

REPUBLIC OF KENYA



BOMET COUNTY ASSEMBLY

ASSEMBLY DEBATES

(OFFICIAL REPORT)

DAILY HANSARD

Tuesday 1st March, 2022

PLENARY

BOMET COUNTY ASSEMBLY

OFFICIAL HANSARD REPORT

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The Assembly met at the Main Assembly Chamber,

Dr. Joyce Laboso Centre at 2:30 p.m

[Hon. Speaker (Hon. Nelson Mutai) in the Chair]

PRAYER

PETITION

REPORT ON A PETITION BY MR. KIPKORIR TESOT ON COUNTY FOOD SECURITY

Hon. Speaker (Hon. N. Mutai): Hon. Ambrose.

Hon. A. Koech: Hon. Speaker, Sir, thank you for the opportunity to highlight of the Petition that was brought to this House by one Kipkorir Tesot, ID. Number 2355175 and who is a resident of Chepalungu sub-county, Nyangores Ward. As per the Standing Order 195 (5), the functions of the Committee on Agriculture are well explained, and we are supposed to report to this House as per Standing Order 205 (2). All the Members adopted the report by appended their signatures.

The Petitioner highlighted the problems bedeviling agriculture sector particularly in our county since agriculture is a devolved function. As per the Mabuto declaration, which states that agriculture sector should be allocated minimum 10 percent of the budgetary allocation of every financial year. It was realized that the budgetary allocation of agriculture is wanting. For example, in 2018/2019, agriculture was allocated Ksh. 255 million translating to 7.6 percent of the total budget. In 2019/2020, agriculture was allocated Ksh. 337 million which was 6.8 percent. In 2020/2021, Ksh. 475 million was allocated which was 6 percent and lastly in 2021/2022, Ksh. 463 million shillings was allocated which translated to 6.4 percent.

Hon. Speaker, Sir, it should be noted that the bigger share of budgetary allocation given to agriculture in this county comes from donors from World Bank. From our own budget, it means that we give very little attention to this sector.

It was also realized by the petitioner that there is no food security in place. The Executive should be compelled to develop a policy that will be enacted into an effective legislation that covers agriculture. The petitioner submitted that we should conform to Mabuto declaration, address the poor agricultural policies in place, high taxation, lack of government subsidy, poor infrastructure and influx of low-quality agricultural products through imports. Environmental degradation also contributes to poor quality agricultural production.

There is lack of extension services to train farmers in this county. It was the prayer of the petitioner that these problems are addressed in order to improve food security in the county. The Executive concurred with the prayers of the petitioner and promised to put in place the necessary laws.

Hon. Speaker, Sir, as a committee, we went through the petition and found that the petitioner's prayers were for the interest of the county. The Committee made observation that the Executive should speed up the enactment of a food security policy within ninety days from the date of tabling of this report. The same law that has been enacted by the Executive should be brought to this House for consideration then thereafter, we must develop a Bill that is to be forwarded for consideration. It is in this light that we concurred with the petitioner to compel the Executive to work on this since it is for the benefit of our people. The poverty ratio of our people is high. For example, in

Konoin sub-county, the poverty ratio is at 36 percent as compared to the national figure of 26 percent. Food insecurity is a serious threat to livelihood of our people and our children.

Hon. Speaker, Sir, I ask the House to support this petition and the prayers of the petitioner and urge the Executive to act appropriately. Hon. Speaker, Sir, thank you.

Hon. Speaker (Hon. N. Mutai): Hon. Members, the report is available in your gadgets. You may now make your contribution on the same. Hon. Serbai.

Hon. R. Serbai: Hon. Speaker, Sir, thank you. I have just learned about this petition though I knew earlier on that there is a petition before us. I do not have the report from the Committee but from the few words that I heard from the Chairperson; the petitioner has good intention. The problem that we have is the department itself. We have given a lot of money to this department. If they were unable to implement the simple things that we gave them, will they come up with a policy and a bill?

Mr. Speaker, the Department of Agriculture is one of the worst performing departments because the government's priority should have been on this sector. On the lower side of the county, they practice dairy farming and on the other side, they carry out tea farming. However, if you looked at the prioritized areas in terms of the departments, this one is lagging. I am doubting the implementation of the decisions or recommendations that were offered by the Committee.

If the department was unable to pay the suppliers of tea in the tea centers, will they come up with a policy? Otherwise, the petitioner had a good intention, but the implementing side is the worst. We have had good recommendations here in the House but there is a problem with the implementation.

Mr. Speaker, the Committee also failed in this Petition because we have not been told of the financial implications if it is implemented. It is good because it goes hand in hand with the bottom-up economic model, but the committee should have told us of the financial implications.

When we talk of Konoin Sub-County being at the 36 per cent poverty index while at the national government it is rated at 26 per cent, it means there are things that needs to be done. I am requesting the Committee led by the able Hon. A. Koech that the committee failed to deal with the petitioner's recommendations exhaustively. Otherwise, they would have come up with a representation of regions with specific issues and sum it up the financial implications. As we are urging the Executive to come up with a Bill, they should accommodate the views and recommendations of the committee.

Mr. Speaker, if we urge the Executive to draft a bill, it is like issuing an open cheque to the Executive. What are the recommendations? Can the Chair tell us if he is ready to consider all that? Did they see the regions? Did they consider the merits and demerits of different activities carried out in various zones? did they consider the number of extension officers? We cannot talk of the agriculture being the economic backbone of this county without mentioning the extension officers. Recently there was an advert and they sought to employ 10 extension officers in the entire county. Are these people going to work for the entire county? Is it reasonable? I was expecting the committee to recommend that the extension officers per the locations or wards so that they educate the farmers. There are many things that need to be done. When we talk of the policies, the other side should be accommodating our views in what I have raised above.

Finally, it is a great shame in this county that Konoin sub-county relies on the maize from Nakuru County. The committee should have informed us how they intend to seal that so that the monies circulate within the county. In Konoin still, we rely on milk from other sub-counties within our county. It means, in Konoin, we have no milk. Several children in Konoin suffer from malnutrition.

This petition is good, and we must give it time and do not approve it today so that we can contribute to it adequately. This touches on everyone within our county. By the time we are handing this report to the Executive, it will be implemented because we have given out a comprehensive petition report.

Thank you.

Hon. Speaker (Hon. N. Mutai): Thank you Hon. R. Serbai. Hon. H. Kirui.

Hon. H. Kirui: Mr. Speaker, I also rise to support the report from the Committee on Agriculture led by Hon. A. Koech. However, I am worried about how things are handled. There was a petition by one of the businessmen on this County on the waiver on land rates. We debated in this House, and we agreed on it. The Committee on Implementation is never serious because we approve petitions in the House, and they do not care about their implementation.

This is a nice report by the Committee, but the worry is, it becomes wishful recommendations. I therefore challenged the Committee on Implementation that they get serious on their businesses.

Hon. R. Serbai rose on a point of order

Hon. R. Serbai: Hon. Speaker, we are almost coming to an end of this Assembly's term, and I am shocked that the Chairperson of the Committee on Budget and Appropriation is not conversant with what is happening in the House. When he talks about the Committee on Implementation, as far as I know is that the oversight is done effectively at the Committee level of each department.

It is the parent committee that does oversight on their respective departments. So, we cannot push the blame to the Committee on Implementation. We have been attending many trainings and there was one that we attended and was facilitated by the former Member of National Assembly representing Kitutu-Chache Oming'o Magara and he told us that oversight roles are done effectively at the Committee levels. If I am the Chairperson of the PAC/PIC, I carry out the oversight role and I present the report to the House.

Is he in order to push the blame to the Committee on Implementation?

Hon. A. Serbai: He is the one supposed to oversight the implementation of the budget. Thank you.

Hon. Speaker (Hon. N. Mutai): Hon. Kirui.

Hon. H. Kirui: Thank you Hon. Speaker, I want to appreciate Hon. Serbai for that comment. All the same, it depends on the position that are seated. I can be done in Implementations committee or even the relevant committee. I am in concurrence with Hon. Serbai on who should oversee the

implementation of the things that are passed here. It is the Agriculture committee for this case. The Motions and Petitions that we have had in this House end here in the floor of the House and my worry is way forward. Otherwise, this is a nice petition. Today in the morning, the petitioner on the waiver rate met me while walking out of the Assembly precincts and asked me what happened with the petition he brought to this House on the waiver of rates. I did not have anything to answer him but referred him to the office of the Speaker and I hope he got the answer. Otherwise, I support the report. Thank you.

Hon. Speaker (Hon. N. Mutai): Thank you Hon. Haron. I am sure I have not seen anyone in my office regarding your referral. I think as to the issue of waiver, that is a matter that should be handled by the committee on Urban Planning. I hope they will revisit the issue and address the concerns of the Hon. member.

Hon. A. Maritim rose on a point of order

Hon. Minority Leader (A. Maritim): Thank you Hon. Speaker for this opportunity. First, let me congratulate the petitioner, Johnstone Tesot from Kyogong. This is a serious farmer and a concerned resident of this County. If you can look at the prayers of the petitioner, these are real challenges that we are facing. This is the right petition, and it is my humble prayer that we look at and consider this petition because the petitioner has undertaken several public participations and collected different views. This is a report that has been widely consulted. So, this is a petition that needs the Executive to be compelled to implement. As my colleagues have said before, Executive in this County is very reluctant when it comes to implementation on so many things. That is why today we are giving a signal that such a petition should be considered. For example, there was a petition of ECD teachers in terms of schemes of service. We sat as a committee on Education and Vocational Training and came up with very good recommendations on how to move all these teachers and even went ahead to propose a scheme of service to be captured in the budget. To-date, those prayers of ECD teachers in this County have never been considered. It is very shameful that these teachers have suffered immensely and have been following us every other time even be it in funerals or other social gatherings on what happened on implementation of their prayers because they have stagnated in their positions for a very long

time. I think the most bitter lot among those ECD teachers is why we come up with a petition, consider in this Assembly and then we lack implementation. So, it is a high time as County Assembly to compel the Executive to implement these things. We need to move with speed, ask for the reasons, summon some of these CECs who are sitting on petitions. Personally, it is my humble prayer that this petition be considered and implemented and be given the necessary attention it deserves so that this county will be safe in terms of food security and other matters as raised in that petition.

Finally, the agriculture committee being led by our able chair, Hon. Ambrose, I wish to congratulate you for looking positively at the petition and even going further to flesh it so that at the end of the day we get the best. Congratulations the agriculture committee for considering that petition. I support this petition be considered and the prayers of the petitioner to come true.

Hon. Speaker (Hon. N. Mutai): Hon. Serbai.

Hon. R. Serbai: Mr. Speaker, I have been seated here and listening to contributions of various Members. We have a lot of complaints as if we do not have power to do the necessary; through your chair, if we can have tomorrow's session to discuss the conduct of the County Executive then we are going nowhere. When you go to the offices of Chief Officers they are not in their offices. Who are supposed to implement this? We need to give them signals. Our members are complaining about the CO's. Under the Public Finance Management Act, Section 45 says if a budget is not implemented as approved by County Assembly, then the Executive is contravening the act. I request that we have a kamukunji to discuss on it. The County Government act section 3 talks about the county executive member submitting quarterly report to the County Assembly. Nobody is doing that. We are the ones to do oversight. Through your wise leadership please guide this House.

Hon. Speaker (Hon. N. Mutai): Hon. Turgut.

Hon. J. Turgut: Thank you Mr. Speaker, I rise to support the petition. The petitioner is someone who has a good heart in this County. I came to know the petitioner when he was doing public participation, telling our people what to do and what the county government should do for them.

It is our mandate to implement the petition. Mr. Speaker everyone knows the petitioner who is a commissioner in the Catholic church of Kenya. I support the petition and urge the county government to implement it.

Hon. Speaker (Hon N. Mutai): As regards the humble request from Hon. Robert Serbai we need to have a proper procedure on how to actualize your prayer. Hon. Serbia you are at liberty to come with an application so that we can chat out the procedures of going through the offices in various departments in order to know how they are implementing the recommendation.

Papers

Hon. Speaker (Hon. N. Mutai): Hon. Langat.

Hon. D. Kipkirui: Thank you Mr. Speaker, I beg to Lay the following Paper on the table of the County Assembly today Tuesday 1st March 2022, the Public Finance Management Bomet Disaster Fund Regulations 2022. I beg to Lay.

Paper laid.

Hon. Speaker (Hon N. Mutai): I commit the Public Finance Management Bomet Disaster Fund Regulations 2022 to the committee on Delegated Legislation to come back with a report within 30 days. Legislations touching on emergency and disasters should be considered.

ADJOURNMENT

Hon. Speaker (Hon. N. Mutai): Hon. Members, there being no other business to be transacted, this House stands adjourned to March 2nd at 2:30 pm.

The House rose at 3:25 pm.