

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

**OFFICIAL REPORT**

**Tuesday, 6<sup>th</sup> December, 2022**

The House met at 11.00 a.m.

*[The Speaker (Hon. (Mrs.) Kiusya) in the Chair]*

**PRAYERS**

**Hon. Speaker:** Members, we do not seem to have quorum. Could the bell be rung for 10 minutes?

*(Quorum Bell rung for 10 minutes)*

Could you ring it for five more minutes?

*(Quorum Bell rung)*

*(Several Hon. Members entered the House)*

I am informed we have enough quorum, we can start the business of the day.

**COMMUNICATION FROM THE CHAIR**  
**LACK OF QUORUM IN PLENARY**

**Hon. Speaker:** Members, without taking a lot of time, what I have stated about quorum should be taken very seriously and Members should attend plenary like they attend other businesses that we transact. I do not want to push you to the wall; I want you to do things like adults and like Hon. Members the way the name suggests. Members, let us stick to what brought us to this House. Thank you, Members.

**MESSAGE**

**NOMINATION BY HER EXCELLENCY THE GOVERNOR  
OF MEMBERS TO SELECTION PANEL**

**Hon. Speaker:** I have a message to deliver from Her Excellency the Governor. Message No. 004/2022 from Hon. Wavinya Ndeti, Governor Machakos County pursuant to Standing Order 39.

*Nominees to the selection panel*

Hon. Members, section 57 of the County Governments Act 17 of 2012 as amended in 2020 establishes the County Public Service Board (CPSB) whose composition is provided for in Section 58 of the Act

Section 58(A)(1) of the County Governments Act 2012 provides that whenever a vacancy arises in a CPSB, the Governor shall nominate and with approval of the County Assembly appoint members to a selection panel for the purpose of selecting suitable candidates for appointment as members of the CPSB.

Hon. Members, following the resignation of Jane Muthu Mutune as member of CPSB, Mr. George Kioko Luka as Chairperson of the CPSB and recommendations of this House on removal from office of Mr. Onesmus Muia Mutisya as the Secretary to the CPSB, Ms. Cecilia Sereka and Ms. Stella Ndinda Muthoka as members of the CPSB, there is need to have the same replaced.

Further Section 58A(2) of the County Governments Act provides for the composition of the selection panel which shall consist of;

- a) A Chairperson not being a public officer;
- b) One person from the private sector;
- c) An advocate of the High Court of Kenya who is a Member of Law Society of Kenya;
- d) An accountant who is a member of Institute of certified Public Accountant of Kenya (ICPAK); and
- e) One person from an association representing workers.

Hon. Members, in this regard, the Governor of Machakos County has nominated persons to constitute a selection panel for the purposes of selecting suitable candidates for appointments as Chairperson and Members of the Machakos CPSB pursuant to section 58A(1) and (2) of the County Governments Act, the nominees who have been forwarded to the Assembly for approval in accordance with Section 58(A)(1),(2) and (3) are:

1. Charles Nzioka Kanyaa, Chairperson;
2. Samera Aziz, private sector;
3. Nelson Osiemo Wanyonyi, Advocate of the High Court of Kenya;
4. George Mwangi Thiong'o, Accountant (ICPAK);
5. Beatrice Musau Ndambo representing workers.

Pursuant to Section 58(A) of the County Governments Act and Section 7 of the public appointments County Assemblies Approval Act 2017, the nominees are hereby committed to the Committee on Appointments for vetting. Thank you Hon. Members.

### **PAPERS LAID**

#### **PROGRESS REPORTS FOR VARIOUS DEPARTMENTS**

**Hon. Speaker:** We have Papers to be laid by Hon. Nicholas Nzioka, Hon. Stephen Mwanthi, Hon. Phillip Ndolo and Hon. Peter Kilonzo; in that Order. Proceed and lay your Papers.

**Hon. Nicholas Nzioka** (Machakos Central, WDM-K): Thank you, Madam Speaker. I wish to lay the following Paper on the Table of the Assembly today Tuesday 6th December, 2022;

- i. Response to requests made to the Gender, Youth, Sports and Social Welfare Department by the Assembly Committee.
  - ii. Report of the Machakos County Assumption to the Office of the Governor Committee
  - iii. First quarter report progress report from the Department of Information and Communications Technology
  - iv. First quarter report progress report from the Department of Cooperative Development and Marketing
  - v. First quarter report progress report from the Department of Culture and Tourism.
- Thank you, Madam Speaker.

**Hon. Speaker:** Thank you. Hon. Members, on those Papers, for item one the Paper is committed to the Gender, Youth, Sports and Social Welfare Committee. For item two, the Paper is committed to the Devolution and Intergovernmental relations Committee, for item three, the Paper is committed to the Labor, Public Service and ICT Committee and for the fourth item, the Paper it is committed to the Agriculture Committee. The fifth item, the Paper is committed to the Culture and Tourism Committee.

#### REPORT ON PROPOSED AMENDMENTS TO STANDING ORDERS

**Hon. Stephen Mwanthi** (Ekalakala, WDM-K): Thank you, Madam Speaker. Hon. Speaker, I wish to lay the following Paper on the Table of the Assembly today Tuesday, 6th December, 2022; the report of the Committee on Procedure and House Rules on proposed amendments to Standing Orders. Thank you, Madam Speaker.

#### FINANCIAL STATEMENTS OF MWALA WATER AND SEWERAGE COMPANY FOR THE YEAR ENDED 30TH JUNE, 2018 AND YEAR ENDED 30<sup>TH</sup> JUNE, 2019

**Hon. Phillip Ndolo** (Mitaboni, UDA): Thank you, Madam Speaker. Hon. Speaker, I wish to lay the following Papers on the floor of the House today Tuesday, 6th December, 2022:

- (i) The report of Public Accounts and Investment Committee (PAIC) on Financial Statements of Mwala Water and Sewerage Company for the year ended 30th June, 2018.
- (ii) The report of Public Accounts and Investment Committee (PAIC) on Financial Statements of Mwala Water and Sewerage Company for the year ended 30th June, 2019.

Thank you, Madam Speaker.

#### REPORT ON HARASSMENT OF MEMBERS OF THE PUBLIC BY MICRO-FINANCE INSTITUTIONS

**Hon. Ruth Kamau** (Nominated, CCU): Thank you, Madam Speaker. Hon. Speaker, I wish to lay the following Paper on the floor of the House today Tuesday, 6th December, 2022: the report of Justice and Legal Affairs Committee on a Statement sought in the House on harassment of members of the public by Micro-Finance Institutions. Thank you, Madam Speaker.

*(The Papers were laid on the Table)*

**Hon. Speaker:** Thank you, Hon. Member.

### NOTICES OF MOTIONS

#### REPORT ON PROPOSED AMENDMENTS TO STANDING ORDERS

**Hon. Speaker:** We have two notices of motions by Hon. Stephen Mwanthi and Hon. Phillip Ndolo in that order. Kindly proceed and give the notices.

**Hon. Stephen Mwanthi** (Ekalakala, WDM-K): Thank you, Hon. Speaker.

Hon. Speaker, that aware that Standing Orders are written rules under which a Legislative House conducts its business;

Further aware that these standing orders regulate the way Hon. Members conduct their business and how debates are organized and that they are unique to the legislative body they govern;

Informed that the Committee on Procedure and House Rules as established under Standing Order 187 is mandated to propose amendments to Standing Orders;

Cognizant that under Standing Order 226, the Procedure and Rules Committee may at any time, propose amendments to these Standing Orders;

Further aware that pursuant to Standing Order 227(1), the Committee received proposals of amendments, considered them and subsequently compiled a report;

Hon. Speaker, I wish to give Notice of Motion that this Hon. House approves the report of the Committee on Procedure and House Rules on proposed amendments to Standing Orders.

Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Member. Hon. Philip Ndolo you have two motions so proceed.

#### FINANCIAL STATEMENTS OF MWALA WATER AND SEWERAGE COMPANY FOR THE YEAR ENDED 30TH JUNE, 2018

**Hon. Phillip Ndolo** (Mitaboni, UDA):

Hon. Speaker, that aware that Article 229(5) of the Constitution provides that, the Auditor General may audit and report on the accounts of any entity that is funded from public funds;

Further aware that, Article 229(7) of the Constitution that provides that Audit Reports shall be submitted to Parliament or the relevant County Assembly;

Cognizant that the Audit report on Financial Statements of Mwala Water and Sewerage Company for the year ended 30th June, 2018 was received in the Assembly pursuant to Article 229(7) of the Constitution;

Further aware that the report was committed to the Public Accounts and Investments Committee pursuant to Standing Order 185(2)(b) and (c) which states that “the Public Accounts and Investments Committee shall be responsible for examination of reports, accounts and workings of the County Public Investments and whether the affairs of the public investments are being managed in

accordance with sound financial or business principles and prudent commercial practices”;

Aware that the Committee after receipt of the report conducted several meetings and consequently compiled a report;

Hon. Speaker, I wish to give notice of the Motion that this House approves the Report of Public Accounts and Investments Committee on Financial Statements of Mwala Water and Sewerage Company for the year ended 30th June, 2018.

Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Member. Proceed and give your second notice of motion.

FINANCIAL STATEMENTS OF MWALA WATER AND SEWERAGE  
COMPANY FOR THE YEAR ENDED 30TH JUNE, 2019

**Hon. Phillip Ndolo** (Mitaboni, UDA): Thank you, Madam Speaker.

Hon. Speaker, that aware that Article 229 (5) of the Constitution provides that, the Auditor-General may audit and report on the accounts of any entity that is funded from public funds; further aware that, Article 229 (7) of the Constitution that provides that Audit Reports shall be submitted to Parliament or the relevant County Assembly;

Cognizant that the Audit report on Financial Statements of Mwala Water and Sewerage Company for the year ended 30th June, 2019 was received in the Assembly pursuant to Article 229(7) of the Constitution;

Further aware that the report was committed to the Public Accounts and Investments Committee pursuant to Standing Order 185(2)(b) and (c) which states that; “the Public Accounts and Investments Committee shall be responsible for examination of reports, accounts and workings of the County Public Investments and whether the affairs of the public investments are being managed in accordance with sound financial or business principles and prudent commercial practices”;

Aware that the Committee after receipt of the report conducted several meetings and consequently compiled a report;

Hon. Speaker, I wish to give notice of the Motion that this House approves the Report of Public Accounts and Investments Committee on Financial Statements of Mwala Water and Sewerage Company for the year ended 30th June, 2019.

Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Member.

**STATEMENT**

BUSINESS FOR THE HOUSE FROM 6<sup>TH</sup> TO 7<sup>TH</sup> DECEMBER, 2022

**Hon. Speaker:** May call upon the Hon. Nicholas Nzioka, Leader of Majority to proceed and read out the statement.

**Hon. Nicholas Nzioka** (Machakos Central, WDM-K): Thank you, Madam Speaker. Hon. Speaker, the House Business Committee met on Monday, 5<sup>th</sup> December, 2022 to prioritize business for the House as forwarded by Committees and Hon. Members pursuant to the provisions of the Standing Order 151(6)(d) . The Committee balloted as follows:

Tuesday, 6<sup>th</sup> December, 2022

*Morning at 10.00 a.m.*

- (a) Motion on Development of policy on issuance and distribution of agricultural inputs by Hon. Charles Mbuva, MCA, Kangundo West Ward.
- (b) Report of Procedure and House Rules Committee on proposed amendments to Standing Orders by Hon. Stephen Mwanthi, Vice Chairperson, Committee on Procedure and Rules.

*Afternoon at 2.30 p.m.*

- (a) Response on Statement sought by Hon. Dickson Maundu on status of Kangundo Level IV Hospital by Hon. Vincent Mutie, Chairperson, Health and Emergency Services Committee.
- (b) Report of Public Accounts and Investments Committee on Financial Statements of Mwala Water Company for the year ended June, 2018 by Hon. Philip Ndolo, Chairperson, Public Accounts and Investments Committee.

Wednesday, 7<sup>th</sup> December, 2022

*Morning at 10.00 a.m.*

- a) Report of Justice and Legal Affairs Committee on response on a Statement of harassment to the public by microfinance institutions by Hon. Peter Kilonzo, Chairperson, Committee on Justice and Legal Affairs.

*Afternoon at 2.30 p.m.*

- (a) Report of Public Accounts and Investments Committee on Financial Statements of Mwala Water Company for the year ended June, 2019 by Hon. Philip Ndolo, Chairperson, Committee on Public Accounts and Investments
- (b) Adjournment of the House for long recess by Hon. Nicholas Nzioka, Leader of Majority.

Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Member.

### MOTIONS

#### AGRICULTURAL INPUTS DISTRIBUTION AND ISSUANCE POLICY

**Hon. Speaker:** May I call upon Hon. Charles Mbuva, MCA Kangundo West Ward to proceed and move the motion.

**Hon. Charles Mbuva** (Kangundo West, GDDP): Thank you, Madam Speaker.

Hon. Speaker, that aware that food Security is listed as Agenda one (1) among the Big 4 Agenda and that agriculture is one of the key enablers of attaining the Vision 2030 policy goals;

Further aware that pursuant to Article 21(2) of the Constitution of Kenya, 2010, the State shall take legislative, policy and other measures including the setting of standards, to achieve the progressive realization of the rights guaranteed in Article 43 of the Constitution;

Cognizant that pursuant to Article 185 of the same Constitution, legislative function is vested in the County Assembly;

Aware that a public policy is a guide to legislative action and it provides a broad strategy that a government uses to deliver services to its citizens;

Remembering that the Department of Agriculture, Machakos County has for the recent years undertaken critical roles such as seed distribution, fertilizer issuance, chick distribution and other agricultural related inputs without a defined policy on agricultural input issuance;

Informed that in the absence of the said policy there has been challenges in need assessment, incorporation of public participation, data on residents with critical needs, officers to administer issuance, time of issuance of inputs in relation to rainfall cycles and monitoring of effectiveness of the use of the inputs after issuance;

Hon. Speaker, I wish to move the Motion THAT this House resolves that the County Government of Machakos develop for approval by the Assembly an agricultural inputs distribution and issuance policy to guide on procedures of issuance and ensure effective use of inputs by farmers for utmost realization of food security in the County.

**Hon. Speaker:** You may call a seconder to second your motion.

**Hon. Charles Mbuva** (Kangundo West, GDDP): Madam Speaker. Before I invite the seconder, I wish to say something about this motion. Madam Speaker, food security is a critical component for humanity for the existence of humanity. As I have stated while stating the motion, it is the first agenda of the Big Four Agenda which is a blueprint guiding our economic areas of economic importance in this country. Without overstating, agriculture is the mainstay, it is the major economic activity undertaken across the board in the whole of our county.

It cuts across all the villages, all the wards and all the sub-counties in our county. It is one sector which when the County Government invests, it touches every household and Madam Speaker, the motion I am tabling today, it is dealing with a critical part of realizing the full benefit of the indulgence or involvement of the County Government in agriculture. This is the area of creating a policy on how the county government of Machakos will be distributing inputs, how will the County Government be identifying the needy farmers? What is the criteria of distributing those inputs?

Madam Speaker, just recently, we held one activity where the County Government or Machakos distributed some seeds to the people of Machakos. I would wish to state here that we didn't know even as Hon. Members, who were these people targeted to benefit from these seeds, in our wards. How are they picked? What is the criteria of identifying them?

Secondly, Madam Speaker, even when those seeds are delivered, at one point at one center in the ward, what is the formula of taking it to the various villages because sometimes it's very difficult for people to come from more than four, the farthest corners of a ward to come and assemble at one point to beat the inputs and it would end up being chaotic. Without a proper guiding policy, that exercise in some areas turned chaotic.

Without a policy guide, members of the public take that the county government has brought free seeds, and all of us are taxpayers and all of us are voters in this County and we deserve so at the end, the needy farmers, the needy of the needy in the villages, who deserved these seeds or these inputs get lost in the in the huge crowds and then people who are even able to plant their farms without requiring assistance from the from the government come and partake in the sharing of those inputs.

Then the sharing ends up to be even I should say disgraceful where one farmer will take like a few grams of seeds. I am told Madam Speaker in one of the centers in my ward, people were counting the number of seeds each person is supposed to get so they were sharing like 15 seeds of maize because that was the only formula to be used so that each person in that sub-county gets something to take home so we end up losing the purpose of that exercise. This motion is seeking to cure. Even when we are developing this policy, let there be consultations.

There is a tendency when the Executive is developing a policy, it tends to sit in their boardrooms and come up with policy not bringing Members on board and we are expected now to partake in the implementation of that policy developed without our involvement. I would ask, as I call my seconder, that when this policy is being developed, because it is touching the lives of our people core of the lives of our people, that Members of this House be involved, we think through together because usually in this country and elsewhere, when people get to hear about free things, Madam Speaker, you will be surprised when something is said to be free, even a person who has it in plenty at home would want to pick something because it is free.

So, this policy will insulate and create a framework that is foolproof on how we will be identifying the farmers and how the distribution will be done. As I as I conclude, Madam Speaker, it came to a point where members of this House we are required even to chip in and see how the inputs will be distributed in their centers. Madam Speaker, the earnings that members earn in this House, we do not have a component where we have to give our own resources to assist in distribution of seeds and inputs will be done in our wards. Members who are called by the extension officers in the wards and told I have this number of bags here, I want you to organize transport, how these things are going to be distributed.

The Executive should shoulder their responsibility and not come and put Members of this House tasked them with what is not their task. Otherwise, that was kind of like blackmail when a Member is told; it is up to you to know how you will distribute those items to your ward. That is not proper, Madam Speaker. So, Madam Speaker, I had much to say but I know we are towards Christmas and people are beginning to think on how they will spend the remainder of the month, I will not want to take much time; I call upon Hon. Dickson Maundu to second. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Member. Hon. Dickson Maundu.

**Hon. Dickson Maundu** (Kangundo Central, MCCC) seconded.



**Hon. Speaker:** Thank you Hon. Member. Proceed and just hold a bit.

**PROCEDURAL MOTION**  
EXTENSION OF SITTING TIME

**Hon. Irene Mulu** (Nominated, WDM-K):

Hon. Speaker that aware that Standing Order 27(2) provides the Speaker shall interrupt business at 12.30 p.m. for the morning sitting;

Aware that Standing Order 27(3) provides that the house may resolve to extend its seating time;

Aware that Standing Order 27(4) requires motion to extend seating time to be moved at least 30 minutes before the time appointed of adjournment;

Hon. Speaker, I beg to move the motion that the House resolves to extend its sitting time until the business is transacted.

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you, Hon. Member.

**Hon. Member:** I now propose Hon. Dominic to second. Thank you.

**Hon. Dominic Maitha** (Muthwani, WMD-K): Madam Speaker, considering that we still have got some motions and matters to discuss, I second the motion. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Member.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed business as per the Order Paper)*

Let us proceed from where we had left.

*(Question proposed)*

May I now invite Members to debate that motion? Members, it is your time, it is your floor; let me hear your voices. Hon. Deputy Speaker. Proceed.

**Hon. Stephen Mwanthi** (Ekalakala, WDM-K): Thank you, Madam Speaker.

Madam Speaker, I stand to support the motion that it is good the House has a policy that will be helping, especially in distribution of agriculture inputs. I think it is kind of a thing that ought to have been there and I cite the fact that we have had similar activities in the county and sometimes there has been a lot of pushing over by members of public because we do not have any policy that would have been guiding such activities of issuance of farm inputs.

So I stand to support that motion that this Hon. House approves the motion so that we may have a policy to guide or to be guiding the executive on issuance of such we have our

extension officers down there and without our policy Hon. Speaker, there will be no equity especially on insurance of such products. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Deputy Speaker. Hon. Majority Leader, proceed.

**Hon. Nicholas Nzioka** (Machakos Central, WDM-K): Thank you, Madam Speaker. I stand to support the motion that this County together with the assembly needs a policy on how to distribute seedlings and agricultural inputs for the farmers. Firstly, these are public funds and we should be able to track whether the public funds that are utilized in buying of the seeds and the farm inputs have any return on investment or we are just wasting the funds.

So I think it is very important that we know from the beginning, the targeted number of people that are going to be benefiting from these seedlings and inputs and be able to track whether the actual distribution was done and what could be the potential output in preparation that some of the output would require that the County Government have the Executive side initiates some measures to promote marketing. Many a times and I have seen this happen every season, we are coming for example, to a season where we are going to be having a lot of mangoes in our region and it might have happened that we assisted the farmers in you know, giving them fertilizer and pesticides.

Then we have so much mangoes that we are not able to put to the market in the right structure. So the policy in itself should have the end results and then results for me is to benefit a farmer and the County Government sees value in the funds that it is utilizing in supporting our farmers. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Member. Hon. Dickson, proceed and make your comment.

**Hon. Dickson Maundu** (Kangundo Central, MCCP): Thank you, Madam Speaker. I stand to second the motion that this County ensures that it has a policy that will guide on the issuance of inputs as farm inputs, seed distribution and of course fertilizer that are used by our farmers to make sure that we have enough food for our people. Madam Speaker, as Hon. Majority Leader has said, these are public funds and of course, using public funds to buy inputs without a policy contributes to violation of the law.

I want to say and second this motion that we have policy that we will ensure we have equal distribution of seeds, fertilizers for this County such that distribution is that at a point where farmers will benefit. We do not have to be distributing fertilizers when it is not due we need to have a policy to distribute the fertilizers which is beneficial to our farmers. I stand to support this motion. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Member. Could I have more contributions? Hon. Muoki.

**Hon. Muoki Musila** (Ndithini, WDM-K): Thank you, Madam Speaker. I stand to support the motion of a creation of a policy that would guide us in the agricultural sector, and I would not want to only dwell on insurance and distribution of the farm inputs. Of importance to me, before I put any investment anywhere, I would be looking at what is my objective? What do I want to get out of these agricultural inputs? I am talking about if I am going to get inputs to the

farmers, what do I want to get from the farmer? Is it just a political statement I want to do that the whole of the County of Machakos will know I distributed seeds or did I want to get benefit out of my effort of distribution of the inputs?

Do I want my people to have food? Or do I want them to have enough food plus some surplus to sell for an income? So those are the I do not know an hypothesis that I would have first so that I can now go down and ask myself what kind of a policy will give me the correct answer to my hypothesis. I want to say this, Madam Speaker. Yes, I support the creation of a policy to distribute on.....I am constrained only to deal with the issuance and distribution of inputs because I am also asking myself, once I distribute, yes.

What method am I going to use to distribute to whom am I going to distribute because I have seen it, you give even where you come from ourselves on our own levels. You will give somebody some input or some maize but the guy goes plants but he does not take care of it so who is this person we are going to get and give these inputs that we expect to get a return; not to the County itself but to that particular person.

There are people who will get all the seeds but once they put them in their *shambas* maybe they will not take care of them. Maybe it is too small for any economic gain. Is it possible when we are picking the people to be given the seeds to, are we going to give the small scale farmer or a big scale farmer who can give us a return.

What I have in my mind; suppose somebody has a big piece of land and we give him 15 pieces of maize as the mover said if you give me 15 seedlings they cannot feed me a single meal and tomorrow you will say you gave me seeds. I am looking at it from an economic point of view; suppose I gave somebody four *gunias* of maize then he does all that. We do know from an agricultural information, one acre will produce so much and we will be expecting much from that farmer that he can maybe give back to the giver.

If one acre can produce 15 bags maybe he will be able to give five bags back to the County Government and I will be able to distribute to more farmers. If we look at it from the economic point of view it will be more beneficial.

Again, we are only talking about seeds and agriculture is not only about seeds alone because there are animals; there is somewhere you read about chicks but we have water bodies in our counties. Are we going to have fish farming as part of it? The Majority Leader talked about mangoes; where are we going to get the markets? So as we talk about agriculture inputs, let us look at it in a broad way and not confining ourselves to seeds alone. Where I come from Nyika, Masinga, Yatta and Mwala; we come from a dry area. Is it only seeds we can do. If we only looked at seeds, then we are failing. Are there other plants that we can give to these people---

**Hon. Speaker:** Hon. Member, the mover did not talk about seeds only; he talked about inputs and how the policy should be guiding on the criteria; accountability, monitoring and once the policy is passed it will include everything that you are now talking about. So the most important is to pass the motion.

**Hon. Muoki Musila** (Ndithini, WDM-K): Thank you, Madam Speaker. I was just broadening the whole thinking, not that we only go into one area. Thank you Madam Speaker.

**Hon. Speaker:** Proceed, Hon. Member.

**Hon. Dominic Maitha** (Muthwani, WDM-K): Thank you, Madam Speaker. When the mover was going through the motion, there is a part where he clearly outlines that "remembering that the department of agriculture in Machakos County for the recent years had undertaken critical roles such as seed distribution, fertilizer issuance, chick distribution and other agricultural related inputs without a defined policy on agricultural input issuance." Unless the Hon. Member contributing did not listen to that, the mover clearly outlined what the policy has to handle so I wish to have him informed.

**Hon. Speaker:** Thank you; he is duly informed. We can have more Members. Hon. Vincent, Hon. Kaloi, Hon. Maitha and Hon. Aliphonce; in that order.

**Hon. Vincent Mutie** (Upper Kaewa/Iveti, WDM-K): Thank you, Madam Speaker. I support this motion in regard to developing a policy. You realize that the moment you have a dream or a vision you want to achieve, the vision remains as a picture and unless we have a proper guideline on how to achieve that vision, then the entire intent is lost. You realize that we did not realize the importance of having a policy until recently when there was an exercise related to distribution of seeds.

Some of the extension officers used the seeds as a means of buying loyalty. Others used the same exercise to stamp their authority and people who deserved did not enjoy and it turned out to be a chaotic affair. Therefore, when we have a policy, it will help in this important exercise and such an exercise cannot be undertaken without a procedure on how to do it.

In this same policy it will help us to track our progress. For example, we have been distributing seeds for as long as I can remember, but looking at this motion, the intent is to ensure that our people are food-secure. If our people are still not food-secure after many years of distributing seeds, then I will invoke the common saying that; only fools can do things the same way they did yesterday and expect different results.

If we want the intent of distribution of seeds to be actualized and achieved, we must change the way it has been done before and the best way is to have a policy so that areas will be given that which yields best in their areas. There is no need to give people who can grow avocados and give them maize seeds; it will be better to empower them in their area of agriculture which does best in that area.

It will also help the department in investing in the right areas; the extension officers will be doing research so that when we are planning and budgeting we will not just throw money without a proper plan. Therefore, I support this motion; let the policy be brought to the Assembly and let us discuss and enrich it and give more ideas to the department so that this exercise can begin to bear fruits with our people. I support, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Member. Hon. Kaloi.

**Hon. Jeremiah Kaloi** (Athi River, WDM-K): Thank you, Madam Speaker. I support the motion and why the policy because it is going to solve the issue of transport logistics. Members have been involved in distributing or looking for transport to the smallest part of their wards and sometimes it is hectic. So the policy will also guide us on the correct beneficiaries because in some areas like Athi River, sometimes it becomes so difficult to identify who the rightful farmers are because that is a town and it is challenging issue.

So, it will help the extension officers and the agricultural officers on who are the right beneficiaries of the seedlings. As we are aware, in the coming days, there is a program to do with fertilizers and we wish it to be involving all the MCAs unlike what has been happening with the seedlings.

I support the motion and we are going to embrace the policy when it comes to the House and we are going to work in harmony with the team on the ground to ensure that our people not only get the seeds but we follow through the extension officers in each and every area. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Member. Hon. Maitha.

**Hon. Dominic Maitha** (Muthwani, WDM-K): Madam Speaker, I thank the mover of this motion in reference to the recent exercise of distributing seeds among other inputs that have been given out, there has been a serious problem and it is like this mover read it out and it is crosscutting in all wards. Having a policy in place on how to distribute the farm inputs is going to solve a lot of questions.

There is no defined modality of how these inputs are supposed to be distributed, by whom and when. Recently, there was uproar from Hon. Members on who is supposed to do the distribution; is it the ward administrator, is it the village administrator, is it the so-called coordinators who are non-existent in our county running affairs but just political connotation, is it the Hon. Members, is it the agricultural officers.....there is no defined modality and with that Madam Speaker, it brought a lot of bad blood between the MCAs who have been elected and the Executive.

With this policy in place, it will define and outline the procedure of how the seeds are supposed to be given out. It is going to allay any suspicious undertakings by both Hon. Members and the Executive on who is trying to outshine who. Madam Speaker, if we have a clear outlined policy in place, all these suspicion will come to an end. The inputs and the policy will even give timelines on when the inputs are supposed to be given. At times we give seeds when farmers have gone to the extent of buying their own seeds because the county seems to be non-committal to it.

Fertilizers come at a time when you have already, for example if you need to apply DAP, it comes when you have already bought at a higher price because there was no provision on when it is supposed to be given. So, with this policy, it will give assurance to the farmers that one month before the rains start we already have these inputs in place.

The other thorn in flesh that needs to be handled, Madam Speaker, by the policy, is the identification of the beneficiaries. Up to date, you will find that most of the people who benefit are not the ones who are supposed to benefit. The essence of the inputs is to cushion the vulnerable and not those who are able to buy the inputs. So, this process needs to be given a very strong concern when the policy comes so that we can ensure the vulnerable and those not able to go and purchase the inputs are benefitting from this. Otherwise at the end of the day you find those who are meant to benefit are not and we give the seedlings to those who are capable of afford them.

So Madam Speaker I support and say that; when the policy comes, we need to ensure that the end result of this intention is achieved. Right now, Madam Speaker, if there is anything that is going to be difficult to this House and especially the elected members, even the special elect, is the challenge of food to our people. So if this matter and this policy comes in place and

addresses this matter to completion, then Madam Speaker, it is going to be the best. So we need to make sure that when this policy comes, we properly scrutinize it.

For example, Madam Speaker, we already have agricultural officers in place in every sub-county, but at what times do these agricultural officers come in place. It is only during distribution of these seeds or inputs and once it is over, they never follow it up. So even in the policy, Madam Speaker, it needs also to capture, what roles do these agricultural officers need to put in to be involved other than giving out the inputs, they ought to be on the ground to see that the inputs that were given out to the beneficiaries are utilized in the right manner.

We also have to capture in the policy that these agricultural officers ought to go to the ground and ensure that they also advice and guidelines to those people who are given with these input; not just sitting in the offices and they only appear at the time of distribution, but don't they don't appear in the process that facilities to have the inputs give the results. So Madam Speaker, it is a very timely motion, it is going to cushion Hon. Members and the Executive that you know those questions as to who is supposed to distribute.

We have right now a working county government structure; sub-county administrators, Ward administrators, village administrators and informed Madam Speaker, that what we are lacking is only the village council that needs to be moved with speed to be constituted so that we don't use the national government administration. Currently, we have to use the chiefs and assistant chiefs at some point and the village, the village elders, yet we have an existing well-structured county government structure, which comes as an outlined.

So we need to use those people so that Madam Speaker, we can outline and pick those who need to benefit from this. So this policy will bring a lot of change, it will even give timelines on when these outputs need to be given and give assurance to our farmers that these and this is going to be available earlier enough before the season of planting and even harvesting comes from him. I support the motion, Madam Speaker. Thank you.

**Hon. Speaker:** Thank you Hon. Member, I now invite the mover of the motion to reply.

**Hon. Charles Mbuva** (Kangundo West, GDDP): Thank you, Madam Speaker and also thanks to Members for supporting this motion. The Members do understand that without the existence of a policy, Madam Speaker, the electorate down in the villages do not understand the arms of government and whenever something goes wrong, they don't know when to place blame to the Executive and when to place blame on the on the elected members. So, we are the people who carry the blame for lack of a policy when the whole thing is bungled. When it there is blame, it comes to our doorsteps. So, thank you, Members, for supporting this motion.

Madam Speaker, a Member has brought to my attention what happens without a policy. Without taking a lot of time, Madam Speaker, without a policy, in one of the centers when avocado seedlings were being distributed, members of public were requested to give opinions on how they will share 200 seedlings among 600 people present. One of the suggestions was that each member of the public cut a branch. One carries a branch, another one the stem and another one the roots as a way of everybody going home with something.

Madam Speaker, this is what would happen when there isn't a policy. In another scenario, when some chicks were being distributed in a group of women group of 200 women, 50 chicks were provided and that is what was available. For lack of a policy, a suggestion was been mooted, I don't know whether it is Solomonic or otherwise, that they split the chicks so

everybody goes home with a piece of a chick.

**Hon. Speaker:** Is it even practical?

*(Laughter)*

**Hon. Charles Mbuva** (Kangundo West, GDDP): This is what suggestions will come because there is no policy because everybody wants to benefit. So, Madam Speaker, without much ado I thank members for supporting the motion. Thank you, Madam Speaker.

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

*(Question put and agreed to)*

*(Applause)*

APPROVAL OF REPORT ON PROPOSED  
AMENDMENTS TO STANDING ORDERS

**Hon. Speaker:** May I call upon Hon. Stephen Mwanthi to proceed and move the motion.

**Hon. Stephen Mwanthi** (Ekalakala, WDM-K): Thank you, Hon. Speaker.

Hon. Speaker, that aware that Standing Orders are written rules under which a Legislative House conducts its business;

Further aware that these standing orders regulate the way Hon. Members conduct their business and how debates are organized and that they are unique to the legislative body they govern;

Informed that the Committee on Procedure and House Rules as established under Standing Order 187 is mandated to propose amendments to Standing Orders;

Cognizant that under Standing Order 226, the Procedure and Rules Committee may at any time, propose amendments to these Standing Orders;

Further aware that pursuant to Standing Order 227(1), the Committee received proposals of amendments, considered them and subsequently compiled a report;

Hon. Speaker, I wish to move the Motion that this Hon. House approves the report of the Committee on Procedure and House Rules on proposed amendments to Standing Orders.

So I call upon Hon. Boniface to second the motion.

**Hon. Boniface Katiti** (Muthetheni, UDA): I second.

*(Question proposed)*

**Hon. Speaker:** Before I invite members to debate that motion, I request the mover to perhaps briefly just give us the recommendations on that on that report so that we can move fast.

**Hon. Stephen Mwanthi** (Ekalakala, WDM-K): Thank you, Madam Speaker. Madam Speaker that Hon. Members were given the hard copies of the report then I request I read the recommendations. Hon. Speaker guided by the above observations this committee;

1. Recommends the House not to approve the following proposed amendments presented to the Committee;  
Proposal to amend the Second Schedule of the Standing Orders to include a Sectoral Committee on Devolution and Intergovernmental Relations;  
Proposal to amend and include matters of advocacy for the rights of the minorities and marginalized communities under the mandate of Devolution and Intergovernmental Relations Committee;  
Proposal to amend to include the role of overseeing celebration of National days under the mandate of Devolution and Intergovernmental Relations Committee;  
Proposal to include matters of CASA games days under the mandate of Devolution and Intergovernmental Relations Committee
2. Recommends that the Committee on Devolution has a wide mandate and the Committee, during its committee discussions should widen its focus into the many matters already provided under its mandate in Standing Order 189.
3. Recommends that all the Hon. Members need to keenly read Standing Orders and forward proposals for amendments to the Committee on Procedure for consideration so that the Assembly can have Standing Orders that fully address the issues commonly encountered.

#### 7.0. CONCLUSION

Hon. Speaker, the Committee on Procedure and House Rules wishes to acknowledge the office of the Speaker and that of the Clerk for facilitating the Committee to amend the Standing Orders to suit well the operations of the Assembly and in line with the Constitution. Credit also goes to the members of the Committee for their participation and in preparation of this report. Special thanks goes to Hon. Anna Ndilo for exercising her legislative role as provided in Standing Order 227 by proposing amendments for committee's consideration.

Further, we wish to thank the Secretariat for their tireless work in tracking the amendments and compiling the report. It is therefore my pleasant duty and privilege to table before this Hon. House the report on proposed amendments to Standing Orders for discussion and adoption. Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you, Hon. Member, I now call upon Hon. Members to debate the motion. Members, it is your floor to debate this motion. May I have contributions from Hon. House? Hon. Majority Leader, proceed.

**Hon. Nicholas Nzioka** (Machakos Central, WDM-K): Thank you, Madam Speaker. I want to put it to your attention that the report was given to us quite early in advance and we were able to read it and going by the mood of the House, we fully agree with the recommendations of the report. I request that you put the question. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Majority Leader.

*(Question put and agreed to)*



## ADJOURNMENT

**Hon. Speaker:** I am guided that there is no more business; the House now adjourns to Tuesday, 6th December, 2022 at 2.30 p.m. Thank you, Hon. Members.

The House rose at 12.37 p.m.