. George King'ori, the Member of County Assembly Muthwani Ward and a member of the Assembly Committee on Environment, Lands, Energy and Natural Resources, with the intention to enact a County Law to contain Climate Change.

Since no Committee was in charge of the Legislative proposal, it was referred to the Committee on Environment, Lands, Energy and Natural Resources for republication, scrutiny and comments pursuant to Standing Order 110(3)(b)

The legislative proposal having been developed to a Bill was published on 28<sup>th</sup> October 2020 and First Reading done on 10<sup>th</sup> November, 2020.

Standing Order 120(1) states that a Bill having been read a first time shall stand committed to the relevant Sectoral Committee. It is in line with this provision that the Bill was committed to the Environment, Lands, Energy and Natural Resources Committee.

The Climate Change Act No.11 of 2016 defines climate change as a change in the climate system which is caused by significant changes in the concentration of greenhouse gases as a consequence of human activities and which is in addition to natural climate change that has been observed during a considerable period.

Kenya has shown its commitment to climate change by ratifying various international treaties and conventions. They include the United Nations Framework Convention on Climate

Change (UNFCCC), the Kyoto protocol and the Paris Agreement. Additionally, the UN Assembly acknowledged the aspect of climate change by including three goals on factors related to climate change among the 17 Sustainable Development Goals (SDGs). Goal No. 13 of the SDGs is about taking urgent action to combat climate change and its impacts. Goal No.14 emphasize the need to conserve and sustainably use the oceans, seas and marine resources for sustainable development while goal No.15 puts emphasis on the need to protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, halt and reverse land degradation and halt biodiversity loss.

Article 2(6) of the Constitution provides that any treaty or convention ratified by Kenya shall form part of the law of Kenya under the Constitution. These treaties and conventions are laws that are observed in Kenya.

Article 69(1a) of the Constitution provides that the State shall ensure sustainable exploitation, utilization, management and conservation of the environment and natural resources, and ensure the equitable sharing of the accruing benefits. Further Article 69(2) of the Constitution states that every person has a duty to cooperate with State organs and other persons to protect and conserve the environment and ensure ecologically sustainable development and use of natural resources.

Hon. Speaker, Section 19(4) of the Kenya Climate Change Act of 2016 provides that a County Government may enact legislation that further defines implementation of its obligations under the Act, or other climate change functions relevant to the County or such other related purposes.

#### *Objects and Purpose*

Clause 3(1) states that the objects and purpose of this Bill is to put in place mechanisms for the enhancement of climate resilience through development, management, implementation, regulation and monitoring of adaptation and mitigation measures and actions.

Further, Clause 3(2) states that without prejudice to subsection 1 of Clause 3, this Bill shall be applied by the County government in all sectors of the economy to:

- a) Mainstream climate change responses into development planning, decision making and implementation;
- b) Implement coordinated and integrated response to climate change and its impacts by all actors and stakeholders;
- c) Facilitate effective management of climate change impacts by enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change;
- d) Promote, support and facilitate community-based and community initiated adaptation and mitigation activities;
- e) Enforce duties and provide incentives for the private sector to contribute to achievement of low carbon climate resilient development;
- f) Facilitate public participation in climate change response through capacity development, awareness creation, consultation, representation and access to information;
- g) Establish frameworks and mechanisms for mobilization and transparent and accountable management of financial and other resources for climate change response;
- h) Establish and implement mechanisms to promote and facilitate climate change research and development, innovations, technology development, training and capacity building;
- i) Integrate climate change into the exercise of power and functions of all levels of the county government, including in decentralized units and enhance cooperative climate

change governance between the county, neighboring counties and the national government; and

- j) Contribute to national efforts to address the adverse impacts of climate change.

### *Guiding Values and Principles*

Pursuant to Clause 4 the application and interpretation of this Act and the making or implementation by the County Government of any policy on climate change shall be guided by the following values and principles-

- a) Community driven and bottom-up planning of response to climate change;
- b) Commitment to informed participation of communities in planning and implementation of climate change response interventions;
- c) Recognition, respect and integration of knowledge, perspectives and experiences of communities in climate change response;
- d) Planning and implementation of climate change response to be anchored in and supportive of devolution;
- e) Flexible learning approach to addressing challenges of climate change;
- f) Investments focused on achieving equitable benefits;
- g) Inclusion of all major actors in planning and implementation of climate change response;
- h) Protection of the climate system for the benefit of present and future generations;
- i) Ensuring a just transition for all towards an environmentally sustainable economy and society in the light of county circumstances and developmental goals;
- j) National values and principles of governance spelt out in Article 10 of the Constitution;
- k) Values and principles of public service spelt out in Article 232 of the Constitution;
- l) Promotion and protection of the right to a clean and healthy environment in accordance with Article 42 of the Constitution; and
- m) Commitment to fulfillment of the state obligations in respect of the environment as stipulated under Article 69 of the Constitution.

### *Public Participation and Submission of Memorandum*

Hon Speaker, Article 196(b) of the Constitution states that a County Assembly shall facilitate public participation and involvement in the legislative and other business of the Assembly and its Committees.

Further Standing Order 120(3) stipulates that “the Sectoral Committee to which a Bill is committed shall facilitate public participation and shall take into account the views and recommendations of the public when the Committee makes its report to the House”.

Pursuant to the above legal provisions, the County Assembly placed an advert in the Daily Nation on 17<sup>th</sup> November 2020 and on local FM radio stations informing the public of the venue and time for the public hearings on the Machakos County Climate Change Bill, 2020 which were scheduled on 30<sup>th</sup> November 2020 at respective venues in all the eight Sub-Counties of Machakos County. The advert also invited public to send written memoranda either by hand delivery or via official County Assembly email to the office of the Clerk by 2<sup>nd</sup> of December 2020.

The Committee held public participation forums in all the eight Sub Counties of Machakos County on the scheduled date in the following venues:

S. No	Sub-County	Venue
-------	------------	-------

---

1	Matungulu	AIC Tala
2	Mavoko	Chief's camp Mlolongo
3	Kathiani	AIC Kaviani
4	Kangundo	ABC Kalimani
5	Machakos Town	Machakos Social Hall
6	Mwala	Muthetheni Chief's Camp
7	Yatta	AIC Kithimani
8	Masinga	Ekalakala Market Shade

---

Hon. Speaker, all the forums were conducted successfully as scheduled.

*Submissions from the Public*

The following were the Submissions from the public:

- a) As relates to Clause 24(f) that the public proposed that the officer be sourced from within the sub-county. In proposing so, the public cited that a resident is familiar with the climatic condition of the sub-county.
- b) Clause 53 to include a clause to permit individual persons to cut trees within their firm on condition that they plant other tree seedlings for replacement. This would curb deforestation and extinction of certain tree species especially indigenous trees.
- c) The County Government should support the local communities by buying from them the tree seedlings of hardwood/indigenous species of trees to support them economically.
- d) There need to strict penalties for pollution of rivers which has adversely affected the community health-wise, economically, and a cause for environmental degradation.
- e) The County Government in partnership with the public should come up with proactive initiatives for environmental conservation.
- f) The County Government to factor a budget for tree planting in subsequent Financial Years which shall be implemented by the Department of Environment.
- g) The County Government should fence all county government land to prevent encroachment and to conserve the environment.
- h) It was also proposed that the word 'two' appearing in the first line of Section 28 (2) (a) pertaining to removal of a member of ward planning committee be deleted and substituted with 'three'.
- i) Section 53- General penalty- members proposed to set the penalty at Ksh. 1M (one million Kenya shillings) or a term of imprisonment not exceeding 10 years or both. They argued that putting the measures punitive will discourage contravention of the Act.
- j) Members of the public cited lack of a dumping site in Mlolongo as one of the factors that would lead to environmental pollution. They therefore compelled the County Government to set up a dumping site for residents of Athi River and Mlolongo Wards.
- k) It was noted there is need for partnerships in the implementation of the County Climate Change Act 2020. The County Government to partner with local and international funding to provide support in the implementation of climate change efforts.

- l) Section 24: the composition of the ward planning committee to take into consideration the County Government structures up-to-the village level.
- m) Section 31 on County Climate Change Action Plan (CCCAP) - the consultations should also be with the ward and village stakeholders too.
- n) Section 33- the Action plan should not be made by the Board, and still be approved by the same Board. The Public proposed that the county planning committee make the action plan to be approved by the County Assembly.

*Proposals from the Department Of Environment, Lands, Energy and Natural Resources*

Hon Speaker, the Committee invited the Chief Officer, Department of Environment, Lands, Energy and Natural Resources who proposed the following: -

- a) That the CCCU be domiciled in the County department responsible for matters related to climate change in the County for proper coordination and to avoid conflict of responsibility.
- b) The name of the first tier in the Governing structure on the matters relating to climate change be amended to 'steering committee' in line with the prototype issued by the Council of Governors for harmony in intergovernmental coordination of activities related to climate change.
- c) That H.E the Governor had on 27<sup>th</sup> October 2020 appointed the Machakos County Climate Steering Committee vide a Gazette notice No.9228.

*Submissions From Other Members of the County Assembly*

Hon Speaker, the Committee also received further proposals from members of this House as follows;

- a) Insert 'Section 19(4) of the Kenya Climate Change Act No.11 of 2016' in the long title which provides that a County Government may enact legislation that further defines implementation of its obligations under the Act or other climate change functions relevant to the County or such other related purposes.
- b) That there is a need to create a provision that establishes the County Climate Change Unit (CCCU) in the Act.

*Committee Observations*

Hon. Speaker, the Environment, Lands, Energy and Natural Resources committee makes the following observations:

- a) There was no written memorandum received by the Committee from the public.
- b) That certain Clauses may require amendments before the Bill is assented subject to approval by the House.

*Committee Recommendations*

In light of the above submissions the Committee recommends the following amendments.

*Clause 2*

THAT, Clause 2 be amended by-

- (a) Deleting the word 'Board' and its definition.
- (b) Deleting the word 'directorate' and its definition.

(c) Inserting a new definition 'steering committee' in the proper alphabetical sequence which shall be interpreted to mean 'a committee established under Section 5 of the Act.

*Justification*

To remove redundant words and include words repeatedly used in the Act.

*Clause 5*

THAT, the word 'board' appearing in the marginal note be deleted and substituted therefor by the words 'Steering Committee'.

Clause 5 be amended by deleting the word 'board' substituting therefor the words 'Steering Committee'.

*Clause 6*

THAT, Clause 6 be amended by deleting the word 'board' substituting therefor the words 'Steering Committee'.

*Clause 7*

THAT Clause 7(6) be amended by deleting the words 'management board' substituting therefor the words 'Steering Committee'.

*Clause 8*

THAT, Clause 8 be amended by deleting the word 'board' substituting therefor the words 'Steering Committee'.

*Clause 9*

THAT, Clause 9 be amended by-

- (a) Deleting the word 'board' in the marginal note substituting therefor the words 'Steering Committee'.
- (b) Deleting the word 'board' in Clause 9(1) substituting therefor the words 'Steering Committee'.
- (c) Deleting the word 'board' in Clause 9(2) substituting therefor the words 'Steering Committee'.
- (d) Deleting the word 'board' in Clause 9(2)(a) substituting therefor the words 'Steering Committee'.
- (e) Deleting the word 'two' in Clause 9(2)(a) substituting therefor the word 'three'.
- (f) Deleting the word 'board' in Clause 9(3) substituting therefor the words 'Steering Committee'.
- (g) Deleting the word 'board' in Clause 9(4) substituting therefor the words 'Steering Committee'.
- (h) Deleting the word 'board' in Clause 9(5) substituting therefor the words 'Steering Committee'.

*Justification*

- a) The term 'board' has been deleted and substituted with 'steering committee' in line with prototype by Council of Governors.

- b) On the grounds of loss of office, the number of meetings beyond which a member of the committees may be removed from office in the event of absenteeism is increased to three in line with 'Mwongozo: The Code of Governance for State Corporations' which can be used as a benchmark.
- c) Marginal notes have been amended accordingly to match with the provisions under them.

#### *Clause 10*

THAT, Clause 10 be amended by-

- (a) deleting the entire marginal note substituting therefor the phrase 'County Climate Change Unit'
- (b) Inserting the following new clause immediately after the marginal note-  
'There is established the Machakos County Climate Change Unit which shall be domiciled in the department responsible for matters relating to climate change'
- (c) Deleting the words 'Climate Change' in clause 10.
- (d) Deleting the word 'board' in Clause 10 substituting therefor the words 'Steering Committee'.

#### *Justification*

- (a) This will ensure that the Climate Change Unit is properly established in the Act.
- (b) The Unit should be domiciled in the department/directorate responsible for matters related to climate change for ease of coordination.

#### *Clause 11*

THAT, Clause 11 be amended by-

- (a) Deleting the word 'board' in the marginal note substituting therefor the words 'Steering Committee'.
- (b) Deleting the word 'board' in Clauses 11(1), 11(2), 11(3), 11(4), 11(6) substituting therefor the words 'Steering Committee'.

#### *Clause 12*

THAT, Clause 12 be amended by-

- (a) Deleting the word 'board' in the marginal note substituting therefor the words 'Steering Committee'.
- (b) Deleting the word 'board' in Clauses 12 appearing between the words 'the' and 'shall' substituting therefor the words 'Steering Committee'.

#### *Clause 13*

THAT, Clause 13 be amended by-

- (a) Deleting the word 'board' in the marginal note substituting therefor the words 'Steering Committee'.
- (b) Deleting the word 'board' in Clauses 13 substituting therefor the words 'Steering Committee'.

#### *Clause 15*



THAT, Clause 15(f) be amended by deleting the word 'board' in the marginal note substituting therefor the words 'Steering Committee'.

*Clause 18*

THAT, Clause 18(2a) be amended deleting the word 'two' substituting therefor the word 'three'.

*Clause 28*

THAT Clause 28 be amended by-

- (a) Deleting the word 'board' in sub clause (1) and (2) substituting therefor the words 'Steering Committee'.
- (b) Deleting the word 'two' in sub clause (2)(a) substituting therefor the word 'three'.

*Justification*

To bring harmony and consistence in the use of the words 'Steering Committee' to substitute the 'board' that has been deleted in the Bill.

*Clause 31*

THAT Clause 31(2) be amended by deleting the phrase 'shall run concurrently with' substituting therefor the phrase 'Shall take into consideration'.

*Justification*

This is because the current CIDP and the National Climate Change Action Plan (NCCAP) shall both expire in 2022. It is expected that the County Climate Change Action Plan which shall be for a period of five years shall be in place as soon as this Bill is passed and therefore the Plan can only be informed but may not run concurrently with the CIDP and the NCCAP.

*Clause 32*

THAT Clause 32 be amended by-

- (a) Inserting the phrase 'set out actions for' before the word 'mainstreaming' in sub-clause (e).
- (b) Deleting the word 'plans' in sub-clause (f) and substituting therefor the phrase 'prescribe measures and mechanisms'.
- (c) Inserting the phrase 'prescribe measures and mechanisms to strengthen approaches to climate change' before the word 'research' in sub-clause (g).
- (d) Inserting the phrase 'provide for' before the word 'public' in sub-clause (h).
- (e) Inserting the phrase 'provide for' before the word 'evaluation' in sub-clause (i).

*Justification*

This will give a good flow of the clauses for ease of comprehension.

*Clause 33*

THAT Clause 33 be amended by deleting the word 'board' substituting therefor the words 'Steering Committee'.

*Clause 34*

THAT Clause 34 be amended by deleting the word 'board' substituting therefor the words 'Steering Committee'.

*Clause 35*

THAT Clause 35 be amended by deleting the word 'board' in Sub Clauses (1), (3)(c), and (3)(d) substituting therefor the words 'Steering Committee'.

*Clause 36*

THAT Clause 36 be amended by deleting the word 'board' in Sub Clauses (1) and (2) substituting therefor the words 'Steering Committee'.

*Clause 37*

THAT Clause 37 be amended by-

- (a) Deleting the word 'board' in Sub Clauses (1) and (3) substituting therefor the words 'Steering Committee'.
- (b) Renumbering clause 3 to clause 2

*Clause 38*

THAT Clause 38 be amended by-

- (a) Deleting the word 'board' appearing on the marginal note substituting therefor the words 'Steering Committee'
- (b) Deleting the word 'board' in Clause 38.

*Clause 39*

THAT Clause 39 be amended by deleting the word 'board' in Sub Clauses (1) and (2) substituting therefor the words 'Steering Committee'.

*Clause 40*

THAT Clause 40 be amended by deleting the word 'board' in Sub Clause (3) substituting therefor the words 'Steering Committee'.

THAT Clause 42(3) be amended by deleting the word 'board' substituting therefor the words 'Steering Committee'.

THAT Clause 43(1) be amended by deleting the word 'board' substituting therefor the words 'Steering Committee'.

*Clause 45*

THAT Clause 45 be amended by deleting the word 'board' in Sub Clauses (2) and (4) substituting therefor the words 'Steering Committee'.

*Justification*

To bring harmony and consistence in the use of the words 'Steering Committee' to substitute the 'board' that has been deleted in the Bill.

*Clause 47*

THAT Clause 47 be amended by adding a new sub clause '(h) Penalties and fines'.

*Justification*

This will give details of penalties and fines separately in Regulations.

*Clause 48*

THAT Sub Clauses (2), (3) and (4) be amended by deleting the word 'board' substituting therefor the words 'Steering Committee'.

*Clause 49*

THAT Clause 49 be amended by deleting the word 'board' substituting therefor the words 'Steering Committee'.

*Clause 50*

THAT Clause 50 be amended by deleting the word 'board' substituting therefor the words 'Steering Committee'.

*Clause 51*

THAT Clause 51 be amended by deleting the word 'board' substituting therefor the words 'Steering Committee'.

*Clause 52*

THAT Sub Clauses (1) and (2) be amended by deleting the word 'board' substituting therefor the words 'Steering Committee'.

*Clause 54*

THAT Sub Clauses (1) and (2)(b) be amended by deleting the word 'board' substituting therefor the words 'Steering Committee'.

*Long Title*

THAT the long title be amended by inserting the words 'to give effect to Section 19(4) of the Kenya Climate Change Act No. 11 of 2016' and a semi colon ';' between the words 'to' and 'put' appearing in line one of the long title.

*Justification*

To implement and give effect to Section 19(4) of the Kenya Climate Change Act, No. 11 of 2016.

*Conclusion and Acknowledgement*

Hon. Speaker, allow me to thank members of the public and various stakeholders who took time to participate in the consultations and whose views were taken into account in this report. The Environment, Lands, Energy and Natural Resources Committee is also grateful to the Department of Environment, Lands, Energy and Natural Resources and all the Members of the County Assembly for their hard work and dedication in making sure that this Committee fulfils its mandate in legislation.

Hon. Speaker, the Committee is grateful to the Hon. Speaker, the Clerk to the County Assembly and the secretariat for the unwavering support received as it discharged its mandate.

It is therefore my duty, on behalf of the Environment, Lands, Energy and Natural Resources Committee, to table the Machakos Climate Change Bill, 2020 and recommend it to this Hon. House for consideration and adoption. Thank you, Hon. Speaker.

**Hon. Deputy Speaker:** Thank you, Hon. Kisini for that Bill well read.

*(Question proposed)*

Hon. Mitaa.

**Hon. Mitaa:** Thank you, Hon. Speaker, for granting me the opportunity to contribute to this Bill. I first want to congratulate the committee on Environments, Lands, Energy and Natural Resources through the leadership of Hon. Kisini who is the chairman for coming up with a Bill on Climate Change. It is a score to this Assembly, it is a score to the committee and at this juncture I want to applaud Hon. George Kingori, the Member of County Assembly, Muthwani Ward, who is also a member of this committee for coming up with intention to enact a County law to counter climate change. Hon. Speaker, it will go to records that he is the brain behind what will change our County in future.

Hon. Speaker, the report itself is clear and I'm equally happy on objects and purpose of the Bill Hon. Speaker, because it is intended to put in place mechanisms for enhancement of climate resilience through development, management, implementation, regulation and monitoring of adaptation and mitigation measures and actions, Hon. Speaker.

We are victims of climate change and we have experienced challenges associated with climate change. Yes we have ideas and ways of how we can counter climate change and improve on our environment, Hon. Speaker, and you are aware that this climate change has brought challenges in all aspects, Hon. Speaker. May it be human life, animal life and even the environment Hon. Speaker and it is wise enough at least to wake up from where we are and we check on how we can revert back to the old days when we would hear that climate or environment across our areas was good, Hon. Speaker.

Again under 2(1) and (3) on guiding values and principles, it again gives the green light on how things are supposed to be done, who is supposed to take what care of what and so Hon. Speaker, this Bill is timely. I welcome it with both hands and I hope that our Executive, which is the implementing arm in this County Government, will act immediately or soonest possible, maybe come up with a budget take care of some issues which might need financial input so that soonest possible we work on how we can implement this Bill to totality. So Hon. Speaker, I support. Thank you.

**Hon. Deputy Speaker:** Thank you Hon. Mitaa. Hon. Katumo.

**Hon. Katumo:** Thank you, Hon. Speaker. I stand to support this report. Firstly, I want to congratulate the mover, Hon. Kisini the Chair and the entire committee for the good work they have done. Hon. Speaker you understand we are being faced with experiences of climate change and it is good to address issues surrounding the same and therefore this comes very timely and I also wish to thank Hon. George King'ori from Muthwani who took the initiative to make sure that we could receive such in the Assembly.

Machakos County could not be left behind because there have been a lot of changes in our environment, including the climate, and I think reading through especially on the purpose and the guiding values and principles you understand we have been faced with the various sporadic weather changes and therefore there is need for us to understand and look at the procedure that was used especially in public participation and the submission of memoranda to make sure that *wananchi*, our residents understand and take part and are involved to really understand.

There was a lot of sensitization to make sure they understand the need to conserve the environment, to understand why we have such changes in our climate and we need, going forward, to make sure that we embrace good practices to make sure that of course we move along and that we do not do things that will continue to affect us, matters climate change. And therefore from some years back, you can see what has been happening and therefore there is need for us as an Assembly and County Government of Machakos to make sure that the proposals that have been given will be able to be carried along and be implemented.

I have seen there has been a lot of changes, clauses that have been deleted, so much work has been done and I think going forward, this will be part of the main Bill to become an Act to make sure the law and the legislation comes through and the purpose that it has been targeted will be able to be achieved. Mr. Speaker, we always make a lot of laws and that is our mandate as an Assembly but implementation of the same should be very key to make sure that we do not continue facing hostile climate.

If it were possible, I think the first motion we did in this Assembly and I was the mover is about dealing with the forests, making sure that we have a planting week not a day and nothing has been done and therefore when we have a legislation like this one coming through, and of course continue to experience sporadic weather, it boils down to us that we are not doing the right thing and I think it is good we become purposeful and we make sure that we do the right thing. So I support, Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you very much, Hon. Katumo. Hon. Annastaciah.

**Hon. (Ms.) Mutuku:** Thank you, Hon. Speaker. I want first to appreciate the committee and the chairman of Environment, Lands, Energy and Natural Resources for the report they have brought here and the Bill. I think this Bill is very comprehensive and Hon. Speaker, first I want to appreciate in a special way that this Bill has now been read again and the public participation was done. I want to say that it was good structure and it was very nice for the owners of Machakos County to be involved and I would like to request after this Bill is implemented, let the County Government through this steering committee to train our people about global climate change. To see how we can articulate the issues of this global change because we know as many have said it is affecting everybody, humans and animals.

So Hon. Speaker, this is a very good Bill and I think as the Second Assembly, we shall leave a very good Bill for the people of Machakos County. I want also to emphasize on the proposal the committee has proposed here through the department of Environment, Lands, Energy and Natural Resources. They have a very good proposal here that the name of the first tier of the government structure on the matters relating to climate change be amended.

This is a very nice Bill because it can change and have the good structure. How people can be trained to plant trees, to save our natural resources like sand harvesting and to see if there

is a dam constructed somewhere; how we can empower our youth through planting seedlings and planting trees to our community, even women groups.

I think this is a very nice Bill which will provide and give people of Machakos County a healthy life. I also want to appreciate and congratulate our Governor, His Excellency, who is the custodian of this county. I have seen on 27<sup>th</sup> October, 2020 he appointed county steering committee and it was gazzetted by Notice No. 9228. This is a very good structure and I would like to see the committee after the Bill is amended, to see whether it will be effective as soon as the Bill goes through. To see the committee on the ground, training our people of Machakos County, every ward; training our people how they can mitigate the global climate change so that they can have a better life and a good move. Thank you Hon. Speaker.

**Hon. Deputy Speaker:** Thank you. Can I request the mover of the motion to respond please? Do we have anyone on the outside chamber who would want to contribute on this Bill? I think all the hands are down, that means... Hon. Members I now put the question

*(Question put and agreed to)*

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

Thank you, Hon. Members. That brings us to the end of the Second Reading of that Bill. The Bill has also been balloted for the Third Reading next week when we shall be able to finalize it and conclude on it. It is a good thing that now in this final year of the Assembly, we are putting our best feet forward and doing legislation.

Let us look at not only putting into place legislation, but also reviewing legislation which was put there in the previous Assembly so that we can be able to ensure that the laws we leave for our people as we leave the Assembly are laws which are adaptive to the environment and laws which are going to help our people and not prohibit them.

## ADJOURNMENT

**Hon. Deputy Speaker:** The House adjourns to resume on the 3rd day of March, 2021 at 10.00 a.m. Enjoy your evening.

The House rose at 3.42 p.m.