

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

**OFFICIAL REPORT**

**Wednesday, 15<sup>th</sup> May, 2019**

**Special Sitting**

*(Convened via Kenya Gazette Notice  
No. 4513 of 10th of May, 2019)*

The House met at Kiatineni County Commissioners Grounds, Ndithini Ward at 11.20 a.m.

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

**PRAYERS**

**Hon. Speaker:** Order, Hon. Members! Hon. Members, welcome to this sitting where you notice some small things here and there which are not as per our procedure; you will bear with us and so I welcome you to the sitting.

**COMMUNICATIONS FROM THE CHAIR**  
BUNGE MASHINANI SITTING AT NDITHINI

**Hon. Speaker:** Under this Order, there are several communications; Hon. Members, members of the public, ladies and gentlemen, I welcome you all to this sitting which is the second forum of Bunge Mashinani of the County Assembly of Machakos. We held a successful one, the first one in Kithimani, Yatta Sub-County on 17th October, 2018 and this was in furtherance of the objects of devolution and we resolved that we must be in the lead on taking services closest to the people and we do this by holding such forums in other sub-counties. Hon. Members, we convened this sitting vide gazette notice vide 4513/Vol. cxx/1/No. 59 of 10th May, 2019.

The gazette notice partly reads as follows; notice is given to all Members of the County Assembly of Machakos and the general public that pursuant to Article 10(2)(a), 174 and 196 of the constitution read with Sections 87(b), 91(g), 98(1) and 99 of the County Governments Act No. 17 of 2012, the County Assembly of Machakos shall hold its sittings on the 15th May, 2019 at Kiatineni Market at the Kiatineni County Commissioners grounds, Ndithini ward, Masinga Sub County, Machakos County.

During the said sitting, the Assembly shall conduct its regular business in plenary sittings as per the County Assembly of Machakos calendar regular sessions. Accordingly, Hon. Members, the morning sitting of the County Assembly of Machakos shall commence at 10.00

a.m. and the afternoon sitting at 2.30 p.m. The objectives of the sitting, Hon. Members is to ensure that the Assembly reaches out to as many Members of the public as possible and especially those who are not able to travel to Machakos town to come and observe the Members articulate the concerns of the members of the public so that this public today will have the opportunity of seeing how the business of the Assembly is conducted.

The forum will also give members of the public the opportunity to share with the Members of the Assembly, who are their representatives, on any matters they want the Assembly to take up. The public will also ask the Assembly to provide its scorecard and demand for certain things to be done as the public wishes. Through this forum, it is hoped that more business in form of Bills, Petitions, Statements and Motions will be forwarded to the Members so that it can be conducted on behalf of the members of the public.

#### REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF MACHAKOS WATER AND SEWERAGE COMPANY FOR THE YEAR ENDED JUNE, 2017

This is on account of the Municipal Council of Machakos Water and Sewerage Company limited for the year ended 30th June, 2017 and you need to correct that there is no Municipal Council of Machakos Water and sewerage company; it is Machakos Water and Sewerage Company.

That report was received by the Assembly on 13th May, 2019 in accordance with Article 229(7) of the Constitution. The report is hereby committed to the Public Accounts and Investments Committee and the committee is required to interrogate the report and file its report and findings in the House within three months as stipulated in Article 229(8) of the Constitution. Thank you, Hon. Members.

#### CONSIDERED OPINION ON MACHAKOS COUNTY BURSARY FUND REGULATIONS 2019

There is still further communication arising from a matter that the Assembly transacted yesterday and it is in soft copy because it was finalized a little late; remember the Speaker took time to go and write a considered opinion.

Hon. Members, you will recall that yesterday 14th May, 2019 during the afternoon sitting in the House, in the course of a debate on the report of the Joint Committee of Education and Delegated Legislation on consideration of proposed Machakos County Bursary Fund 2019, Members raised grave concerns on the framing of the report and a clear indication of their dissatisfaction with the way the report had been done. This prompted the Chair to suspend the debate in order to give guidance to the House on the way forward particularly on the matters concerning on the role that the Members are to play in the Bursary Fund. Hon. Members, this is now the considered opinion of the Chair.

The matter of Bursary Fund is of great public importance to the people that you represent because it provides a way of enabling needy children to access education. The constitution is clear that every child must be given education and the same Constitution places duty on the government and remember you are part of the government, to ensure that each child gets opportunity to education. It is on that basis that the Assembly of Machakos County passed the Bursary Fund Regulations in 2014 and that was pursuant to the provisions of Section 116 of the PFM Act.

These Regulations provided for a Fund so that out of it, bursaries can be given to the needy children within the County so that they can access education. However, Hon. Members

you recall the regulations have not been fully actualized and the fund has also not been fully actualized because the procedure of the bursary distribution, the procedure of identification of the needy, the procedure of getting the money reach the children is still unclear and since the inception of this Assembly on 7th September, 2017, Members have continuously raised the issue of bursaries because a lot of pressure is continuously placed on them by the public who want bursaries.

So, Hon. Members, because of your endless requests for bursaries, there was proposed by the Executive, a fresh a fresh County Bursary Regulations which is now drafted as the Machakos County Bursary Fund Regulations 2019 and this was the subject matter of the report which you were starting to debate yesterday. The draft regulations are said to have been informed by some communication that came from the Controller of Budget to the Executive. The Chair has however not had the opportunity of seeing those communications but nevertheless, the matter came to the House and the House was to deal with it in a fair and just manner.

So, what the chair is guiding is the House to do, particularly the Joint committee is that the report will be re-committed to the same committee so that it can re-look into it with the views of the Members and especially guided by the Constitution, County Governments Act, PFM Act and also the way the National Assembly manages the bursaries that are normally distributed by the area MPs.

That way, Hon. Members, the committee will be able to rewrite the draft Bursary Regulations which were presented to the Assembly in a better way that takes into account the role that is played by the Members of the Assembly who are always in continuous touch with the public and who normally feel the pressure every time they are being asked for bursaries.

So, that committee needs to note that this matter is very urgent and is directed to file its report to the Assembly on 18th June, 2019 because that report will be the first business to be done by the House after it resumes from recess which is starting tomorrow.

When the committee is reconsidering that report, it is advised by the Chair to make sure that it gives every Member of the Assembly an opportunity to make presentations and every member of the public who wants to make presentations and the committee is also at liberty to summon the Controller of Budget so that it can interrogate her on the basis of the directions she has been giving on that fund.

Hon. Members, I hope that you are well guided and now to the House table; you are directed to check and confirm to the Budget and Appropriations committee whether in the Budget Estimates that were presented to the Assembly by the Executive for the financial year 2019/2020 have made provisions for a County Bursary Fund so that when all is finalized, you have a Fund which you can hold back to. Thank you, Hon. Members.

## MOTIONS

### CONSIDERED OPINION CONSTITUTIONAL PETITION No. 12 OF 2019 AT MACHAKOS HIGH COURT

**Hon. Speaker:** Hon. Members, we have one business By Hon. Stephen Mwanthi, Chairperson Finance and Revenue collection Committee and before the Hon. Member proceeds, there is a short remark that I want to make. In the process of going through the Order Paper, attention was drawn to the Chair that there is a case that was filed in Machakos High Court, Constitutional Petition No. 12 of 2019.

The Chair asked for the Constitutional Petition and it was provided and why the Chair asked for it is because you know when a matter is pending in court, the Assembly should not

discuss it and so that we do not breach that requirement of the law and the procedure, the Chair has thoroughly gone through the petition and in the considered opinion of the Chair, the matters that are raised in the petition are not the same as the matters that are raised in the motion before this House. So, the motion will proceed as planned. Hon. Stephen Mwanthi, proceed.

#### REPORT ON IMPLEMENTATION OF MACHAKOS COUNTY FINANCE ACT, 2019

**Hon. Mwanthi:** Thank you, Madam Speaker.

Hon. Speaker, that aware that Section 132(2) of the Public Finance Management Act, 2012 provides that the County Executive Committee Member for Finance shall, with the approval of the County Executive Committee, submit to the County Assembly Finance Bill setting out revenue raising measures taken to finance the County Budget for that year;

Further aware that section 133 of the same Act provides that the County Assembly shall approve the Finance Bill not later than ninety days after approving the Appropriation Act;

Acknowledging that the Assembly approved the Machakos County Finance Bill, 2018 on 17th December, 2018 and aware that the Bill was assented to on 14th January, 2019;

Aware that several complaints have been received in the Assembly concerning the Act;

Further aware that the Finance and Revenue Collection Committee has investigated on the complaints and aware that the Committee has prepared a report;

Hon. Speaker, I beg to move the motion that this Hon. House discusses and approves the report of Finance and Revenue Collection Committee on Implementation of the Machakos County Finance Act, 2019.

Thank you, Madam Speaker. I call upon Hon. Josphat Kasyoki to second the motion.

**Hon. Kasyoki:** Thank you, Madam Speaker. I second the motion. Thank you.

**Hon. Speaker:** Thank you, Hon. Kasyoki. Hon. Stephen Mwanthi.

**Hon. Mwanthi:** Thank you, Madam Speaker.

#### *Preamble*

Hon. Speaker, Section 132(2) of the Public Finance Management Act provides that the County Executive Committee Member for Finance shall with the approval of the County Executive Committee submit to the County Assembly Finance Bill setting out revenue raising measures taken to finance the County Budget for that year. Further, section 133 of the same Act provides that the County Assembly shall approve the Finance Bill not later than ninety days after approving the Appropriation Act.

The draft proposal of Machakos County Finance Bill, 2018 was submitted to the Assembly on 3<sup>rd</sup> September, 2018 and published to a bill on 28<sup>th</sup> September, 2018 just two days to the statutory deadline. The Bill was approved by the Assembly on 17<sup>th</sup> December, 2018 and assented by the Governor on 14<sup>th</sup> January, 2019. The Act was sent to the Government printer for

publication and a notification of publication issued on 18<sup>th</sup> January, 2019. Copies of published Act were received in the Assembly in April, 2019.

The County Government, Executive, started implementing the Machakos County Finance Act, 2019 in some wards in January, 2019 while in other areas the Executive continued using the Machakos County Finance Act, 2018. The Executive started implementing the Finance Act, 2019 before publication in the areas dealing with quarries and sand-harvesting as well as in Athi River ward.

Since the onset of implementation of the Finance Act 2019, several complaints have been received by the Committee on the implementation of the Machakos County Finance Act, 2019. The purpose of this report is to highlight the challenges encountered in the implementation of the Machakos County Finance Act 2019 and urge the Assembly to approve the proposed recommendations on the way forward.

### *Mandate of the Committee*

Hon. Speaker, The Finance and Revenue Collection Committee is one of the sectoral Committees of the Assembly established pursuant to Standing Order 190 of the County Assembly of Machakos Standing Orders. The functions of the Committee include investigating, inquiring into and reporting on all matters relating to the mandate, management, activities, administration, operations and estimates of the Department of Finance and Revenue Collection.

The Committee is also tasked with function studying, assessing and analyzing the relative success of the Department as measured by the results obtained as compared with their stated objectives. In addition, the mandate of the Committee as defined in the Second Schedule of the County Assembly Standing Orders includes all matters relating to the management of County public finance and revenue collection.

### *Committee Membership*

Hon. Speaker, the Finance and Revenue Collection Committee as currently constituted comprises of the following Hon. Members:-

- |                           |                    |
|---------------------------|--------------------|
| 1. Hon. Stephen Mwanthi   | - Chairperson      |
| 2. Hon. Josephat Kasyoki  | - Vice Chairperson |
| 3. Hon. Betty Nzioki      | - Member           |
| 4. Hon. Grace Mutwiwa     | “                  |
| 5. Hon. Hellen Ndeti      | “                  |
| 6. Hon. Brian Kisila      | “                  |
| 7. Hon. Caleb Mule        | “                  |
| 8. Hon. Fredrick Muthoka  | “                  |
| 9. Hon. Justus Kiteng’u   | “                  |
| 10. Hon. Thomas Mutinda   | “                  |
| 11. Hon. Margaret Mwikali | “                  |
| 12. Hon. Moffat Maitha    | “                  |
| 13. Hon. Phoebe Koki      | “                  |

### *Acknowledgement*

Hon. Speaker, the Committee is grateful to the Office of the Speaker and that of the Clerk to the County Assembly for the support accorded during the Committee sittings and facilitating the Committee to undertake site visits. I wish to express my appreciation to the Hon. Members of

the Committee who sacrificed their time to participate in the activities of the Committee and in preparation of this report. Madam Speaker, I beg not to read No. 2 and we go to No. 3 because that is the legal framework.

**Hon. Speaker:** Proceed.

**Hon. Mwanthi:** Thank you, Madam Speaker.

### *IMPLEMENTATION OF MACHAKOS COUNTY FINANCE ACT, 2019*

#### *Complaints received concerning the Act*

Hon. Speaker, the Committee received several complaints on the Machakos County Finance Act, 2019 from the Members of the public through their MCAs and letters addressed to the Assembly. Some of the wards/ areas where complaints were recorded include:

#### *1. Athi River Ward*

Hon. Speaker, traders from Athi River ward complained that fees and charges had been increased tremendously and their businesses could not sustain the increase since the sales volume was low. This was reported on 15<sup>th</sup> March, 2019 by the area MCA, Hon. Robert Kisini. The residents were planning to hold demonstrations at the County Government offices in Mavoko and boycott payment of revenue until fees and charges were revised.

The Committee visited the ward on 21<sup>st</sup> March, 2019 and held discussions with the traders. The Committee established that small scale traders in Athi River ward who were the majority of the complainants had been moved to Schedule 8 in the Finance Act, 2019 from Schedule 5 in the previous Finance Acts. The traders further informed the Committee that they were being asked to pay for fire and conservancy fees which is solid waste yet most of their premises did not deal with fire related appliances nor were they receiving any garbage collection services. The traders requested to be allowed to pay for their business licences using Schedule 5 instead of Schedule 8. They also requested to be exempted from paying conservancy which is solid waste and fire-related fees.

#### *2. Kathiani Sub-County*

Hon. Speaker, the Committee received a letter from Kathiani Sub-County Business Community through the Office of the Clerk expressing their concern that fees and charges had been increased and their businesses could not cope up with the increment due to hard economic times being experienced in the Sub-County. In their letter, the Business Community requested to be allowed to pay the fees and charges they were paying in the financial year 2017/2018.

The Committee visited Kathiani market on 22<sup>nd</sup> March, 2019 and established that traders were complaining of application fees for business, fire fees and conservancy fees. The traders also complained that revenue officers were not charging same fees and charges across traders doing similar business.

The Committee sought to know from the Revenue Officers the Finance Act they were using to collect revenue and the officers produced the Machakos County Finance Act, 2015. The Officers informed the Committee that they had not received the Finance Act for 2019.

Traders in Upper Kaewa were reported to have held demonstrations on 15<sup>th</sup> April, 2019 resisting collection of revenue and harassment from revenue and inspectorate officers. The

demonstrations led to confrontations between the County officers and traders where County vehicles were destroyed and some traders arrested.

### *3. Mlolongo Ward*

Hon. Speaker, traders in the ward complained that the County Government was charging them fees that were not provided in the Finance Act, 2019 of Ksh. 14,600 as plot Single Business Permit. In addition, the traders complained that it was unfair for revenue officers to demand receipts for payment of plot levies so that they could be allowed to pay for licences of their businesses. The traders requested to be allowed to continue paying fees they were paying in 2018 and the requirement of producing evidence to be allowed to pay for single business permit be withdrawn. Further, transporters of quarry materials had held demonstrations complaining increase of cess on ballast by a very high margin in the week of 4<sup>th</sup> to 8<sup>th</sup> March, 2019.

The Committee visited quarry sites on 23<sup>rd</sup> March, 2019 and observed that few lorries were transporting ballast. The Committee was informed that some transporters had gone to court and obtained orders stopping the implementation of the new fees and charges. As a result, those transporters with Court orders were being charged Ksh. 850 per lorry per trip.

The Committee was informed by the revenue officers that they had been instructed by the Supervisor, the Director of Revenue Collection to charge transporters without court order Ksh. 2,000 for triple axle lorries per trip instead of Ksh. 3,300. In addition, they had been told to charge eight tonne lorries Ksh. 1,500 per trip instead of Ksh. 3,000.

### *4. Kola, Ekalakala, Masii, Mwala, Matungulu West and Kivaa Wards*

Hon. Speaker, traders in these wards reported overcharging by the revenue officers especially in the application of licence. They also complained that their businesses were too small to pay fees related to fire. Further, they complained that they were not receiving any garbage collection services to warrant payment of conservancy fees. Demonstrations and confrontations with inspectorate officers were also reported in some of these wards where County Government vehicles had been stoned by irate traders and which led to some of them being arrested and charged in court.

At Kithimani Law Courts where some of the traders were charged for demonstrations the Magistrate released them since the prosecutors were using the Machakos County Finance Act, 2014. The Magistrate asked for the current law but the prosecutors did not have it.

### *Meeting with the Department of Finance and Revenue Collection*

Hon. Speaker, following widespread demonstrations by traders and confrontations between the County officers and traders, the Committee invited the Chief Officer, Department of Finance and Revenue Collection to a meeting on 29<sup>th</sup> April, 2019 to discuss on the implementation of the Machakos County Finance Act, 2019. The Chief Officer sent Director of Revenue Collection and County Inspectorate Commander to the meeting. The following emerged from the meeting:

- (a) That the inspectorate officers had been harassing, beating and brutalizing traders who had not paid fees and charges as required. The inspectorate officers had been confiscating traders' goods and selling them.
- (b) That the traders had not been given notices before the enforcement officers came to arrest them. The traders got annoyed by the way the officers were treating them

- and they resulted to chasing them away and even stoning the vehicles which they were using.
- (c) Revenue officers had not been available on the ground to collect revenue and this was one of the reasons which had resulted to delay in payment of the fees and charges.
  - (d) That the revenue officers were not using the Machakos County Finance Act 2019 and were charging fees which were not in the Act. For instance, application for licence was being charged at Ksh. 500 in Ekalakala and Kivaa when it was supposed to be Ksh. 300. Further, traders in Mwala, Kola and Masii wards were charged Ksh. 600 for application of licence instead of Ksh. 300.
  - (e) The Department had not sensitized the public on the amount of revenue to be collected per business neither had it distributed copies of Finance Act, 2019 to the wards. In addition revenue officers did not have Finance documents to refer to when collecting revenue so they were relying on guess work.

### *COMMITTEE OBSERVATIONS AND RECOMMENDATIONS*

#### *Committee Observations*

Hon. Speaker, the Committee made the following observations:

- (a) The publication of the Machakos County Finance Act, 2019 delayed and was available for use in the last week of April, 2019. This was occasioned by delay in submission and eventual late approval. The business community had been waiting for this Act so as to know the amount of money to pay for licences of their business. In the past, traders who paid higher fees have not been refunded.
- (b) The Executive started implementing the Machakos County Finance Act, 2019 long before it was published especially in areas where it proposed higher charges than the previous Acts. This was the case for implementing quarry charges, sand-harvesting charges as well as charges for Athi River ward.
- (c) The Executive continued using previous Acts where the charges in them were higher than in the Machakos County Finance Act, 2019. The Machakos County Finance Act, 2015 had higher charges than the Finance Acts for 2018 and 2019 and that was the reason why Kathiani Business Community was requesting to pay fees and charges using the Finance Act for 2017/2018.
- (d) There seems to be a lack of clear policy on revenue collection and also proper training on the part of revenue officers on our revenue laws. This can be evidenced by having different Finance Acts in different Sub-Counties. Masinga and Yatta Sub-Counties were using Finance Act for 2014 while Kathiani Sub-County was using Finance Act for 2015. In addition, Mavoko Sub-County was using Finance Act for 2019 before it was gazetted.
- (e) The right procedure was not followed in enforcing payment of revenue. The inspectorate officers should not confiscate goods of traders who have not paid licenses. They should issue demand notice for revenue due specifying the duration by which the revenue should have been paid. At the expiry of this period the officers may issue extension or enforce payment by ordering closure of the business and where defiance should lead to arrest and charging.



- (f) Revenue officers were not available at the wards to collect revenue and revenue offices remain closed most of the days. The officers are only seen on market days after which they disappear again possibly to do personal business.

### *Committee Recommendations*

Hon. Speaker, the Committee observes that there were a number of challenges in the implementation of the Machakos County Finance Act and makes the following recommendations:

1. The County Executive Committee Member for Finance should ensure that Finance Bill is submitted in the Assembly as per Section 132(2) of the Public Finance Management Act, 2012. This will ensure that the Bill is approved and gazetted on time for use.
2. That the inspectorate Department suspends the operation on those who have not paid fees and charges with immediate effect up to the end of 30<sup>th</sup> June, 2019. This is to ensure traders are given ample time to prepare themselves and pay fees and charges as laid down in the Machakos County Finance Act, 2019.
3. That the traders should be served with demand notice requesting them to pay respective fees and charges before inspectorate officers move to the ground to enforce payment. The enforcement should be humane and the right procedures be followed.
4. That the traders should be exempted from paying penalty since there was delay in publishing the Finance Act, 2019 and traders did not want to pay more than was stipulated in the Act.
5. That, traders in peri-urban and rural areas be exempted from paying conservancy fees since the areas did not even have dumpsite.
6. That, traders in peri-urban and rural areas whose business does not deal with flammable products be exempted from paying fees on fire.
7. That, County suspends charges of Single Business Permit on plots since they are not provided for in the Machakos County Finance Act, 2019.
8. Revenue officers should be available in the revenue offices during working hours to enable traders to pay for their licences with ease.
9. Small scale traders in Athi River and Mlolongo Wards to pay for single business permits under schedule 5 instead of schedule 8.
10. The County Executive trains revenue officers on revenue collection and also issues proper guidelines to the officers so that there is coordination in revenue collection. The Department of Finance and Revenue Collection should ensure that the current law on revenue collection was available in all its offices and revenue officers well briefed about it.
11. That quarry transporters pay cess for ballast per trip at the rate of Ksh. 2000 for triple axle, double diff, lorry and a lorry of above eight tonnes at Ksh. 1,500.

### *CONCLUSION*

Hon. Speaker, it is therefore my pleasant duty and privilege, on behalf of Finance and Revenue Collection Committee to table this report on the Implementation of Machakos County Finance Act 2019 in this Hon. House for consideration and approval. Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you, Hon. Steve Mwanthi.

*(Question proposed)*

Hon. Members, I invite you to debate the report. However, Hon. Members, I know you have your Standing Orders and we know that the languages of the House are two; English or Kiswahili and that there is also a provision that you do not mix the two. You recall that? I wish to use the discretion under Standing Order 1 so that members you try as much as you can to debate in Kiswahili.

Remember that this is for the benefit of the members of the public that you came to their home and there is no way you can speak in languages they do not understand. So, Members please endeavor and speak in Kiswahili. Mheshimiwa Alice may be of assistance where a member is getting stuck but however, if you completely get stuck the Speaker will allow you to mix it with English because what we want to do is to communicate not just to ourselves but to the public that is in this Assembly. Thank you, Members. So, now I invite members to debate on the report. Hon. Kituku.

**Hon. Kituku:** Thank you, Madam Speaker. Nitajaribu kuzungumza kwa kiswahili ingawa hatujazoea. Bi. Spika, ukiwa umenipa ruhusa kwanza ningependa kuwakaribisha waheshimiwa, maafisa wetu wa bunge na wananchi katika bunge la leo waweze kuona kile ambacho huwa tunakifanya tunapoenda pale Machakos. Tulisema sio jambo la kawaida ama jambo ambalo tunaweza lichukulia hivi sababu hatuwezi tukaenda katika wodi zote lakini tumeweza kupata tu hii fursa kwa hivyo asanteni sana huongozi wa bunge kwa kuonelea ni vizuri tuweze kuwa na bunge katika hii wodi. Kwa hivyo karibuni sana.

Bi. Spika, nikirejelea yale ambayo yako katika meza siku ya leo ni kwamba kweli yale ambayo hii kamati ya fetha imeweza kuleta mbele yetu ni kwamba ni kweli. Juu katika maeneo mengi ya wadi unapata yale ambayo tuliyapitisha sio yale ambayo wananchi wanaitishwa. Unapata kuna kuitisha hizi pesa za kuzima moto na sehemu zingine kama hapa sijui kama wananchi wamewai ona gari ya zima moto. Kwa hivyo mambo mengine yanastahili kuondolewa.

Pia kodi ya garbage collection; unapata watu wengi katika biashara zao wao wenyewe wanajua kule wataweka takataka lakini unapata pia hawa maafisa wakuchukua revenue wanaweka pesa pale. Kwa hivyo hilo ni jambo ambalo ni la muhimu sana ambayo executive inastahili kuliangalia kwa kindani sana. Na unajua mara nyingi wamekua wakisema MCA ndio wamepitisha waitishwe hizi pesa lakini sivyo; kulingana na ripoti tumeona kweli kuna kutofuatilia sheria na ndivyo unapata sehemu zingine wengine wana complain lakini zingine wamenyamaza either kwa kuto jua ninini hau ni nini.

Kwa hivyo tungependa maafisa hao waweze kuwa pia wanatumia yale ambayo yamepitishwa katika sheria ambazo tumepitisha. Asante, Bi. Spika.

**Hon. Speaker:** Shukran Mheshimiwa Kituku. Mheshimiwa Kalumu.

**Hon. Kalumu:** Shukran sana Bi. Spika kwa kunipa muda niweze kuchangia kwa hii mada ya leo ingawa Kiswahili kidogo unipa kizungumkuti; nitajaribu niangalie kama nitaweza. Sijui kama nitaweza lakini naona kwamba hii ripoti ya leo imeonyesha kwamba wakati wa kutengeneza hii sheria ya ukusanyaji wa pesa za kaunti kuna ile lack of involvement of the public. Yaani wananchi hawahusishwi kabisa hivyo unaona imerudishwa tena ifanywe ripoti ndio tena tusahihishe tena. Inginge ni ile arrangement during the law making process to ensure---

**Hon. Speaker:** Point of order from Hon. Betty, Hon. Kalumu.

**PROCEDURAL MOTION**  
EXTENSION OF SITTING TIME

**Hon. (Ms.) B. Nzioki:** Thank you, Madam Speaker. I am rising on Standing Order 27. Hon. Speaker, that aware that Standing Order 27(1) provides that the morning sitting shall be interrupted at 12.30 p.m; Aware that the business before the House is crucial, I wish to move the motion that the House extends the sitting time until the business in the Order Paper is competed.

Thank you, Madam Speaker. I would wish Hon. Alice to second my motion. Thank you, Madam Speaker.

**Hon. Speaker:** Hon. Alice.

**Hon. (Ms.) Nzioka:** Thank you, Madam Speaker. I second the extension because we have a crucial business in the Assembly. Thank you.

**Hon. Speaker:** Hon. Alice, I was expecting to hear you start in your Pwani Kiswahili; so you want to do the opposite. Thank you. Hon. Members, the importance of the business on the Table is noticeable to every one of you and the Chair as well and it is only fair that we extend the sitting time so that we can finish the business and also noting that a lot of time was taken in travelling to this place and we started late other than the 10.00 o'clock which we had intended to start. So the extension is granted; Hon. Members, let us continue. Hon. Kalumu.

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

**Hon. Kalumu:** Thank you again Madam Speaker for granting me the chance to continue. I would like to say that I support the report of today because as you look at the report you see that there is lack of consistency in collection. The figure collected..... eh, Swahili? Wacha nichanganye kidogo ingine sijui kwa Kiswahili lakini nitajaribu. Hakuna mwelekeo mzuri sababu kwingine kunakunsanywa pesa kidogo kwingine---

**Hon. Speaker:** Hakuna usawa.

**Hon. Kalumu:** Usawa yaani.....hakuna usawa wengine wanakusanya nyingi wengine kidogo hapo tunauliza serikali ya Machakos County wale wanao kusanya wawe na standard figure ndio kama sheria ni moja inayotumika Machakos County iweze kutumika mahali pote. Ie ingine ni kwamba nimeona kidogo kuna recommendation ya wale ambao hauzi vyombo vya moto waruhusiwe wasiwe wanalipa fedha ya moto. Mimi nauliza kwamba ata nyumba kama hizi hushika moto kwa hivyo tukijaribu kuto hivyo kama bunge tutaweza kuwa tume fail kidogo.

Ie ingine nimeona kwa ripoti ni kwamba kuna harassment ama kutumia nguvu wakati wa ukusanyaji wa pesa wa askari wetu wa kaunti. Hio ni jambo mbaya; wananchi hawafai kupigwa na kudhulimiwa wakati fedha za kaunti zinapokunsanywa. Tunauliza ili wafuatilie sheria.

Pia tumeona kua kuna kwingine kunatumika sheria ya 2015, wengine wanatumia sheria ya 2014 ilhali tuko 2019. Hio ni jambo mbaya kwa sababu sheria iliyopitishwa miaka hiyo imepita hio imeshapelekwa kwingine ama hiyo haitumiki kwa sasa; ile inatumika kwa sasa ni sheria ya 2019. Kwa hivyo wale wanao kusanya ushuru wanao uliza wale revenue collectors waweze kutumia Finance Act ya mwaka wa 2019. Shukran, Bi. Spika.

**Hon. Speaker:** Shukran, Mheshimiwa Kalumu. Mheshimia Kiteng'u.

**Hon. Kiteng'u:** Thank you, Hon. Speaker. Ningependa kwenda ukurasa wa tisa No. 2 kwa wale waheshimiwa ambao wako na this report; that the inspectorate department suspends the operation on those who have not paid fees and charges with immediate effect up to the end of 30th June, 2019. This is to ensure traders are given ample time to prepare themselves and pay fees and charges as laid down in Machakos County Finance Act 2019.

Madam Speaker, mimi ni mmoja wa member wa committee ya finance na nakumbuka kama tumeketi na director finance revenue collection Mr. Sanga and Madam Speaker, tuliongea the suspension ianze wakati ule. Nimeshangaa sana siku ya jana Madam Speaker, operation iliendelea pale Kyumbi, Kinanie ward na wanabiashara wetu were harassed, Hon. Speaker and I would request ama ningependa kuuliza Madam Speaker, since mambo mingi imekua ikiendelea ama executive wamekua wakifanya kinyume na kile tumepitisha kama hii nyumba, waweze kufuatilia mikakati ya bunge ile tumeweza kusikizana na wao ndio wale wananchi waweze kuwa na amani wakati wanafanya biashra zao.

Madam Speaker, ningetaka kwenda nambari 3; that traders should be served with demand notice requesting them to pay respective fees and charges before inspectorate officers move to the ground to enforce payment and the enforcement should be humane and the right procedures be followed.

Madam Speaker, Inspectorate wamekuwa wakifuata ule mwelekeo ambao si mzuri; nakumbuka walikuja eneo langu and ningependa kusema ya kwamba hawapeani notice. Vile wanafanya, wanakuja kwa duka and then immediately hawakwambii kwanini wanataka kukushika wewe ama wametoka wapi but they harass you na ukicheza they even beat you.

Ningependa kuuliza the CEC Member in charge of enforcement aangalie department yake vizuri na kama ni kuandika ama wale wamehajiriwa hawajahitimu masomo ya kujua ile kazi wanafanya at least wapelekwe l kwa masomo ndio waweze kuelezwa kuwa wale ni binadamu na wale ndio tunawafanyia kazi ndio wameandika pia yeye, ndio wanalipa hio revenue na inafaa kuulizwa kwa ile njia inafaa.

Madam Speaker, ningependa pia kwenda kwa namba 5; that the traders in peri-urban and rural areas be exempted from paying conservancy fees since the areas did not even have dumpsites. Ningekubaliana na hayo Madam Speaker, kwa sababu mimi mwenyewe nilileta malalamishi katika committee yetu ya finance kama mwanabiahara mmoja wa kwangu amelipishwa fee ya dumpsite na kwangu ni peri-urban, ni rural hata na ile ningetaka kuongezea hapa chairman finance the committee ya finance ni kwamba wale wamelipishwa already wale walikua wamelipa kwa sababu niliona wamelipa Ksh. 1,800; hio pesa ipelekwe kwa single business permit ama county government department of revenue collection irejeshe hio pesa kwa wananchi kwa sababu hawafai kulipa kama hakuna collection.

Act inatueleza vizuri it is in urban areas but rural areas they are not supposed ama hawapaswi kulipa ile pesa. Kwa hivyo ningependa kama inaweza kuongezewa recommendation

ingine wale wamelipishwa warejeshe hio pesa yao kwa sababu walilipa kinyume na sheria, Madam Speaker.

Madam Speaker, ya mwisho ningepende kuongea kuhusu namba 8; a revenue officer should be available in the revenue offices during working hours to enable traders to pay for their licences with ease. Madam Speaker, nakubaliana na hio recommendation namba nane kwa sababu wakati wanafanya operation, wale wanabiashara wamekuwa wakituuliza 'turalipa wapi' na ukiangalia zile ofisi za wale wafanyikazi ama clerks wa revenue collection, zile ofisi zao zinakuanga zimefungwa unless hio ni siku ya soko ndio utapata wamefungua hio siku ndio waokote pesa lakini hizo siku zingine huwa mameeda kufanya kazi zao.

Madam Speaker, ningependa kuuliza waziri wa revenue collection, at least, waangalie kila peri-urban areas and urban areas kuwue na offices whereby wale wananchi hawatembeji sana wakati ule wanaenda kulipa single business permit ama wakati ule wanaenda kulipa kodi ndio waweze kuwa kama nikulipa wanalipa ile ofisi iko karibu na wajaribu wafungue kutoka Monday to Friday, Hon. Speaker. Nashukuru.

**Hon. Speaker:** Thank you, Hon. Kiteng'u. Hon. Ndawa.

**Hon. Ndawa:** Shukrani sana, Bi. Spika. Kwanza niseme ile direction umetupatia ya kuongea Kiswahili, itaumiza wengine sababu hata wengine hatukupita Kiswahili kwa shule; so we may not be experts in it but tutajaribu. Madam Speaker, nataka nichukue fursa hii niambie wale wamekuja jina yangu ni Judas Mbili Ndawa MCA wa Matuu. Madam Speaker, nataka nichukue fursa hii tena nishukuru kamati na chairman wa hiyo kamati kwa ile kazi ambayo ameleta. Mambo ambayo ameleta mbele yetu, percentage kubwa ni ukweli lakini kuna percentage kidogo mabaya inautata kidogo na ningetaka niende moja kwa moja nianze kutoa maoni yangu.

Madam Speaker, kulingana na ile ripoti imeletwa hapa na wenzetu wabunge wa kamati ya fetha imedhihirika ya kwamba wananchi ambao wanafanya biashara katika soko zetu za Machakos wanadhulumiwa na askari wetu wa inspectorate na Madam Speaker, lazima ijulikane yakwamba kila mtu ako na haki ya kufanya biashara bila kudhulumiwa. Kwa hivyo nataka niseme wenye wanaenda kuthulumu watu hiyo ni makosa na hatuwezi kubaliana naye.

Jambo lile ingine ambayo ningesema, Madam Speaker, sheria ya Kenya inaruhusu kila mwananchi ateteze mali yake. Wenye wanaenda kuchukua bithaa za wafanya biashara mtu anachukua bithaa sababu mwenye biashara hajalipa hio pia ni kinyume cha sheria. Nataka kutoa mfano wa jambo ambalo lilifanyika Matuu katika ile soko ambayo ilipita. Mama mmoja muuza mboga alipatika kama saa nne wakati amefikisha mboga zake, sukuma wiki na spinach pale kwa soko akaambiwa 'leta pesa' na ile pesa alikuwa nayo amelipa mwenye shamba; amejua hata bila ndururu akasema simuniruhusu niuze kidongo nipate pesa niwalipe.

Wale maofisaa hawakukubaliana naye na walichukua hizo mboga wakaenda nazo wakamrudishia saa kumi na moja zikiwa zimeanza kukauka. Madam Speaker, lazima hili jambo likome na likome mara moja. Sababu tusipoongea kama wabunge watu wetu wataendelea kuthulumuwa. Hatusemi watu wasilipe; ata biblia inasema mpe Jehova, chake na Kaisali mpeke chake pia---

*(Laughter)*

So, Madam Speaker, tusiongee hili jambo kamakitu ya mchezo wale; watu wa biashara ndio wanalipa ushuru ambayo inalipa wale watu mishahara ambao inalipa wale watu marupurupu yao alafu tunaenda kuwasumbua. Hata kule kwa boma ile ng'ombe ambayo maziwa ndio unalisha kabisha ndio ikupatie maziwa. Lakini ukianza kuipiga maziwa hupati. adam Speaker, we must instill discipline in our markets ndio watu wetu wa biashara wafanye biashara bila kuthulumiwa.

Lile jambo ambayo nimekataa nayo katika hii ripoti ni jambo ya kwamba wale watu ambao wako katika soko ndogo wasilipe pesa za moto. Hio mimi nimekataa katakata sababu nataka nitoe mfano. Tukichukua soko kama Ekalakala ambayo chairman anatoka, iko katika hiyo kiwango ya soko ndogo ndogo. Kuna wakati moto iliwaka Ekalakala na watu wa Ekalakala wakanipigia simu na pia nikapigia mheshimiwa simu ikatulazimu tutoe gari ya kuzima moto Matuu iede iwaisaidie kule kuzima moto---

**Hon. Speaker:** Point of information Hon. Ndawa. Hon. Steve Mwanthi.

**Hon. Mwanthi:** Nashukuru Bi. Spika nikua nataka kumueleza Mheshimiwa kwamba siku ya hio moto mwenyewe nilikua Ekalakala na gari ya zima moto ilifika Ekalakala tukiwa tushazima hito moto kitambo hata tumetawanyika nimealiza kuaddress wananchi na ndio sasa ilikuja sababu ilikuwa inatakiwa ifike ipigwe picha isemekane ilifika Ekalakala. Bi. Spika unaeza imagine kama gari inaeza toka iko Matuu nafikiria inakuja kuzima moto iko Ekalakala, ilipata tushazima na hiyo mambo imekwisha.

Kwa hivyo hio ikue kwa zile soko kubwa kama ripoti inavyosema, zile soko kubwa na pia zenye hiyo gari. Kama serikali inaweza leta hizo magari kwenye hizo soko, basi tutalipa. Lakini kama gari iko Matuu na Ekalakala ni wapi na pia kuna soko zingine zenye ziko huko ndani. Tafadhali, Bi. Spika, naomba hiyo ibakie hivyo. Asante.

**Hon. Speaker:** Mheshimiwa Mulatya anataka kujulisha Mheshimiwa Ndawa zaidi endelea. Mheshimiwa Mulatya.

**Hon. Mulatya:** Asante, Bi. Spika. Nataka kumjulisha Mheshimiwa kwamba Ekalakala sio soko ndogo; iko kwenye peri urban kwa hivyo sio soko ndogo. Kuna soko ndogo zile ziko na duka mbili, tatu lakini Ekalakala ni soko kubwa wanahitaji kulipa.

**Hon. Speaker:** Kwa hivyo unajulisha Mheshimiwa Steven Mwanthi ama ni Mheshimiwa---

**Hon. Mulatya:** Mheshimiwa Mwanthi anajua; najulisha yule hajui.

*(Laughter)*

**Hon. Speaker:** Sawa sawa. Endelea Mheshimiwa Ndawa, umejulishwa.

**Hon. Ndawa:** Shukran kwa waheshimiwa wote ambao wamenipatia huo ujumbe lakini lazima tukubaliane yakwamba janga la moto likitokea, halipeani notice na watu wengi wetu ambao wako kule mashinani, labda hawajui kama kuna gari ya kuzima moto iko Matuu. Wanatafuta mheshimiwa na labda saa hio mheshimiwa yuko kwa bunge na anaongea hawezi

chukua simu. Kitambo achukue simu, moto itakua imesonga. Kwa hivyo kitu ningeeomba waheshimiwa wenzangu, ni lazima tujue mahali tuko; kukiwa na shida police station iko wapi? Ndio watu waende pale. Kukiwa na shida ya stima, ofisi ya stima iko wapi kama ni maneno ya fire engine, iko wapi.

Juzi tukiwa kwa bunge, Madam Speaker, nilipigiwa simu nikiwa kwa bunge nikiwa Machakos na nikawa naongea kwa bunge sikuchukua simu; wakati nimemaliza nimekaa ikapigwa tena Madam Speaker, nikatoka nje. Kutoka nje, mwenye alikua ananipigia simu, badala ya kuniambia kuna hili janga, aliniambia; kwa Wanza wa Kasuu. Ati unasema nini? kwa Wanza wa Kasuu.

So, huyo mama alikuwa amechanganyikiwa na badala ya kusema ile kitu imefanya apige simu ananiambia 'Kwa Wanza wa Kasuu. So, nikarudi nikamuuliza kwani kwa Wanza wa Kasuu kuna nini ndio alisema moto. Unaona sasa! Hiyo maneno ya kujibishana, moto inaendelea kuchoma. Wacha tupatie watu wetu namba za mahali wanaweza huduma kama janga ikitokea.

Madam Speaker, ile jambo lingine ningetaka kushauri wenzangu na tushauriane; wakati tumepitisha ile Finance Bill, before ipite tulienda public participation katika kila ward na wananchi wenye biashara walipeana mawadha yao; tungetaka hii tulipishwe hii baadaye bunge lote nzima lili-retreat mpaka Nairobi tukaenda kuandika report. Na tuliandika ripoti kulingana na ile maoni tuliona kule katika vijiji zetu.

Madam Speaker, hiyo Finance Bill vile ilivyo, mimi naomba sababu hiyo ni maoni ya bumbe na pia ni maoni ya wananchi, wacha ifuatwe hiyo na mtu asitumie nyengine sababu hiyo ndio ile kitu tulipitisha. Sheria ya Kenya inasema if a new Finance Bill is passed, it supersedes all other Finance Bills ambazo ziko. So nashangaa kusikia mtu akisema anatumia 2014, wewe unapita wapi? Madam Speaker, we need to instill discipline within the County Government officers who are trying to dodge and bring chaos within the business fraternity.

Ile jambo lingine na ndio la mwisho. Madam Speaker, wakati tumepitisha ile, umeona wakati chairman amepeana zile masoko ambazo ziko na utata na Matuu haikusomwa. Sio ati Matuu haikusomwa kwa sababu hakuna utata; mimi kama mwakilishi wa Matuu, nilichukua ile Finance Act na wakati watu walianza ku-raise complaints, nilimuita yule in charge wa revenue nikamwambia; which finance bill are you using? Akasema; hatujapata ile mpya.

Nilimpatia copy na nikamwambia nisisikie siku ingine unatumia Finance Act ingine. Ndio unaona Matuu kuna amani na hao watu wa Matuu nikawapatia copies, hata wakienda kuitishwa pesa namwambia; iko column gani? Watu wangu wameelimishwa na tuko column gani, nionyeshe. Kama hajui ile column, wacha akae. So, waheshimiwa wenzangu tukipitisha hizi Finance Bill, wacha kila mtu achukue nakala yake aende nayo kwa wodi yake asaidie watu wake. Shukran, Madam Speaker.

**Hon. Speaker:** Shukran sana, Mheshimiwa Ndawa. Mheshimiwa Mueni.

**Hon. (Ms.) Mueni:** Asante, Madam Speaker. Yangu nikusema hawa watu wanaokota pesa ya masoko na wauliza wapatie kina mama heshima. Hao kina mama ndio walichagua Governor, ndio walichagua MCA na saa ile mnaenda kuthuru hawa, nyinyi hamkuitisha kiti. Mnawacha hapo kina mama wakitukana Governor, kina mama wakitukana MCA na from there you go and buy a vehicle with the money of the people, the money you have collected. Shame on you! You people who are working in the County, take care of you and the money you are collecting they are going to make you suffer.

Huyo mama ni mzee sana na anajaribu kuleta ndizi hapo auze apate pesa ya kwenda kununua unga na wewe unakuja unachukua unaenda unakanyaga hiyo mandizi. What is that and what are you doing and the mama is having kids whom she has to give food at the end of the day? You are doing so bad and if you can see here, they cannot come here because they do not want to hear the truth and that is what we were coming to tell the people of this ward.

So, you better not do what you do not want to be done to you; be careful and make yourself be understood. You are a child and you were educated by a bursary; what are you doing to that mzee mama, what are you doing to that mama Mheshimiwa Ndawa amesema alikua ameleta chakula kwa soko na unachukua na unaenda kukaa nayo mpaka jioni. Mnakaa kama mumetoka heaven and you are from the world. You are not special and you are buying cars with our money and you are driving. Shame!

Make sure that you eat what is yours and not.....even you are buying vehicles big than the MCAs and they are getting salaries twice than you. So I beg you the people who are working with the County to be very careful. You are putting our Governor into shame and our MCA. Thank you, Bi. Spika.

**Hon. Speaker:** Shukran Mheshimiwa Mueni. Mheshimiwa Betty.

**Hon. (Ms.) B. Nzioki:** Thank you, Madam Speaker. Nitajaribu kuongea kwa Kiswahili. Madam Speaker, kulingana na hii ripoti ni kama kwamba ni moja ya zile ward ambazo ziliweza kudhulumiwa kwa njia moja ama nyingine. Na sisi kama bunge tuliweza kwenda kufanya public participation ndio maana tuchukue maono ya wafanyabiashara wenye wako huko mashinani na Bi. Spika ukiangalia relationship between the electorate and even the inspectorate is wanting.

Like in Masii, you find that there was a time they went there mpaka wakapigana na wafanyabiashara na wakichukua, tuseme kwa mfano bidhaa za mfanyabiashara zinachukuliwa, zinawekwa kwa gari na wakienda nazo ata wenine huwa hawazipati. Kwa hivyo ningepomba Bi. Spika tuzingatie ile Finance Act tulipitisha maana mwananchi ndiye mwenye kusema na sisi tuliona maoni yao inafaa ndio tuweze kuwasaidia.

The other thing is it is a matter of feeling for the people that have elected us Madam Speaker and it is not a matter of pushing them to the wall. Maana kama sisi hatutosimama kama bunge kuchukua maoni yao jinsi yalivyo na sisi tuwanyanyase, even before God it will be so unfair. So, Madam Speaker, I will request even the executive, especially in the department of finance to follow the law, to follow the Finance Act that we passed together with our people so that we can work hand in hand for the betterment of Machakos County. Thank you, Madam Speaker.

**Hon. Speaker:** Shukran Mheshimiwa Betty. Mheshimiwa Kamitu.

**Hon. Kamitu:** Asante sana, Bi. Spika wetu. Nasimama hapa ukweli niki-support hii ripoti ambayo imeletwa hapa na humuimu Madam Speaker, ni kwamba ningelitaka wananchi na waheshimiwa wenzangu, tujue ukweli ni kwamba tulipitisha hii Finance Act ambayo ni ya ushuru. Kwa hivyo katika ripoti ya leo wakati nasema tutofautishe ni kwamba Assembly na Executive walikaa chini na tukatembea kwa wananchi tukaja tukapitisha hiyo Finance Bill.

Kwa hivyo, ripoti ya leo kwa mazungumzo yangu tukubaliane kwamba ripoti ya leo ni ya muhimu zaidi kwa sababu tumeangalia kupitia kwa ile kamitii ya bunge yetu mahali ambapo imeleta utata, mahali ambapo tunatajikana turekebishe kwa sababu katika ile hali ya



ushuru, ukweli ni kwamba, hakuna nchi ambayo inaeza kukaa bila wananchi kutoa ushuru. Kwa hivyo, yangu ambayo nataka kuhimiza kabisa ni tujue kwamba ushuru mpaka itolewe. Na sisi tukiwa wananchi na tukiwa ambao tulichaguliwa na wananchi, ukweli ni kwamba mpaka tusimame na wananchi wetu, mahali ambao wanaumizwa, mahali ambapo hakuna usawa, mpaka tukae chini turekebishe yale.

Kwa hivyo maoni yangu ni kwamba, kwasababu kupitia kwa uongozi wako Bi. Spika, mahali ambapo kwa mfano tuko na Members of the Inspectorate ambao walidhru watu wetu na tuko na kamati katika Bunge kupitia kwa usaidizi wako, your guidance Madam Speaker, ni kwamba the Devolution Committee ikae chini iweze ku summon yule CEO wa Inspectorate pamoja na Decentralized Units ndio tuweze kuwahimiza na tuwaelezee wale askari wao jinsi wanatakikana wa deal na wananchi kwasababu mwananchi ndio analipa wale Members of the Inspectorate, mwananchi ndio anatulipa na ni katika ile hali mpaka tuangalie maisha ya mwananchi yameangaliwa vizuri.

Bi. Spika, kwa mfano, unaskia hata wabunge wetu huwa wanaenda nchi kama Malaysia, Singapore from the National Assembly, kwenda kuangalia zile policies amabazo mzuri ziliwekwa. Na Singapore na Malaysia ni Nchi ambazo zimeenea kwasababu policies zao za kodi ziliwekwa vizuri na wakazifuata, kwa hivyo na sisi Bi. Spika, kwa uongozi wako, itakua ni kitu ya maana na sisi katika Kaunti yetu ya Machakos, kama tunaeza kuwekewa hizo policy ambazo ziko na zifuatiliwe ndio mwananchi wetu asumizwe na yeye mwananchi aelezewe ni kwamba ni haki yake alipe kodi ndio Nchi iendelee.

Ni katika hali nimesimama niwaelezee na nyinyi wananchi, kama uko na biashara, itakua ni kitu ya maana na wewe uweze kufwatilia ile sheria ambao imepitishwa na Bunge, imezungumziwa na Bunge kama vile nimewaelezea ni kwamba tulipitisha lakini kamati yetu ambayo imeongozwa na Chairman wetu, ikasikiza mazungumzo ambayo inatoka kwa wananchi kwamba hayafai na ndio sababu sasa tumekuja hapa kuwazungumzia wananchi.

Mahali ambapo unaona kitu ni mbaya usinyamaze; unaweza vile tumesomewa umeskia wakati Bi. Spika amesimama hapa, unaweza kulete mazungumzo yako through petition au kwa barua au kupitia kwa mbunge wako wa Wodi ndie malalamishi ambayo yataletwe yatasikizwa.

Kwa hivyo, vile nimesimama hapa ni Kamitu tena ndio macho ya serikali na mimi siwezi kusimama nisimamie serikali ambayo inamduru mwananchi ambaye ndio anatulipa. Nasimama hapa nikisema kwamba, na mimi naye sitakubali mwananchi ambaye anapaswa kulipa kodi asilipe kodi ndio nchi yetu iendelee. Kwa hivyo kamati yetu mumefanya kazi mzuri, marekebisho itaangaliwa na tuendelee mbele. Asante, Bi. Spika.

**Hon. Speaker:** Shukran Mheshimiwa Kamitu. Mheshimwa Mark Muendo.

**Hon. Muendo:** Asante sana, Bi. Spika. Kwanza nasimama ku support hii Motion. Madam Spika, if you allow me for a second, nieleze mwananchi aelewe Kiongozi wa wachache na Kiongozi wa wengi kwa Bunge ina maanisha nini. Kiongozi wa wengi Bungeni ni ule ako kwa ile Chama iko na waheshimiwa wengi kwa hiyo Bunge. Kama Machakos Wiper ndio iko na Waheshimiwa wengi kwa Bunge. Mheshimiwa, Kiongozi wa walio wachache, ni yule anasimamia wale wachache kwa Bunge. Kwa hivyo Bunge yetu iko set up kama tu ya National Assembly vile inaendelea.

Madam Spika, niseme hii ripoti inaunga mkono sababu sisi tulipitisha kama Bunge lakini nitaikosoa kwa sababu nimeona Committee zetu, Chairman wanasahau ku appreciate Ofisi yako na ile ya Clerk.

**Hon. Speaker:** Nimeiona ukurasa wa kwanza nafikiri---

**Hon. Muendo:** Thank you. Niliona mahali nilikomea nikaona ni kama haija appreciate. Thank you, very much for that. Niseme Madam Spika, wananchi hawa ambao wanachagua serikali ya Machakos, wako na huzuni kwa sababu tuko na Department inaitwa Decentralized ambayo ndio iko na Inspectorate, ambayo wale wanafanya kwa hiyo Department wana operate kama colonial Chiefs. Wale ma-chief walikuwa wanakuja kwako, wanachukua kuku yako kwa lazima. Mimi nataka kuwaeleza wafanyikazi ambao wako kwa hiyo Department, mimi watu wangu walishikwa jana Kyumbi na sisi huwa hatutaki kuchukua sheria kwa mkono.

Tukawaruhusu na kuwaambia....kwa sababu tulikua tunataka kufunga Mombasa Road jana na mimi ni capable kufanya hivyo. Kwa sababu vile hawa wana operate, wanakuja kwa duka, wanakuambia lete licence, lete permit na kitambo hata utafute ulete, already umeshashikwa. Korti zetu Mavoko zimejaa kesi za hii County ya Machakos ikipeleka kina mama wa mboga kortini. Sisi kama wabunge tumechaguliwa na wananchi na tuko na huzuni kwa hiyo Department na ndio unaona wanatumia sheria za 2015, 2014, 2019. Bi. Spika, kusema ukweli hiyo Department and I think our Chairman, Finance who is able will concentrate to streamline that Department that has a problem.

Madam Spika, ningeongezea niseme pia, public participation ile inafanywa, tunafanya kwa Sub-County. Madam Spika, hiyo sio participation, hiyo ni ile tu kupitia ndio tukuje ku load mzigo kwa wananchi wetu ambao wanatuweka kwa ma ofisi. Iwezekane ifanywe kwa Ward na kwa hiyo Ward ifanywe area mbili kwa sababu uwezi kuambia mtu wa Kyumbi aende akasikize maoni Mavoko na shilingi mia ya moja ya kuenda ma kurudi; hataenda. Kwa sababu sisi devolution ilikuja ndio tupeleke services kwa mwananchi.

Kwa nini tusumbue mwananchi atoke Kyumbi aende Mavoko ama atoke Muthesya aende Matuu? Kwa hivyo ningeomba Committee ya Finance mkiendelea mu-recommend tuweke pesa tuende mashinani kabisa mpaka mwananchi aseme tunataka kulipia mboga pesa hii, pesa hii.

Madam Spika, ukiuliza wengi hapa, hata hawajui hiyo kitu tunaongelea kwa sababu iliwekwa kwa Sub-County, Masinga. Imagine kutoka hapa na vile umeona hii barabara, huko ni marginalized. Kuenda kule hataenda. Ndio unaona hata wananchi Madam Spika wale wamekuja katika gallery, wanashangaa; what are we doing? I have been noticing that most of them do not even understand tunaendelea namna gani.

Kwa sababu hii maneno tunaongelea katika hii Motion, wanashangaa ilipitishwa wapi although tuko kwa Bunge sitaki kuwaeleza, lakini ningewauliza wagekwambia hawakuona wengi. Kwa hivyo Madam Spika, my point is tuweke participation mpaka ifikie watu mashinani ndio waseme ndio wawe aware hao ma Officers wetu wa Revenue Collection wakikuja, wawe wanajua mwananchi anaweza kusema tuliambiwa tulipe hii.

Madam Speaker, the other point; these Revenue Officers wale wana-collect hii ushuru, ukienda kwa maafisi kama Ekalakala ama uende hapa tu, hapa, na unajua hapa ndio headquarters ya Ndithini. Ukiuliza hapa kama kuna Revenue Collector, hakuna. Lakini gari itakuja hapa ku wa-ambush, wawaulize licence iko wapi. Mwananchi anataka kulipa lakini hakuna mahali ya kulipa.

Ndio tunasema Madam Spika, Finance Committee yetu tutafanya ile kazi yetu tunatakiwa tufanye na tuta make sure Executive pia imefuata maneno ya Bunge sababu hiyo ni sheria. Wengi wetu wana run biashara ndogo ndogo; wanataka kulipa ndio, lakini hajui atalipa wapi. Hii ni kitu moja Finance Committee mkiendelea na hii ripoti tena because of budget cycle, tu-

consider hawa Revenue Officers, tufungue ofisi karibu na mwananchi. That is the meaning of devolution.

Ile ingine Madam Spika, ukiangalia katika Machakos County Bi. Spika, tuko na area ambayo ni kubwa iko na industries mingi in the Country. Area ya Athi River zime-extend mpaka Kyumbi. Mimi ningeliza sababu kupunguza mzigo kwa mama mboga tuko na industries hapa ambazo zinalipa revenue kidogo sana. For example, KAPA Industries wanalipa Ksh. 50,000, 3D Hotel inalipa Ksh. 50,000. How can you compare KAPA Industries with more than 10,000 workers and 3D Hotel with only 20 workers and they pay the same? There is a mistake which was done and I want us in the budget we revisit and put more revenue.....tuweke pesa mingi kwa industries ndio walipie mama mboga hiyo pesa.

Kwa sababu ile deficit itakua kwa mama mboga tutachukua kwa industries and I am going to present a case kwa hii budget inaendelea. Madam Spika, sisi lazima tuseme ukweli; watu wa Machakos wamefinywa upande wa revenue kutumia ile Finance Bill ya 2015. Hii yetu ya 2019 tulipitisha ikifuatwa na ifwatwe na utaratibu, bila watu kutumia watu kama Colonial Chiefs, watu watalipa ushuru sababau watu wanajua ushuru lazima ulipwe.

Kwa hivyo Bi. Spika, kwa hayo machache na marefu, ningesema hii ripoti ni nzuri sana na Chairman amefanya kazi mzuri na tuwe tunafuatilia kama Waheshimiwa on what is happening in the Executive because inaonekana tukipitisha hii, hawasikii, wanaenda kutumia ile wanataka. Thank you, Bi. Spika.

**Hon. Speaker:** Shukrani Mheshimiwa Mark Muendo. Mheshimiwa Kisini.

**Hon. Kisini:** Asante sana Bi. Spika kwa kunipatia hii wakati hata mimi nichangie kwa huu msawaada. Mimi ndio nimeandikwa hapa nilipelekwa kilio cha watu wa Athi River na nikikuja hapa mimi ni neighbour wenu upande wa huko Milaani; tuko na family home hapo. Bi. Spika, nikirudi kwa ripoti, nataka kusema ya kwamba ukurasa wa tano, kwanza nipongeze hii kamati sana---

**Hon. Speaker:** Point of order by Mheshimiwa mark Muendo.

**Hon. Muendo:** Thank you, Bi. Spika. I want to remind the Hon. Member for Athi River, Kisini, we are not in a baraza whereby he can talk about a neighbour. This is an Assembly. So, when you are addressing the Assembly, you cannot refer to the neighbourhood of where you come from. Thank you, Bi. Spika.

**Hon. Speaker:** Although I allowed it; Mheshimiwa Mark Muendo, I do not want to rule you out of order. Hon. Kisini endelea.

**Hon. Kisini:** Asante sana, Bi. Spika. Nilikua tu nataka watu wa Ndithini wanijue zaidi lakini ni asante sana. Nikirudi nataka kupongeza hii kamati sana sababu ya kusikia kilio changu, sababu ya kusikia kilio cha watu wa Athi River ambao wakati kulikua na shida walikuja kwa haraka na wakatatua hiyo shida. Yangu ni kusema ya kwamba, ukiangalia hii ripoti, walikua wametoa watu wa Athi River kutoka kwa Schedule 5 wakaleta Schedule 8 ambapo kwa Schedule 8 wanalipa pesa mingi sana na wakati walirudisha hiyo pesa ilirudi.

So, ni asante sana, nimeona kwa kweli Bunge inafanya kazi, bunge inatatua na bunge ilisikia kilio cha watu wa Athi River na ni asante sana. Kwa hiyo tu ukurasa, nataka kuweka

point moja, ya kwamba, ni mtu tu aliketi akaona ya kwamba atoe kutoka kwa Schedule 5 apeleke kwa Schedule 8.

Madam Speaker, kwa nini mtu anaketi ofisini peke yake na anaamua ya kwamba nitatoa hawa watu wa mahali fulani wacha niseme kwa mfano watu wa Athi River kutoka Schedule 5 ambao wanalipa pesa kidogo na anawepeleka kwa Schedule 8 ambapo wanalipa pesa mingi. Nataka kusema hiyo ikome kutoka saa hii na mtu asitumie sheria mikononi mwake ndio asiumize watu wengi. Kuna watu walikua wamelipa hiyo pesa mingi na naomba warudishiwe hiyo pesa ambazo waliku wamelipa extra.

Tukiendelea tena, tukiwa watu wa Athi River, watu wa entire County wamefurahi sababu ya hio Committee kufanya kazi mzuri, wakarudi wakaweka kodi ingine ambaye inaitwa plot single Business Permit ambayo ilikua haiko kwa hii sheria ya Finance Bill ambayo walilipisha Ksh. 14,600. Kwa ploti tunalipa kama ni biashara Single Business Permit. Unalipa hiyo ploti rent kwa serikali, unalipa ile inaitwa rates kwa serikali ama kwa County halafu unaongezewa kodi ya nne ya kulipa ile inaitwa Plot Single Business Permit.

Wakati waliangalia nafikiri haikupatikana kwa sheria. Ni ile tu jambo nilisema wakati pesa inakosekana mnafikiria mnatoa pesa wapi na mnawekelea mizigo kwa wananchi. Hiyo kitu ikome ya kuwekelea pesa ambayo haiko kwa sheria. Madam Speaker, tukienda ukurasa wa sita, utakuta kwa malori ama single axle ama double axle lori, mtu peke yake anafikiria kulipisha Ksh. 1,500 badala ya kulipisha Ksh. 3,000. Ama ile inatakiwa kulipa Ksh. 3,300 kulipisha Ksh. 2,000.

Hiyo ni kuonekana ya kwamba County inakosa pesa sababu ya mtu mmoja kufikiria na kuwaambia wale wengine 'endeni muokote kiasi hii.' Tunaomba ya kwamba sheria itumike, wakati wakulipisha pesa sheria ifwatwe na si mtu afikirie kulipisha ile anatoa kwa kichwa. Asante, Madam Speaker.

**Hon. Speaker:** Asante Mheshimiwa Kisini. Mheshimiwa Mulatya.

**Hon. Mulatya:** Asante Bi. Spika. Kwanza naanza na kumpongeza Chairman wa Finance Committee kwa kazi aliyofanya na Committee yake. Hii report Bi. Spika, imetuonyesha wazi kwamba revenue collectors Department, hiyo ya Council, kama ninaweza nikasema hivyo, iko na ufisadi mwingi sana. Hii report inaonesha wazi. Nikikupeleka Bi. Spika ukurasa wa saba, 3.2(a), nitasoma kwa kizungu 'that the Inspectorate Officers have been harassing, beating, brutalizing traders who had not paid fees and charges as required. The Inspectorate Officers have been confiscating traders' goods and selling them.'

Madam Speaker, itakuaje revenue collector achukue kitu cha mwananchi cha mama mboga aende akauze? Hii haiwezi ikakubalika, Madam Speaker. Ni vibaya sana na ninauliza Mheshimiwa Moffat ambaye ni Chairman wa Justice and Legal aingililie mambo kama haya yasiendeleo katika Machakos County. Bi. Spika naweza nikapeana ushahidi katika Ward yangu na ya Mheshimiwa Steve, hivi majuzi kulikuwa na vita kati ya wananchi na revenue collectors ambapo revenue collectors walipigwa mpaka mmoja wao akanyang'anywa simu na wananchi kama evidence.

Hatuwezi kuendela na serikali iko hivi; ni lazima tuingililie kwa haraka, wananchi wetu wasaidike na hata ukienda mbele hapo B, 'the traders had not been given notices before the enforcement Officers came to arrest them. The traders got annoyed and by the way the Officers were treating them and they resorted to chasing them away and stoning the vehicles which they were using.'

Unaona wazi kwamba hawa ma Officers kitu cha kwanza wanatakiwa wawe na discipline kwasababu wakati wanaenda kwenye masoko yetu, wanakutana na mama zetu, nyanya zetu, wanakutana na wazee ama watoto halafu unakuja, mtu ijamwambia, mtu hajakataa kulipa halafu unakuja unamnyanyasa, unamnyang'anya bidhaa zake, kila siku niko Masinga Police Station, nikiongea nikibembeleza ma askari waachilie bidhaa za wananchi kwasababu uwezi kubadilisha.

Hapa tunaambiwa tulipe fedha fulani na huwezi kubadilisha fedha zinazolipwa katika County na bidhaa za mwananchi mtukufu. Kwa hivyo this Department ya revenue collection, tunatakiwa kama bunge tukae chini and if necessary we should even vet them so that tujue tuko nan watu wenye nidhamu---

*(Loud consultations)*

Inform me. I want to be informed.

**Hon. Speaker:** Hon. Tariq Mulatya, that is not directed to you; it is to Madam Speaker. Resume your seat. Hon. Maitha, point of information.

**Hon. Maitha:** Thank you, Madam Speaker. I wanted to inform the Majority Chief Whip that, my Committee had a serious problem with the Clerk and I have reported that one to Mathew so that he can take over and when that one is done, all what you are saying, the Justice Committee will do it immediately. Thank you, Madam Speaker.

**Hon. Speaker:** Hon. Maitha, I do not want to rule you out of order but let us proceed from there. Then it is assumed that the information has not reached. It should reach in the proper way Hon. Maitha. Proceed, Hon. Mulatya.

**Hon. Mulatya:** Asante, Bi. Spika. Natumaini ya kwamba, Majority Leader of the House ameskia hiyo, ajue kuna shida kwenye hiyo Committee. Nikimalizia Bi. Spika nataka kuingia ukurasa wa nane na nitasoma sentensi mbili peke yake. 'The right procedure was not followed in enforcing payment of revenue, the Inspectorate Officers should not confiscate goods of traders who had not paid licenses.'

Hii kamati imefanya kazi nzuri sana kwasababu huu ndio mwelekeo. Bi. Spika, lazima tukue gangari kutetea watu wetu. Watu wetu hata siku moja hawakatai kulipa ushuru. Hata kuna soko zingine hawafiki; wanakuja siku ya ku wa harass na kuchukua bidhaa zao na kuenda nazo lakini siku ya kulipa wenyeji wanakuambia wanataka kulipa bidhaa zao, wanataka kulipa ushuru lakini walipe kwa nani? Wanakaa halafu wanamaliza mda fulani, wanakuja wanawekea penalties.

So, it is very clear Madam Speaker that, we need to constitute this revenue department very well and if need be, it is my humble request in this House, let them be vetted by the Assembly so that tujue watu wanaoenda kukutana na watu wetu, mama wenye wametuzaa, baba wenye wametuzaa, ndugu zetu wanakutana na watu wenye nidhamu nzuri. Thank you, Madam Speaker.

**Hon. Speaker:** Shukrani Mheshimiwa Mulatya. Mheshimiwa Alice.

**Hon. (Ms.) Nzioka:** Asante Bi. Spika kwa kulipa nafasi. Bi. Spika, nichukue fursa hii nikushukuru kwa huu mpango mzuri ambao imeuto; sio jambo rahisi lakini umefanya juhudi zote mpaka tumewafikia wananchi. Pia ofisi ya Karani Mkuu wamefanya juhudi zote kwamba sasa leo wananchi wa wodi ya Ndithini wamefikiwa na habari. Hawatasema kwamba wakufika bunge, leo wametuona kabisa, faragani tukiongea na ile kazi ambayo tunafanya katika bunge.

Nimshukuru mwenzangu, Mheshimiwa Kituku, ni jambo ambalo ni la historia; wale ambao tumefika, mimi nimetoka Masinga pia lakini kufika Kiatineni sio jambo rahisi lakini Mheshimiwa Kituku kupitia wabunge wenzake, alifanya juhudi zote kuongea na Bi. Spika kuona kwamba wananchi wa Kiatineni wamefikiwa na habari kuu.

Bi. Spika, kumbuka kwamba, kwenye sheria yetu ya ushuru, tumeweka sehemu mingi, kugawa viwango vya miji yetu. Utakuta kiwango cha mji kama Mlolongo ni kiwango ambacho kiko juu. Utakuta sehemu kama Kiatineni hapa na kwingine ni kiwango ambacho kimewekwa chini lakini hao maafisa wetu wamchukua usukani kuwanyanyasa wananchi. Bi. Spika, jua kwamba mapato ya nchi yetu ama County, hawa mama mboga ndio wanaleta pesa zaidi kuliko bihashara kubwa.

Ni wengi idadi yao wakikusanya kidogokidogo County yetu imepata ushuru. Sisi kama bunge tunataka kukuarifu kwamba, hawa wananchi ndio wamechagua wengi wetu hapa na wana majukumu yote yakufanyiwa jambo ambalo wanataka. Sisi kama Bunge, hili jambo likikataa kurekebisha, katika Katiba ya Kenya imetupa ruhusa maandamano ya amani, kusema na kutoa maoni yetu.

Bi. Spika, sisi kama bunge tumeshikana kuona kwamba, kama ni sheria imepitishwa, ifwatwe. Bi. Spika, ujue kwamba sheria ukata mbele, ukata nyuma; ukipitisha sheria imepita. Sisi kama bunge tulifanya hatua zote kutoka hatua ya mwanzo mpaka mwisho tukafikia sheria ya fedha mwaka 2019, tukaenda sehemu zote na ndio tunasema sisi kama bunge hiyo sheria ufwatwe. Wananchi wa Machakos wapatiwe majukumu yao ya ukweli. Kama ni ushuru wanatoa, waangaliwe kulingana na sheria. Wananchi wa Machakos ni wazuri hawakatai kutoa ushuru, lakini kwa nini wanyanyaswe?

Hiyo sasa ndio kazi ya mbunge, ndio kazi ya mwakilishi bunge ambaye umemuchagua aone kwamba umeangaliwa, aone kwamba ushuru umefwatwa na njia ambayo ni mwafaka. Bi. Spika, ninafuraha maana wewe ni Spika wetu na unajua sheria. Sisi hatuna budi kusema kwamba, serikali kuu ya Machakos ambayo imeongozwa na Gavana Mutua na kila wakati Gavana wetu anasema hataki ufisadi, sisi pia tunasema hatutaki ufisaadi. Wananchi wa Machakos tunajua tumepitisha na kama ni ushuru ulipwe na njia ambayo imefwatiliwa. Asante, Bi. Spika kwa kunipa nafasi.

**Hon. Speaker:** Asante Mheshimiwa Alice. Mheshimiwa Daniel Mbevi.

**Hon. Mbevi:** Asante sana Bi. Spika kwa kunipatia nafasi hii. Nataka kwanza nichukue nafasi hii Bi. Spika nikushukuru sana kwa hii wazo ulikuja nayo ya kutembelea wananchi wetu wa Machakos County mashinani. Kenya nafikiri ni Machakos County Assembly yenye inafanya hii kitu na ndio pioneer kwa kumskia mwananchi mashinani.

Kitu nataka kusema ni kwanza kupongeza tena hii Committee kwa sababu ya kusikia kilio cha watu wetu na mimi sana kutoka Mlolongo, mimi naweza sema Bi. Spika ya kwamba mimi ndiye nimekua kwa shida kubwa sana kulingana na haya malalamishi ya wananchi kwasababu ukiangalia Mlolongo, ndio the most populated area na ndio imejengwa zaidi na hii

kodi ya Ksh. 14,600 yenye ilikua inakodishwa watu wetu, na haiko kwa sheria, kusema ukweli Bi. Spika, nataka kusema mbele ya hii House yakwamba leo nitapata usingizi.

Kwasababu nimekua sipati usingizi na ninataka kushukuru sana Chairman kwasababu ya kuskiza maneno ya watu wa Mlolongo vile nilikuelezea. Ni vizuri sana watu wetu wa Machakos County, our Officers, wafuate sheria kwasababu ukilinganisha na zile manyumba yote, majengo yote, ploti zote zile ziko Mlolongo, tulikaa chini na wakaaji wa Mlolongo wale wamejenga manyumba na tukafanya mahesabu rahisi; hii pesa ikilipishwa, kila ploti itakua ni over Ksh. 1 billion na hiyo ni pesa mingi sana ingepotea kutoka kwa mwananchi.

Kwa hivyo nataka kushukuru sana our Assembly kwa kupitisha hii kitu leo, nawaomba tuungane pamoja tupitisha hii report kwa sababu hiyo ndio ile kazi tumepewa na wananchi na ndio itasaidia wananchi wetu kwasababu itakua ni njia nzuri sana kutetea wananchi wetu.

Ile kitu ingine ningependa kusema ni kwamba, na kumbuka tulikua kwa mkutano na wewe Bi. Spika na His. Excellency the Governor, juzi tukifungua manyumba ya polisi na His. Excellency the Governor nakumbuka vizuri sana akiongea na the new IG, Inspector General, aki request vile anaweza kusaidia our Inspectorates wafundishwe mafunzo. Hiyo nataka kusema, kama Gavana atafikiwa na hii report, hiyo mpango ako nayo ya kupeleka Inspectorates wafanyiwe training itasaidia sana kwasababu watakua na nidhamu na hawatakua na nafasi tena ya kuwa harass hawa wananchi wetu.

Na kitu ingine ningependa kuomba ni this coming budget, ikiwezekana waheshimiwa wenzangu, tuhakikishe yakwamba kama kuna budget....tuweke budget kidogo kando ya ku train hawa Inspectorates kwa sababu, unajua nayo bila budget itakua ni ngumu kuwapea training because it has a cost. Kwa hivyo ningependa kusema hao watu kabla wajaajiriwa ni vizuri wapelekwe kwa training kidogo ndio tuwache ku harass hao wananchi wenzangu.

Na ninataka niseme hivi, mimi mwenyewe kutoka Mlolongo, I am a victim; kuna electorates, kuna mama moja wa mboga alikua anauza mboga, two months ago na yeye ni kama wholesaler na amevamiwa mara mbili. Amemwaga Canters mbili chini ya nyanya na carrots na imagine usiku anakuja akitoka kwa nyumba anakuja anapata hiyo nyanya yote imebebwa na imepelekwa pale kwa maofisi ya Sub-County Administrator. Mimi nikapigiwa simu nikaenda pale nikapata heaps nyanya imewekwa pale. After that tukaenda tukatua hiyo na akarudishiwa nyanya yake.

After a week ikaenda ikabebwa tena. Tukaenda tena pale, tukapata imeharibika na nikwambie Madam Speaker, after that huyo mama alipatwa na stress na akawa ni kama wazimu na nataka kusema nafikiri kuna accident mulipata pale Mto wa Mawe ikafunga barabara yote; huyo mama alivunjiwa hapo akienda kuchukua nyanya. Nyanya zingine ziko kwa ofisi hapa kwa Sub-County offices, amenyang'anywa ziko pale ameenda amekatazwa na akaingia kwa Canter yake tena kwenda Kimana na kurudia kuchukua nyanya tena.

Kwa sababu ya hiyo wazimu, hiyo kulia, walikua wamelewa, waligongwa pale wakakufia hapo. Hatutaki kitu kama hiyo Madam Speaker, itokee tena. Kwa hivyo ni vizuri sana kama itawezekana hawa ma Inspectorates wawekewe budget na wapelekwe training Madam Speaker. Asante sana, Madam Speaker.

**Hon. Speaker:** Asante. Mheshimiwa Ndambuki.

**Hon. Ndambuki:** Asante sana Bi. Spika. Madam Speaker, nasimama kuunga mkono ripoti ambayo imeletwa Bungeni na Kamati ya Finance ya Assembly ya Machakos. Madam Speaker katika katiba yetu ya kenya ambayo tulipitisha mwaka wa 2010, madhumuni ama lengo

kuu ya serikali za ugatuzi ilikuwa ni kukuza uchumi wa nyanja zote haswa zile ambazo ziko huku chini, na Madam Spika kama hao ndio majukumu wamongo wanasema 'then it beats the purpose for the devolved governments' kuona kwamba tunagandamiza wale wafanyi biashara wa kiwango cha chini ambao ndio sana wanasaidia kukuza uchumi wa nchi yetu ya Kenya.

Kama mwenyekiti wa kamati ya Bajeti, tunajua kwamba local revenue collection has always been underestimated na kama tunagandamiza wale wafanyi biashara ambao wanatusaidia kuchangia Bajeti ya Kaunti, Madam Speaker hatutaweza kufikia maleno yetu maanake watu watafunga maduka wakio gopa kuja kunyanyaswa na wafanyikazi wetu wa Kaunti. Ningeomba department ya finance to have good structures na policies kwa ofisi yao ili kuhakikisha ya kwamba policies zile ambazo zimepitishwa kwa Assembly na Finance Bill ile ambayo imepitishwa hiyo hiyo ifuatiliwe.

Madam Speaker, kwa ripoti ambayo imesomwa, eneo langu la Kathiani ni mojawapo ambayo ni eneo ambalo lilikuwa affected; wafanyi biashara wa kule walikuwa wametozwa ushuru mwingi kuliko ambao tulikuwa tumepitisha kwa Bunge. Inaonyehsa kwamba kuna impunity on the part of enforcing policies and legislation ambazo tumepitisha kule kwa Bunge. Pia tungeomba ule upande mwingine wa executive mambo yale ambayo tunapitish kwa bunge yafuatiliwe kulingana na vile sheria inasema ndio watu wetu wasije wakaumizwa.

Hatungependa kuona uchumi wa Machakos unaendelea kuzorota maanake wafanyi biashara wanafunga maduka sababu ushuru tunapouweka juu wafanyi biashara watafunga maduka yao na hatutaweza kufikia yale malengo ambayo tumeyaweka kwa local revenue collection. Ahsante Bi. Spika.

**Hon. Speaker:** Asante Mheshimiwa ndambuki. Mheshimiwa Nyanzi.

**Hon. Nyanzi:** Asante Madam Speaker kwa kunipatia hii nafasi. Mimi nasimama katika bunge hii niwaambie ya kwamba mimi ndio nilifanyiwa area yangu mambo matatu ya kishetani.

*(Laughter)*

Moja nikwamba pastor, very senior pastor ambaye ana ile ngome hapa---

*(Laughter)*

Soko ambayo mnasikia inauawa watu pale Yaitha, alisikia hiyo kelele hapo kwa soko na yeye ndiye chairman wa wale wenye maduka hapo kwa hiyo soko. Akatoka akaja kuangalia ni kitu gani kinaendelea. Akamuuliza ni kwa nini unapiga hii mtu namna hii, nakwanini inapika hii mtu namna hii? Akaambiwa 'unasema wewe kama nani, ebu kuja hapa.' Akainuliwa akawekwa kwa gari, akatupwa kama gunia na akapelekwa Machakos akalala kwa polisi pahali ambapo watu wanachanganyikakna.

Asubuhi akapelekwa kortini akaambiwa; wewe umeshtakiwa ulikuwa na hii bangi misokoto kumi na wewe ulikuwa na hizi chupa nne ya Tusker ukukinywa na ulikuwa unaleta fujo huko, kwahivyo nikweli au si kweli.

*(Laughter)*



Akaksema; si kweli na mapastor walikuwa wamejaa kwa hiyo korti wakikuja kuangalia hii kitendo ya aibu kufanya namna hiyo. Halafu akaambiwa atakuja siku fulani. Yule mwingine katika soko ingine alikuta kina mama wakiwa na ile michango yao na walikuwa na Ksh. 200,000 wakaingilia pa-pa-pa-pa. Ndani ya hiyo kushangaa, hiyo pesa ikapotea hapo.

*(Laughter)*

So, nataka kupongeza chairman na timu yake kwa kuleta hii maneno; mimi nilikuwa nafikiri nafanyiwa huko sababu mimi ndio mtu ambaye mtu ambaye nimekuwa mzee pengine nimekaa kwa council sana nitatafutiwa njia ya kuondolewa kwa council maanake nimefanya mambo mengi sana lakini hii ni kitu imekuja timely na mmefanya mzuri kuleta hii sasa nataka hatua ichukuliwe. Hata kama ni kufunga mtu, afungwe; hii kitu kama haitasimama kuendelea hamtarudi kwa bunge.

Watu wanaona ile utamu iko hapa mnapata pale kwa bunge wanaona lazima mtoke paingie watu wengine. Ya mwisho na hiyo iko kando huyu MCA; simama ni kama kijana yetu.

*(Laughter)*

Simama, tuko kwako. Nisamehe. Kama hizi barabara zake---

**Hon. Speaker:** Mheshimiwa Nyanzi, unataka kufanya nini unaambia Mheshimiwa asimame?

*(Laughter)*

**Hon. Nyanzi:** Hizi barabara tulipitia pale, hii yote kama haitatengenezwa, hataona Bunge tena na macho kwa hivyo mmusaidie apate hii.

*(Loud consultations)*

**Hon. Speaker:** Hon. Members, Order in the House! Mheshimiwa Nyanzi bado sijamaliza na wewe. Chukua microphone; kile unafaa kuelewa na wewe ni mzee wa zamani kazi hii ya Bunge---

**Hon. Nyanzi:** Miaka ishirini.

**Hon. Speaker:** Ule mswaada uko kwa meza ndio unaongea juu yake; usilete mambo ingine ya nje. Hiyo ingine tutafikia; kila kitu iko na wakati yake na hauna ruhusa kuambia Mheshimiwa yeyote ama kuita yeyote hapa karani asimame; waelewa hivyo? Haya basi.

**Hon. Nyanzi:** Ahsante; shauri ya uzee.

*(Laughter)*

**Hon. Speaker:** Mheshimiwa Nyanzi simama.

*(Laughter)*

Waelewa kwamba Spika akikuelezea hakuna kujibu; kwanini unajibu. Unaelewa?

**Hon. Nyanzi:** I withdraw.

**Hon. Speaker:** Asante/ Tuendelee basi; ningetaka kuita yule ameleta huu mswada asimame ndio aweze kujibu. Mheshimiwa Stephen Mwanthi.

**Hon. Mwanthi:** Nashukuru Bi. Spika na nishukuru kwa waheshimiwa wote---

*(Loud consultations)*

**Hon. Speaker:** Order, Members!

**Hon. Mwanthi:** Kwa waheshimiwa wote ambao wameweza kuchangia kwenye mada ya leo na niseme Bi. Spika ni kweli kwamba vitu zote zenye ziko kwa hii ripoti nikwamba zimekuwa zikifanyika. Zingine tumeweza kulisikia hapa vyenye kulifanyika katika wodi zao. Mimi nikiwa mmoja wao waliweza kuja kwa wodi yangu ya Ekalakala na walishika watu vibaya kama kwamba walikuwa ni wezi na ni watu walikuwa wanafanya biashara zao, wanafanya vizuri na ukweli ni kwamba hata hao wananchi ukiwauliza ni nani mwenye anafaa kuwa kuchukua kodi kwa hii soko wengine utapata hawajui.

Na ndio maana tumehimiza ya kwamba kwanza wahakikishe wako na watu wanazunguka wakichukua hizo kodi alafu pili waelimishwe kwa sababu hata tukienda kwenye nakala zote, hakuna mahali tutapata soko kama hii ya Kiatineni kama kuna wenye wamelipa hiyo permit. Kwa mfano hii soko iko kwenye Schedule Four ambao wanafaa kuwa mtu mwenye ako na duka analipa Ksh. 2,000, mtu mwenye ako kwa kioski analipa Ksh. 1,600. Niko na uhakika hakuna mwenye amelipishwa hiyo pesa kwa hii soko.

Hao wakusanyaji wa fedha, hakuna mwenye amekuwa akikusanya pesa akitumia Schedule Four ambayo tuko na soko nyini sana zenye ziko kwa hiyo Schedule Four. Kwa hivyo ni vizuri venye tumesema kwamba kwanza wapewe mafunzo ndio waweze kuwa wanalipishwa ile pesa yenye inafaa. Hiyo ni kama kuibia mwananchi sababu kama mwananchi amefikia, tumepata mpaka risiti za wengine wenye wako kwa Schedule Four ambao walilipisha as much as Ksh. 5,350 kwa soko kidogo sana iko mahali kunaitwa Kakavenge kwa Mheshimiwa Muasya Kiteng'u.

Unapata mtu anakutumia resiti yenye amelipa Ksh. 5,350 na ako kwa soko zile tu za vioski na hiyo ndiyo pesa analipishwa hicho ni kitendo kibaya. Ukiangalia hii Schedule Four utapata alifaa kulipa Ksh. 1,600 na Ksh. 300 za application. Lakini wamemrudikia vitu zenye zilikuwa za pesa mingi.

Pia ukiangalia kwenye hii Finance Bill tuliipata tarehe 19 April, 2019 na vyenye ilikuwa inasema watu wanze kulipa pesa ya penalty kuanzia mwezi wa tatu. Hiyo department bila hii walianza kuitisha watu hiyo pesa ya penalty kuanzia mwezi wa tatu na tunajua hii ilipatikana mwezi wa nne tarehe kuni na tisa; walianza kuwaitisha penalty ya Act bado hawajaipata na hiyo

ni vibaya kufanyia watu wetu hivyo. Ndio maana umeona recommendation hapo iende ikuwe taraha 30 Juni, 2019 ndio wale watu wetu walipe wenye wanataka kulipa.

Pia Bi. Spika, nikimalizia itakuwa ni vizuri kwa wanabiashara wetu wawe wanajitokeza kwenye hizi functions wakati tunakuja sababu sisi kama bunge tunajaribu kuwafikia watu wetu mashinani kabisa. Wajaribu saa zingine wafike sehemu kama hizi ndio na sisi tukitengeneza hizi Bills tutengeneze zenye zinawafaa. Sisi ni wafanyi kazi wa wananchi, na wananchi ndio tunakuja kwao ndio waweze kutuambia vitu zenye wanataka tuwawekee. Kwa hivyo wajaribu tuwe tunakutana nao ndio watuambie venye wanataka tukawawekee na nikweli tutakuwa tukiwawekea hivyo.

Kwa kampuni zenye ziko kule juu ambazo ndizo pia zinafaa kutupatia pesa nyingi; ukiangalia kwa hii Act, utapata zile kampuni kubwa kuna Ksh. 2,000,000 zinafaa kulipa kodi ya Kaunti ya Machakos ziko kwa hii Act lakini bado executive nafikiria hawajaanza kuwatoza hiyo pesa ndio tuweze kuteremshia watu wetu walipe kiwango cha chini na pesa nyingi tutoe pale za Kaunti za kufanya kazi. Kwa hivyo pia tuna wahimiza hiyo wajaribu kuiangalia na waifanye.

Nikimalizia Bi. Spika, hao watu ndio tajiri zetu, ndio wametuajiri, ndio wametupea kazi, na wakati wanadhulumiwa na hao watu wa executive, hizi bunge tuliwekwa mwaka wa 2010 na hiyo katiba ziliwekwa ndio tutoke kwa mfumo wa councils ambao ulikuwa, tuingie kwenye mfumo mwingine wenye kila mtu anapata nafasi ya kufanya na kukaa bila kusulutishwa, Madam Speaker.

*(Hon. Maitha spoke of record)*

**Hon. Speaker:** Hon. Maitha, you are out of order.

**Hon. Mwanthi:** So as I conclude, I do appreciate all members who have supported and request that the executive should be compelled to go as per the Finance Act so that our people may be at peace if the committee was to be given mandate even to arrest those people we could arrest them but because we do not have that mandate that is why we brought this report here to the assembly for further action to be taken against those people. Thank you, Madam Speaker.

**Hon. Speaker:** Shukran Mheshimiwa Stephen Mwanthi.

*(Question put and agreed to)*

Hon. Members, kuna mambo mawili matatu ambayo yameibuka kutokana na huu mjadala, ya kwanza na Mheshimiwa Daniel Mbevi ameguzia ni kwamba wakati, karibu wiki mbili zimepita, niliweza kukutana na Inspector General Mr. Mutyambai pamoja na Gavana kule Athi River na wote wakati tuliongea juu ya inspectorate, hao askari wa Kaunti na swala lile ambalo tulikubaliana nalo ni kwamba hao askari wanaweza kepelekwa kwa kikosi cha polisi wakue trained, wafunzwe na polisi chini ya inspekta Mutyambai ndio waweze kufanya kazi yao vizuri.

Ya pili ambayo imeibuka kutoka kwa huu mjadala ni kwamba nyinyi wabunge mko na jukumu kuelimisha wananchi pahali unatoka juu ya mambo yote ambayo unapitisha kwa bunge. Nakumbuka Mheshimiwa Ndawa alipeana mfano vile yeye alipeleka hii sheria ya finance na

akaelezea watu wake. Wale wengine waheshimiwa pia mnafaa kufanya hivyo ndio wananchi wale mnawakilisha wawe wanaelewa haki zao kulingana na zile sheria mnapitisha.

Ya tatu na nataka muangalie hili kwa makini; mlipitisha hili sheria ya Finance na ikiwa mnataka kubadilisha lazima mfuata ile ile njia tu ya kubadilisha. Sheria ikiishapitishwa lazima ifuatwe na hiyo nimesikia wengine wakisema inaweza kubadilishwa, wengine wanasema iangaliwe lakini ni nyinyi tu mpendekeze mpeleke kwa executive warudishe kwenu mje muangalie tena, ikiwa kuna kwingine mnataka kuondoa pesa na kwingine mnataka kuongeza, kuna kwingine mnataka kutoa kabisa, mfanye hilo. Lakini hamwezi mkatoa kwa mjadala ama mtoe kwa maneno tu lazima ipitie ile ile njia ya sheria. Asanteni.

#### UPGRADING NDITHINI HEALTH CENTER TO A LEVEL III HEALTH FACILITY

**Hon. Speaker:** Hon. Members, under this Order, we have one business by the Hon Patrich Kituku.

**Hon. Kituku:** Thank you, Madam Speaker.

Hon. Speaker, that aware that Article 43(1)(a) provides that every person has the right to the highest attainable standard of health, which includes the right to health care services, including reproductive health care;

Aware that the National Government launched Universal Health Care in Machakos County on a pilot basis;

Aware that residents of Ndithini and Muthesya wards have not been enjoying this facility as they should due to limited quality health facilities in the region;

Further aware that the residents have challenges in accessing Masinga Level III hospital which is the main health facility of referral for residents in the sub-county due to poor roads network in the region;

Noting that Ndithini Community Health Centre is a facility if well-equipped can be of great value to residents of Ndithini and Muthesya Wards due to its accessibility;

Aware that the facility needs expansion, equipping and staffing;

Aware that the residents of these two wards have a right to quality and timely health services;

Hon. Speaker, I beg to move the motion that this Hon. House discusses and approves that the County Government of Machakos upgrades Ndithini Health Center to a level III Health facility, equips and staffs it to ensure Ndithini and Muthesya Wards residents access quality health services with ease.

Thank you, Madam Speaker. I call upon Hon. Francis Kioko to second my motion. Thank you.

**Hon. Speaker:** Hon. Francis Kioko.

**Hon. Kalumu:** Thank you, Madam Speaker. I second the motion.

**Hon. Speaker:** Thank you, Hon. Francis Kioko,

*(Question proposed)*

Hon. Members, the motion is open for debate. Mheshimiwa Mutiso.

**Hon. P.J. Mutiso:** Thank you Madam Speaker kwa kunipa hii nafasi na pia nikushukuru kwa kuleta Bunge mashinani eneo hili sababu watu sasa wataendelea na kuelewa vile huwa tunafanya kule bungeni Machakos. Nasema ya kwamba Mheshimiwa Bi Spika vile umesema wakati umeongea mbele ilikuwa ni ukweli na kufuatana na katiba ya nchi ya Kenya Article 43 ni lazima kila mwananchi apate matibabu ambayo inastahili. Si kwa kuomba lakini ni haki yake apate.

Tulikuwa kwa hiyo hospitali ambayo Mheshimiwa Kituku anaongelelea kama kamati ya afya na tukaona vile ilikuwa na vile ameomba ndio iweze kupandishwa kwa cheo ya Level III mimi naunga mkono kwa sababu itaweza kusaidia watu wa eneo hii. Najua ya kwamba Masinga ni kubwa na kama hospitali ile kubwa iko Masinga kule, hapa ni mbali sana. Kwa hivyo naunga mkono na kama inawezekana isikae sana; wale wanaipandisha waiweke kwa haraka haraka kwa hiyo level ameulizia ndio watu wa eneo hii waweze kupata huduma ambao inastahili.

Hawa watu wa eneo hili wanalipa kodi na wakilipa kodi ni lazima wapate huduma ambayo inastahili. Kwa hivyo naomba ya kwamba kama itawezekana wanaohusika waweze kufanya hio kwa haraka iwezekanayo. Na pia waletе wale ambao ni madaktari ambao wanaweza kuwa wanapeana huduma ile sawa kwasababu tumeona Bi. Spika kama utaniruhusu; tumeona matendo imefanyika kule Machakos, ilifanyika juu ya kwamba wale watu ambao wana hospitali zao wanaajiri wale watu ambao hawana ujuzi ya kutosha ya kujibu kwasababu hao ndio wanalipwa pesa kidogo lakini wale wamehitimu wanakataliwa kwasababu mshahra yao nikubwa.

Kwa hivyo naomba kama itawezekana Machakos County Government iweze pia inaajiri wale watuambao wanaitimu na wana elimu ya kutosha ya matibabu na waangalie ya kwamba madaktari zetu saa zingine wanaajiriwa lakini wanaweka hospitali zao kando ambao ukienda kwa ile ya government wanakutuma kwa ile yao. Hata kama si yake kuna ile kickback anapata akikutuma pale. Ahsante Bi. Spika kwa kunipa nafasi kuongea hiyo.

**Hon. Speaker:** Ahsante Mheshimiwa Mutiso. Mheshimiwa Grace.

**Hon. (Ms.) Mutwiwa:** Ahsante sana, Bi. Spika. Nasimama hapa kuunga mkono hilo wazo Mheshimiwa kituku ameleta hapa. Kama vile Mheshimiwa Mutiso amesema, tuliwahi kwenda kutembelea hiyo hospitali ya Ndithini na pale ndithini kuna nyumba nyingi sana zimekaa pembeni hazitumiki. Kuna vyumba vya madaktari kulala pale na ukiangalia vile tumekuja ndithini inaonekana ni sehemu kubwa sana na hivyo na wananchi wengi wale ambapo kutoka hapa wanaenda kutibiwa Thika na sisi ni Kaunti ambayo inajiweza.

Langu ni kuuliza kama government ya Machakos inaweza tia mkazo iweze kuajiri madaktari, nurses na waletwe hapa ndithini ndiposa wananchi wa ndithini waweze kupata huduma iliyo ya mwafaka. Kama vile tunaelewa afya ni lazima kwa mwananchi na si vizuri kuona mwananchi ananyimwa haki yake kama vile mwenzetu amesema vile Machakos kumekuwa, madaktari wamefungua hospitali zao za private ndiposa waweze kupata fedha nyingi.

Tukienda kwa wenzetu makueni tutapata makueni hakuna kliniki, hakuna nduka za madawa wale wa makueni wanatibiwa kwa hospitali ya makueni ya general hospitali. Yangu Bi. Spika ni kuuliza huu mjadala tuuchukue kwa unguvu na tuache kuregarega na hawa

wasione kama wanadhuluniwa na wameachwa kando ya wale wengine wakipata matibabu. Asante sana, Bi. Spika.

**Hon. Speaker:** Shukrani Mheshimiwa Grace. Mheshimiwa Joseph Musau.

**Hon. Musau:** Asante, Bi. Spika. Wacha kwanza nikushukuru sana kwa uongozi wote wa bunge kwa kuonelea hii jambo la bunge mashinani linafaa ndio wananchi waweze kuona vile tunafanyanga kazi yetu. Na tukiendelea hivi Bi. Spika, Kaunti yote itajua kweli walichagua watu ambao walikuwa wanafaa na wanastahili zaidi. Bi. Spika, ukinihusu nitapongeza mbunge wa eneo hili sababu ya kuwa katika mstari wa mbele kwa kupigania wananchi wake.

Bi. Spika, nakumbuka wiki iliyopita nilikuwa nang'ang'ania naye kwa offisi ya katibu wa energy, ofisi ya kawi na akasema lazima soko ya Kiatinini na soko zingine sita zote ziwake Mulika Mwizi,

Leo tumekuwa hapa na nimeona wameweka vikingi na within one week or two weeks hii soko itang'ara kama zile soko zingine na biashara itakuwa 24 hours economy . Nashukuru sana Mheshimiwa Kituku. Leo hii ameleta mjadala mwingine wa kiafya; watu wa Kiatinini, watu wa Ndithini are not lesser people. Despite the fact that this region has been marginalized for so long probably this is the turning point for the lives of the people of this area, Madam Speaker. Namshukuru sana kwa kuchagua Mheshimiwa ambaye kila wakati anaamka na kuota ndoto ya vile maisha ya watu wao itakuwa ni maisha sawa na yule mtu ako Machakos town, yule ako mlolongo na yule ako eneo lote la Machakos, Madam Speaker.

Nikiunga mkono hili dhan yake, Madam Speaker, hiyo hospitali kama itakuwa upgraded, mambo ya watu wa Machakos county walio Kiatinini, walio Ndithini kuomba msaada wa matibabu huko Murang'a ama upande wa Kiambu itaisha; wawe watatibiwa hapa kwetu, kwa Kaunti yetu Madam Speaker na kama itawezekana itakuwa the greatest achievement because a sick nation is unproductive nation, Madam Speaker.

Nataka kumshukuru sana; it has come at the best time. Wakati ambao gharama ya matibabu inaenda mbele, inaendelea na kuwa ya juu, Madam Speaker. Hata ikiwezekana, nitauliza wabunge wetu wote kwanza tukome sisi kwanza, we surrender kwanza Ndithini ikuwe upgraded na kazi ifanyike Nditini kwanza hao wananchi wazalendo waweze kupata hiyo haki yao, Madam Speaker.

If that health centre is upgraded, equipped and well-staffed, Madam Speaker, hata majirani wetu wa hapa Kiambu na hapa Murang'a wanasema Machakos kazi imeanza. Kwa hivyo, Madam Speaker, nikikaa nataka kusema Mheshimiwa kongole; wafanyie watu kazi na kazi yako ni kuleta hii mambo hapa kwa bunge pale pengine tutasukuma executive najua executive itafanya. Thank you so much, Madam Speaker; thank you so much, Waheshimiwa.

**Hon. Speaker:** Shukrani Mheshimiwa Musau. Mheshimiwa Angela. Hon. Members, I am first giving priority to members who have not had any opportunity to say anything since we started this sitting; that is why I am looking around. So we have Mheshimiwa Angela.

**Hon. (Ms.) Munyasya:** Asante Bi. Spika kwa kunipa hii nafasi. Ya kwanza ni kumpongeza Mheshimiwa ambaye ameleta huu mswada tuweze kuuongelelea ili watu wake na watu wengi wa Machakos wafaidike kwa huu mswada. Bi. Spika, matibabu ni muhimu kwa kila mwananchi na ninasema hivo kwasababu mimi mwenyewe nimehusika na mgonjwa ammaye waheshimiwa wabunge hapa wanaelewa ya kwamba mama yangu alituacha juzi baada ya kuugua

kwa mda mrefu. Bi. Spika, kwanza nawashukuru wote ambao walikuja kusaidia kwa hayo maneno ya kupumzisha mama yangu.

Bi. Spika, matibabu yamedhuru watu wengi kwa sababu watu wengi hawana namna ya kutibu watu wao; ukienda hospitalini hata kama ni ya serikali unaambiwa ulipe pesa ya hii, lipa hii dawa, lipa gloves, lipa hiki lipa kile na bado tunaambiwa ya kwamba matibabu ni ya bure. Matibabu yanafaa yawe ya bure kwasababu serikali iko na hiyo pesa ya kutibu wananchi bila malipo. Kwa hivyo, Madam Speaker, ningependa kusema ya kwamba sio tu kupandisha cheo cha hospitali kifike kwenye eneo la Level III lakini kipandishwe kifike hiyo eneo kiwe na madawa, kuwe na maji kuwe na wafanyikazi ambao wamehitimu kufanya hiyo kazi ya udaktari na kutibu watu na wananchi waweze pia kufika kule kwa urahisi.

Kwa hivyo, Madam Speaker ningependa kusema ya kwamba wamama na watoto ndio wanaumia kukiwa na jambo la ugonjwa nyumbani. Mama ndiye ataenda kutafutia mgonjwa chakula, mama ndiye ataenda kutafuta hayo madawa, mama ndiye atabeba mtoto mgongoni na kutembea mbali kupeleka mtoto hospitali. Hayo, Madam Speaker, yanatakiwa yaangaliwe ili watu wote wa hii wodi waweze kupata matibabu kwa urahisi. Asante, Madam Speaker.

**Hon. Speaker:** Shukrani Mheshimiwa Angela. Mheshimiwa Maitha.

**Hon. Maitha:** Asante sana, Bi. Spika. Kwa gallery naona waalimu ambao tulikuwa tunafanya kazi na wao; nataka niwasalimie kwa maana walinichagua siku nyingi sana nikiwa kiongozi wao wa Machakos district ya Machakos kama executive secretary. Pia nilikutana na wengine hapa wakaniuliza; kwani ulishuka cheo kwa maana walikuwa wakiniona nikiwa Member of Parliament tukija kufanya kazi hapa na Mheshimiwa Mbai. Nawaambia si kushuka cheo, ni kuendelea kufanya kazi ya mwananchi.

Madam Speaker, nimpongeze Mheshimiwa wa eneo hii, Mheshimiwa Kituku kwa kuleta huu msawa mzuri sana tuujadilie tuupishe, na tena Madam Speaker nimpongeze tena kwa ile kazi analeta bungeni kusaidia watu wa Ndithini; anafanya kazi ngumu sana na tunampenda uko Assembly anawafanyia kazi nzuri sana.

Niseme, Madam Speaker, hii hospitali ya Ndithini, najua sana na ukiangalia Ndithini vile ilivyo ni kubwa sana Madam Speaker; ningependa vile aliomba serikali kuu ipandiswe cheo iwe Level III na tena zile dispensaries kama ziko huku na zingine zijengwe nyingi sana katika area hii ili watu wa area hii wawe na matibabu ili waendeleo na afya nzuri, Madam Speaker.

Niseme kama government ya Machakos inaweza ikipandisha hii hospitali pia iangalie katika wodi zile zingine kama inawezekana pia wapandishe ma hospitali mengine yawe kiwango cha Level III kama vile Mheshimiwa ameomba. Nisememe ya kwamba kazi ya Member of County Assembly ni kubwa sana na ni ngumu sana; saa zingine watu wanaona kama Member of County Assembly ndio anatengeneza barabara na hii ni kazi ya executive; executive ndio tunapatia pesa si Member of County Assembl.

Kwa hivyo naomba serikali ya Kaunti ya Machakos isikie kilio cha watu wa Ndithini na si wa Ndithini peke yao hata wa Machakos wote kwa maana mabarabara zetu ni mbaya sana ili zitengenezwe watu waweze kufikia kwa urahisi mahospitali yetu katika sehemu zote za area yetu ya Machakos. Nikupongeze, Madam Speaker, pamoja na office of the Clerk kwa kuleta hii bunge mashinani huku Ndithini ili tujionee vile serikali haijafanya kazi mingi katika area hii; tuiombe ifanye kazi, isaidie Mheshimiwa kwamaana Mheshimiwa si yeye anajenga barabara. Asante sana, Madam Speaker.

**Hon. Speaker:** Shukrani Mheshimiwa Maitha. Mheshimiwa Cosmus.

**Hon. Masesi:** Asante, Bi. Spika. Kwanza nataka nishukuru Mheshimiwa wa eneo hili, Mheshimiwa Kituku na pia ni vizuri wananchi kujua ya kwamba yeye ni mmoja wa members wa hii kamati ya afay katika Bunge ya Machakos. Bi. Spika, nataka vyema watu wa Ndithini wafahamu kabisa wakipata hiyo upgrade ya Level III inakuja na mazuri mengi sana; kwanza watakuwa wanaweza kulazwa; vitanda zitaletwa zisizopungua 100 ambapo wanawezalaza watu wao pale, kutakuwa na theatre ile ina operate zile minor operations zinafanyiwa pale, kutakuwa na radiology unit ile itakuja na X-ray; mtu kama ameumia mahali ama daktari amesema uangaliwe, X-ray inaweza pigwa pale.

Tena kutakuwa na mtu wa kung'oa watu meno ama dentist; mambo ya meno itakuwa unaweza enda pale ung'olewe mara moja na urudi kwako kwako uende ukaendeleo na kazi ya kujenga nchi.

Tena kutakua na lab ambapo tunaweza fanya some tests kama ni ya stool, kama ni ya malaria na vitu kama hizo; unaweza enda pale upimwe na urudi kwako nyumbani. Kutakuwa na unit ya maternity; mama kama mambo imekua mzuri unaeza enda pale ulazwe, uangaliwe na usaidiwe kupata mtoto. Hio nataka nihakikishe watu wa Ndithini ya kwamba sisi kama kamati ya afya tunaamini na niko na uhakika ya kwamba huu msawaada utapitishwa na hii bunge.

Sisi kama kamati tukipewa hio kazi, tutashughulika haraka na tukimbie hapa tuangalie ni nini inaweza fanywa ndio watu wa Ndithini wapate huduma safi. Watu wa Ndithini mnajua ya kwamba Machakos tuko na UHC, tuko na M-Tiba na naomba mwendeleo kujiandikisha juu kujiandikisha ni bure juu unatibiwa bure vilevile. Usikae pale nyumbani uende hospitali useme utibiwe na hujajiandikisha; bado kuna hio nafasi ya watu wajiandikishe waendeleo kutibiwa bure kabisa.

Kama mnaona kuna upunguvu wa dawa, yours is just to raise a complain kwa sababu tuko na budget ya hizi vitu Bi. Spika na ni mzuri sana kufuatilia hio budget yetu ya bunge na hio pesa ingine ya UHC tuhakikishe ya kwamba watu wetu wamepewa huduma safi inayoitajika. Otherwise, najua hii mambo lazima ipite na watu wa Ndithini nawaomba mshike mkono mheshimiwa wenu ndio maendeleo izidi kuja eneo hili. Asante sana, Bi. Spika.

**Hon. Speaker:** Shukrani Mheshimiwa Cosmus. Mheshimiwa Joshua Muli. Thank you.

**Hon. Muli:** Asante, Bi. Spika. Yangu ni kushukuru Bi. Spika, kwa wakati huu na sema kweli leo kuna utulivu na kuna amani mahali hapa. Hivi majuzi tulikua na kikao kama hiki pale Kithimani lakini Bi. Spika amani ambayo iko hapa haikupatikana pale kwa hivo kongole Bi. Spika maanake ni mpango na kuhusika kwako ilituwe na hio amani. Pia nishukuru wakaaji wa area hii ya Ndithini ni kwa sababu wamekuja kwa wingi na tunawaona wamekua watulivu ili waweze kufuata shughuli ambazo tutazifanya na bunge hili la Machakos.

Pia Bi. Spika, nachukua nafasi hii nimshukuri mwakilishi wa eneo hili la Ndithini Mheshimiwa Kituku; ni kwa sababu alipigana juu chini ili bunge lote la Machakos liweze kufika hapa na kujadilia na zaidi kuongea mambo ya matibabu katika eneo hili. Nimesimama hapa kuunga mkono mpango wa hii hospitali ya Ndithini kwamba ipandishwe cheo iwe Level III. Ni kweli kwamba ukienda Machakos ama ukienda Thika General Hospital, wale wagonjwa ambao wamelazwa pale wengi ni kutoka eneo hili; ni kwa sababu kwao ni karibu kufika Thika kuliko kwenda Machakos.



Kwa hivo iwapo na najua itakua hio hospitali itaweza kupandishwa, wananchi wa eneo hili wataweza kusaidika na zaidi ya yote majina kama Wanzila na Mwanzia itakosekana kwa sababu wamama wengi wa area hii wanapojifungua, zaidi yao hujifungulia kwa barabara. Barabara zenyewe ni mbaya vile umeziona Bi. Spika na hivo naomba sisi wote tuungane mkono tumsaidie mheshimiwa kwamba kazi ya kwanza ya kutengeneza barabara iwe ni area hii ili watuaweze kusidika wa eneo hili.

Nikimaliza Bi. Spika, kuna sehemu zingine ambazo hospitali pia ziko na shida; kama eneo langu la Ndalani kuna health center inaitwa Kisiiki ambayo ilijengwa na ikafika mahali na haikukamilishwa. Katika hio hali, naomba pia tuweze kuangalia ama executive wanalie zile hospitali zote ambazo hazikupata nafasi ya kutengenezwa ili ziweze kukamilika. Nashukuru wote ambao walifika na asante Bi. Spika na mkono nasema Bwana akubariki. Asante.

**Hon. Speaker:** Shukrani Mheshimiwa Muli. Hon. Members, I call upon the mover of the motion to reply. Hon. Kitung'u.

**Hon. Kiteng'u:** Thank you, Madam Speaker. Ningependa kuwashukuru waheshimiwa ambao wameweza kuchangia katika mjadala ambao nmeulita mbele ya hii bunge nikitumai kwamba tuliyoajadili ama yale ambayo tumeyasema yataweza kutekelezwa lakini niko na imani kwamba yataweza kutekelezwa. Hii area ya Ndithini ninaposema Ndithini tukirejelea the structures za National government, pia tunaweza rejelea Muthesya kwa sababu Muthesya na Ndithini ward ziko katika division ambayo inaitwa Ndithini. Ni sehemu ambayo mahali iko huwa iko mahali ambapo ni a bit funny kwa sababu kutoka hapa kwenda sehemu za Murang'a ndio kuko rahisi kuliko kwenda Masinga.

Level III ya Masinga, sisi kama wakaazi wa Ndithini haiwezi tusaidia juu afadhali hata kwenda Matuu Level IV kwa Hon. Ndawa ama tuende upande wa Kithimani kuliko kwenda upande wa Masinga Central. Hii ni kumanisha kua wakati ata pia Hon. Spika hua tunasema Ndithini sio Masinga, sasa unaweza kuelewa juu ata waheshimiwa wengi wameniambia wamepotea na karibu warudi Ndalani ama waende Kithimani tena.

Kwa hivyo hii area ni area ambayo inaitaji special attention ili wananchi pia waweze kufikiwa. Kuna wakati nakumbuka nilikua nasema ata kama tunaweza ruhusiwa wakaaji wa Ndithini tusiwe tunalipa kodi kwa sababu kuna mahali ilikua imefika unangalia kweli unaona nikama hakuna serikali; ndio serikali ipo kwa kuandika kwa karatasi lakini katika utekelezaji unaona kweli kuna shida na unajua wananchi hawa wanatuchagua tuweze kuwafanyia kazi. Kwa hivo wasipopata yale ambayo wanahitaji, inakua ni changamoto hata kuwambia kuna kitu inaendelea unapata kweli ni kazi ngumu.

Ukijaribu kufikiria kwa mfano mjamzito iwe siku yake imefika, kuna zingine huwa zinafika ghafla, wengine huenda kuhesabu kunaleta shida ama juu ya mambo ya nature vile yalivyo mambo yanaweza badilika, hapa karibu hakuna mahali kuna maternity. Ndio, kuna hospitali za hali ya chini lakini hakuna maternity. Kwa hivo unapata ni changamoto sana juu pia barabara ni changamoto lakini nina imani kua hili likitekelezwa, juu haya mambo mengine ya barabara pia tunaendelea kupambana nayo ninatumai tutaweza kua tumesaidika juu afya ni ya muhimu na kila Mkenya yuko na haki ya kupata afya ambayo ni ya kiwango cha juu na afya ambayo inastahili.

Kwa hivo Bi. Spika, juu hospitali ni ya muhimu sana, naomba waheshimiwa wakaweze kuni-support katika mjadala wangu na sote tafadhali naomba mkaweze kukubali ili likaweze kupita ata katika utekelezaji ikaweze kutokea hivyo. Otherwise, Bi. Spika nashukuru.

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

*(Question put and agreed to)*

Hon. Members, the resolution you have just passed is committed to the committee on health and emergency services and the committee of this Assembly is to interrogate the motion further, of course, liaising with the executive and to file a report to the House on or before the 17th July, 2019. Thank you, Hon. Members. Mr. Clerk, proceed.

#### ADOPTION OF TENDERING METHOD TO GRADE ROADS

**Hon. Speaker:** Hon. Members, before we proceed with this motion, allow me to recognize the presence amongst us, with great appreciation, of visitors from the Kitui County Assembly who are led by the Kitui Principal Human Resource Officer. Thank you very much our neighbors we shall revenge in a good way, thank you. Hon. Mulatya.

**Hon. Mulatya:** Thank you, Madam Speaker.

Hon. Speaker, that aware that transport is vital in the development of any area and that roads are the most common means of transport used across the County and the Country at large; Madam Speaker, appreciating that the Constitution of Kenya, 2010 introduced the devolved system of Government which sought to bring services closer to the people and mostly aimed at equalizing development in all parts of the County;

Appreciating that Article 174(f) of the Constitution of Kenya, 2010, states that one of the objects of devolution is to promote social and economic development and the provision of proximate, easily accessible services throughout Kenya;

Further aware that the fourth schedule of the Constitution mandates counties to deal with matters of County Transport including County roads;

Noting that the County Government of Machakos, through the department of Transport, Roads and Public Works, embarked on an exercise of grading County feeder roads in an effort to upgrade them;

Aware that the exercise has not been fruitful in most wards in the County due to the graders experiencing major mechanical problems especially Masinga sub-county where the grader allocated to the sub-county has only managed to grade 3 kilometers in a period of three months particularly in Masinga Central and Kivaa wards;

Aware that each ward has been allocated a substantial amount of money for grading roads; Aware that this work would be done with ease if it had been tendered and awarded to private contractors;

I wish to move the motion that this Hon. House discusses and approves that the County Government of Machakos:

- i. Adopts tendering method to grade county roads from the FY 2019/2020 on wards.
- ii. Repairs all graders and station them at the Sub- County offices whereby they can be utilized to undertake emergency works road and minor repairs within the sub-counties.

Thank you, Madam Speaker. I call upon Hon. Patrick Kituku to second my motion.

**Hon. Speaker:** Thank you, Hon. Mulatya. Hon. Kituku.

**Hon. Kituku:** Thank you, Hon. Speaker. I do second this motion simply because have had a lot of interests in this motion bearing in mind that grading has been happening in all the wards but there are a lot of challenges and in particular, in Ndithini we have a lot of challenges as you have seen concerning the roads and I would prefer we go through the tendering way and also the graders that we have be situated at the sub-county headquarters because the graders that we have been getting, like now I have a grader in my ward and I have two; moja iliharibika iko sehemu moja inaitwa Mananja. Iliharibika last year December and even up to now it has never been repaired.

The repairs that have been even taken place are minor repairs and the operators are instructed to use the graders the way they are so ikienda kufanya kazi inafanyafanya inaharibika kitu kingine kwa hivo inafika mahali unapata it is irreparable. So, if we go the tendering way inalimaanisha contractor atalazimika kumaliza kazi.

Grader iharibike atafute nyingine hio iaribike atafute nyingine ili aweze kulipwa. If we can remember Hon. Members, there is a time tulikua tumepitisha at least if every ward inaweza katwa 20 kilometres of murram. So, Madam Speaker---

**Hon. Speaker:** Point of order from Hon. Majority Leader.

**Hon. Muendo:** Thank you, Madam Speaker. I think our able Member is of this area is trying to contribute instead of seconding the motion. Thank you, Madam Speaker.

**Hon. Speaker:** Point of information from Hon. Ndawa.

**Hon. Ndawa:** Thank you, Madam Speaker. I want to inform the Majority Leader that Hon. Patrick Kituku has the right as provided for by the Standing Orders of the County Assembly of Machakos. When seconding, you can make your contribution; it is not a must that you wait until you are given time. So, Madam Speaker, Hon. Kituku is in order.

**Hon. Speaker:** We have received the information. Thank you Hon. Ndawa

*(Laughter)*

Hon. Kituku, proceed.

**Hon. Kituku:** Yes, Madams Speaker, I was very much aware of the Standing Orders and that is why I am making my submissions because---

**Hon. Speaker:** I think Hon. Kituku's concern is because of the bad roads so you can excuse him even when he is not in order because he wants to make sure that the people get the services but he is in order as we have been informed by Hon. Ndawa. So, proceed Hon. Kituku.

**Hon. Kituku:** So, Madam Speaker, I was saying if we could go the tendering way the private contractors will make sure that the roads have been identified and actually the roads will be graded or improved according to the stipulated ways. So, Madam Speaker, I second. Thank you.

**Hon. Speaker:** Shukrani Hon. Kituku na tulikua tuekubaliana tujaribu kuongea lugha ya Kiswahili na niliona kumbe nyinyi mnaenza kuongea kiswahili vizuri sana kwa hivo tuendeleo kwa kwa hio laini ya kuongea Kiswahili na huu ni mjadala ambao hatuwezi tukahairisha kwa wakati huu twendeleo na tumalize. Before I come to Hon. Kasyoki let me propose the question.

*(Question proposed)*

Hon. Members, I now invite you to debate the motion. Hon. Rozina.

**Hon. (Ms.) Kanini:** Asante Bi. Spika. Ijapokua mimi sio mswahili sanifu, nitajikokota kiasi. Kwanza kabisa Bi. Spika nataka kukushukuru kwa kutuletea hii bunge mashinani huku, kama haingekua hii mradi watu wasiopenda kutembea kama mimi, singefika huku Ndithini. Madam Speaker, nataka kusupport hii motion ya Majority Whip. Madam Speaker, huu ugonjwa wa graders kuwa grounded, kukosa fuel, umekuwa ugonjwa kila pahali. Madam Speaker, kuna kitu kenye hamjawahi jua; mimi katika hii Assembly niko na MCAs zaidi ya watano. Town pahali nakaa mheshimiwa wangu ni Mrefu, ame-border na Caleb---

**Hon. Speaker:** Hakuna mheshimiwa anaitwa Mrefu hapa.

**Hon. (Ms.) Kanini:** Peter Mutiso, samahani. Nikienda nyumbani mahali nmeolewa Mheshimiwa wangu ni Nyanzi na ame-border na Hon. Mumo, Makueni. Nikienda town, Athi River, Mheshimiwa wangu ni Kisini. Kuna mheshimiwa hapa nimeshinda nikimshika koo anitengenezee barabara pahali siwezi taja saa hii na siwezi mtaja hapa nisimumalize. Kuna Mheshimiwa nimeshinda kushika masharti anitengenezee barabara na saa yote anashinda kuniambia hakuna fuel.

**Hon. Speaker:** Hon. Rozina, unashika koo mwenzako mheshimiwa na unaelewa kwamba waheshimiwa hawatengenezi barabara?

**Hon. (Ms.) Kanini:** Lakini anaweza sukuma, yeye ako best position to do it better.

**Hon. Speaker:** Unauliza asukume?

**Hon. (Ms.) Kanini:** Asukume na mimi pia.

**Hon. Speaker:** Point of information; I expected it. Hon. Mulatya.

**Hon. Mulatya:** Thank you, Madam Speaker. I don't think I will be in order to inform the Speaker but let me inform the House and the gallery. Nafikiri Hon. Rozina ako kwenye line; she is right akisema kwamba ameshika masharti ama ametumia njia yake yoyote kumshika mheshimiwa fulani amtengenezee barabara kwa sababu hizi graders, wakati ziakuja kule mashinani, waheshimiwa ndio wanawekwa wakue in charge. Madam Speaker, thank you.

**Hon. Speaker:** Hio hata inakataana na sheria; wacha nikwelezee pia. More information, yes tujue, Hon. Betty tuelezee. Sote tunataka kujua.

**Hon. (Ms.) B. Nzioki:** Thank you, Madam Speaker. Madam Speaker, kulingana na kazi yetu sisi kama wabunge kazi yetu ni kutengeneza. It is to make laws and then we pass the budget and it is over to the executive to do the implementation so that we can come back again and do the oversight. Kwa hivyo Hon. Tariq na Hon. Rozina, hiyo kazi sio yetu; kazi ni ya executive ndio tuje tuangalie kazi yenye wamefanya. Thank you, Madam Speaker.

**Hon. Speaker:** Sasa waheshimiwa mimi ndiye ntawajulisha. Mueke mikono chini yote. Nanimekua nikiwafunza na nitaendelea kwa sababu hio ndio kazi yangu. Mnaelewa lile neno linaitwa implementation; kazi yenu ni kupitisha sheria, kazi yenu ni ku-represent wananchi, kazi yenu ni kupitisha kama budget na kufanya oversight. Sasa kazi ya kufanyisha tingatinga kazi, sio yenu na nimewambia hivo na sheria imesema hivo na mmelewa hivo.

Kwa hivyo kile mnafaa kufanya ni ikiwa tingatinga imeletwa kwa wodi yenu na mnaona haifanyi kazi vizuri ni kuleta jambo kwa bunge ndio iwenze kufanyiwa mjadala alafu executive ielezwe kwa sababu ndio inafanya kazi. Tumelewana? Na tuendeleo sasa na hio inakoma hapo. Tuendeleo sasa. Hon. Rozina you are still on your feet.

**Hon. (Ms.) Kanini:** Yes, Madam Speaker. Bi. Spika, nataka kumalizia kwa ku-support hiyo motion. Asanteni.

*(Laughter)*

**Hon. Speaker:** Shukrani Hon. Rozina. Sasa hii ni round ya pili lakini naona kuna Hon. Michael Mutiso hajasema; aongee saa hii.

*(Applause)*

**Hon. Speaker:** Order Members!

**Hon. M. N. Mutiso:** Asante sana, Bi. Spika. Kwanza nashukuru sana kwa uongozi wako, nashukuru uongozi wa Clerk. Ya pili nasema Hon. Kituku huu mjadala umekuja kwa wakati unaofaa. Tariq ameuleta na wewe ukau-support na naunga mkono kabisa. Vile tumekuja tumekuja na njia mbaya, hizo njia hazipitiki; naweza sema ata kama ni tingatinga iko kwangu, iletwe hapa Ndithini isaidie Hon. Kituku ili at least wananchi wa hapa wawe na njia ya kushukuru.

Ya tatu nikimalizia Hon. Spika, kila mtu anaitaji njia nzuri ili aweze kufikia mahali panapofaa na kwa mfano vile tumeongea mambo ya hospitali; mgonjwa akiwa amegonjeka na anaenda mbali, kwa kweli kufika hapo, kwa bahati mbaya anawezafariki na sio kupenda kwa yule anayeendesha gari ama ambulance ni kwa sababu njia ni mbaya.

Kwa hivo naunga hii tendering mkono ya contractors watengeneze nao kwa maana hizi za county tukipewa, hazina mafuta, drivers pia sio qualified; unakuta barabara wametengeneza mawe wameacha katikati ya barabara na tunaolewa driver mzuri wa tingatinga anaweza ondoa hio mawe na iwe kando. Asante sana, Bi. Spika.

**Hon. Speaker:** Shukrani, Hon. Michael. Hon. Jacinta; nitakuja tu lakini wacheni kwanza nipatie nafasi wale hawajaongea.

**Hon. (Ms.) Luka:** Asante sana, Bi. Spika. Nashukuru Hon. Spika kwa kunipa hii nafasi ili nikaweze kuchangia kwa huu mjadala ambao unahusu barabara zetu katika hii kaunti yetu ya Machakos na jambo kuu ambalo nimekua nikiwaza na nikifikiria ni juu ya watu ambao wanaishi na ulemavu. Vyenye tumekua tukija, nimeona hizo barabara ziko na shida sana. Gari kuja ikafika mahali nikaona ni kama afadhali turudi maana barabara ilikua mbaya sana na sio Ndithini peke yake ni kaunti ya Machakos.

Kwa hivo kile ambacho nimefikiria na nikaona ni watu ambao wanahishi na ulemavu; kuna wale wanatumia crutches, kuna wengine wanatuaia wheelchair na kama gari inasikia ungumu kupitia kwenye hizo barabara, je ule anatumia wheelchair ama anatembea na crutches atafanya nini? Maana kuna wenye wanasaidiwa, kuna care-givers ambao wanawasidia kuwasukuma na pia kuna wenye wanajipeleka.

Kwa hivo kama gari inasikia ni vigumu, hawa watu kutembea inakua ni shida na pia unangalia hizi wheelchairs zinahitaji kutengenezwa na kama barabara zinakua hivo, inakua ni shida maana mtu ataitaji kutengenezwa kila wakati na mapato nayo ni ya chini kwa hivo unapata ni shida juu ya shida.

Kwa hivo ningeliza serikali yetu ya Machakos iweze kuangalia na iweze kutengeneza ili kila mtu akaweze kusikia ako recognized in the community. Thank you, Madam Speaker.

**Hon. Speaker:** Shukrani Hon. Jacinta. Hon. Constance Mbula.

**Hon. (Ms.) C. Nzioki:** Asante, Bi. Spika. Kwanza ni shukrani; nataka niunge mkono hii motion ya kwamba kupeanwe kandarasi ndio barabara zitengenezwe na hizo machine zitengenewe. Nikija huku Bi. Spika, nilipotea kwa sababu hizo barabara ni mbaya na zinafanana na hakuna sign so nikaenda nikangalia nyuma nikashidwa tume---

*(Loud consultations)*

**Hon. Speaker:** Hon. Members, order!

**Hon. (Ms.) C. Nzioki:** So nilipotea for about five kilometres lakini kurudi nikapata barabara ni same na ile nilikua natumia na hakuna sign na nikasimama nikauliza mtu wa bodaboda akaniambia; ufuata, uende hivi na hivo na mbele na hivi utafika na sasa kuja nikapatana na wamama wengi sana Bi. Spika, wengine wajawazito wengine watoto kwa mgongo nikashindwa; hawa wako na watoto *watatethaka* aje?

*(Laughter)*

Juu sasa ukiangalia unaona---

**Hon. Speaker:** Hon. Constance, naelewa unataka kusema watasidika aje?

**Hon. (Ms.) C. Nzioki:** Yes, Madam Speaker. Hilo ndio neno nilikua sishiki haraka so nikashindwa watasaidika aje na pia hata hao wenye wanabemba watoto, wanapeleka wapi? Ukiangalia mbele hakuna dispensary, ukiangalia kwenye umetoka, hujaona kitu; barabara yenyewe ndio hivyo. Kwa hivyo na support huu mswaada ndio baabara itengenezwe ikiwezekana kama kesho ndio wamama wafaidike. Asante Bi. Spika.

**Hon. Speaker:** Shukrani, Hon. Constance Mbula. Hon. Nyawira.

**Hon. (Ms.) Nyawira:** Asante, Bi. Spika. Mimi yangu ni kusema kwetu si karibu sana na huku---

**Hon. Speaker:** Peleka mic karibu kwa mdomo.

**Hon. (Ms.) Nyawira:** Thank you, Madam Speaker. Kwetu sio karibu sana na huku na hakuna barabara kama hii kwa hivo nikupatie Mheshimiwa pole kwa hii barabara.

*(Laughter)*

Tutamuunga mkono atengeneze hii barabara juu tungependa kumtembelea hata tukitoka bunge kwa hivo wale watapatiwa hii kandarasi wapatiwe haraka na kazi iendelee. Asanteni.

**Hon. Speaker:** Asante Hon. Nyawera. Hon. Mark Muendo.

**Hon. Muendo:** Asante sana, Bi.Spika. Mimi nataka kuunga huu mswaada mkono na niushike kwa nguvu. Bi.Spika, naelewa na sisi tunaielewa barabara zetu Machakos county sio nzuri na tukienda njia ya kupatiana kandarasi sababu kandarasi ama contractor akifanya kazi anafanya kazi ambayo inafaa. Niseme Bi. Spika mheshimiwa wa area hii ameumia sana kwa sababu barabara za area hii umeona haizipitiki; mimi sio mara ya kwanza kuja hapa Ndithini, nilikuja na mheshimiwa tukiwa na harambee kwa kanisa iliyo hapa chini na tulichukua masaa mingi kufika huko.

Bi. Spika, tukiweka hii motion na tupitishie, government ya Machakos ama executive wafuate njia ya kupatiana kandarasi, hio ndio njia mwafaka itasaidia njia kama hizi za area hii. Na niseme pia ni jukumu pia ya executive ama serikali ya Machakos wafanye ile inaitwa road-mapping, wajue area zile ziko na barabara mbaya na zile ziko afadhali na zile ziko na barabara nzuri. Wakifanya hivo watakua wanaelewa area kama Ndithini na Muthesya na Masinga waweke uzito kwa pande hio kwa sababu wananchi wote wale wako katika Machakos county wanataka huduma kama wale wako Athi River town na wale wako area zingine za urban.

Bi. Spika, niseme sisi tume experience hio miaka miwili shida kama waheshimiwa; yes, tunaambiwa kuna grader, grader inakuja area yako inatembea siku mbili, haina mafuta,

imeharibika na kwa kweli Bi. Spika tukija umeona moja hapa kwa hii town iko hapa; imeharibika na iko kando ya barabara. Hiyo ni aibu. Tuseme waheshimiwa wa Machakos Bi. Spika, na ni ukweli usemwe, wengi wao ndio wanaweka hizo grader mafuata; ukweli usemwe. Hon. Kituku juzi ndiye ameweka hio tractor iko area hii ikikata barabara mafuta. Tuwe tunasema ukweli,

Tunafanya hivi kwa nini, Bi. Spika? Kwa sababu tunaangalia executive haifanya kazi inayofaa; kazi yetu sio kuweka mafuta. Kazi yetu Bi. Spika nikuangalia hiyo grader imefanya kazi na unajua Madam Speaker, tukisema ukweli, na nitaongea watu wa Ndithini watajua, mwanzo tulingia kwa bunge Bi. Spika, unajua area ambazo hazikua zinafanyiwa kazi kwa sababu kunatoka waheshimiwa wa ile pande nyingine na ukweli usemwe na hii Ndithini ni area moja, Muthesya ni area moja, Kinanie ni area moja.

Kwa sababu Ndithini na Muthesya Bi. Spika iko Masinga lakini ukienda pande ya Masinga huko chini utaona iko afadhali kushinda Ndithini na kushinda Muthesya. Lazima ukweli tuseme. Bi. Spika, nataka kusema sasa serikali na Assembly ya Machakos wameenda na tumeanza kuungana na twende pamoja. Ningeuliza Government ya Machakos, executive waangalie hizi ward mbili; Ndithini na Muthesya na tuki-allocate pesa, hawa wapange area hii ipate services zaidi kuliko area zingine.

Bi. Spika, serikali ambayo haijali watu wake, haikui serikali kwa sababu sisi na hawa wananchi Bi. Spika ndio wanaeka serikali ndani ya uongozi na mimi sijaona Bi. Spika, mtu anafanya kazi kwa mhindi anatusi mhindi ama mhindi akiskia kiu hapewi maji; hawa ndio waajiri, Bi. Spika.

Kwa hivo huu msawaada ambayo imeletwa na Majority Whip utasaidia sana kama implementation itafanywa na executive kwa sababu barabara nyingi zetu tunajua ni grading na murraming; hiyo kazi ikipewa contractor atakua akimaliza na akimaliza analipwa lakini ukitengemea grater za County Government ya Machakos ambazo ni grader nne, na moja inafanya na kesho inakufa, Bi. Spika hatutasaidika na hiyo ni aibu.

Kwa hivo Bi. Spika, hii ikianza na tukieka pesa mwezi wa sita, Muthesya-Ndithini tutahakikisha wengine maybe Hon. Members tuta-donate kama ni tingatinga ikuwe Kinanie tuseme ikue wiki moja kama ilkuwa inataka kua wiki mbili halafu tingatinga zingine tulete Muthesya na Ndithini; kuwe na tingatinga kama tano zikifanya kazi ndio angalau hawa watu wasikie wako chini ya Machakos Government. Thank you, Bi. Spika.

**Hon. Speaker:** Shukrani Mheshimiwa Mark Muendo, Majority Leader. I will now use protocol; you appreciate most of you have spoken but I doubt that Hon. Kasyoki has spoken. He has not so Hon. Kasyoki go ahead then I will use protocol now. You understand what I mean?

**Hon. Kasyoki:** Asante, Bi. Spika. Bi. Spika, wodi ya Kyeleni ni kama Muthesya na Ndithini kwa hivo wakati mimi nasimama ni bunge Mheshimiwa Tariq Mulatya na huu msawaada wake ni kwa ajili mimi nmepitia hapo. Ukweli ni kwamba barabara zikiwa mbaya, hata wale



viongozi mnachangua, watakua na tendency ya kutoka nyumbani waende wakalale Machakos kwa ajili hawawezi kua wakitoka hapa kwenda Machakos.

Mimi mwenyewe nimekosa kuhudhuria Assembly siku kadhaa kwa ajili tangu nichaguliwe nliamua niache Nairobi nikae na wale walinichagua nyumbani lakini venye nimeona hapa, nafikiri tendering ndo itatuokoa kwa ajili zile machines tunapewa tunapewa graders na kuna barabara zingine hazitaki grader, Bi. Spika. Zinataka bulldozers ili zitoe mawe ili hio barabara iwe inaweza kua passable.

Kwa hivo bila kuongea mambo mengi, nafikiri ni county government ichukue jukumu yake ipeane hii kazi hizi barabara kwa contractors ili wale wangependa kukaa nyumbani na waheshimiwa wenzangu, kukaa nyumbani ndio jambo la maana, ili wale wangetaka kukaa nyumbani wawe wanaeza kutoka nyumbani na kwenda Machakos kuhudhuria hizi vikao ili wakitoka wanaweza kuwarudia tena wawaelezee nini imetokea.

Mimi kwangu Kyeleni vile sisi husema kwamba 'not yet uhuru.' Hatujapata uhuru kabisa kwa ajili kukiwa na mvua kidogo, Bi. Spika nimelala nikisema hata ingawa kwa lugha ya kikamba ni vibaya mzee kuota kusinyeshe juu kama kungenyesha, hatungekuja hapa; si ni kweli? Hatungeweza kufika hapa na mimi mwenyewe singeweza kufika kwa ajili Kyeleni singeweza kutoka nje; siwezi toka kwa moto niende kwa ile ingine mbaya kwa hivo nikasema vile kumekua kuzuri wacha nje kwa hivo mimi naunga hii mswaada mkono, contractors wapewe kazi ya kutengeneza barabara kwa ajili contractor akitengeneza ikiwa mbaya tunaweza kwenda kwa Assembly tu-complain contractor fulani hafanyi kazi vizuri na tutawea kusaidika. Kwa hayo asante, Bi. Spika.

**Hon. Speaker:** Asante Mheshimiwa Kasyoki. Mheshimia Kamitu.

**Hon. Kamitu:** Madam Speaker, ukweli ni kwamba kitu ambacho unaona na macho huwezi kuzungumza kwa sababu definition yake ni kwamba umeiona na macho, umefanya assessment kwa hivo kwa leo ukweli wa mambo ni kwamba mheshimiwa Tariq ameleta msaada wa maana na hivi si kusema kwamba serikali ya Machakos haifanyi kazi. Ukweli ni kwamba Madam Speaker you are also aware kwamba katika serikali yetu hata kutoka katika serikali kuu, barabara zimekua classified; kuna barabara ambazo zinatajikana zitengenezwe na serikali kuu kuna barabara ambazo tena waheshimiwa wetu wa bunge wanatajikana walete pesa wasaidiane na County Government kwa hivo mimi nasimama hapa---

**Hon. Speaker:** Point of information Hon. Kamitu from Hon. Mueni point of information

**Hon. (Ms.) Mueni:** Thank you, Madam Speaker. I want to inform the Minority Leader that he has to accept that Machakos County is not working but not preventing what he has said

he can see. Why now should he start talking about what you can see that Machakos County is not working?

*(Laughter)*

**Hon. Speaker:** Hon. Stephen Mwanthi, you have more information for the House?

**Hon. Mwanthi:** Yes. Madam Speaker, I wanted to inform the Member that Hon. Members are not supposed to give any money for contract or for working on our roads just as he has just said. Anasema kuna pesa tunafaa kupatia serikali ndio barabara zitengenezwe yet serikali ndio iko na pesa itengeneze barabara. Asante Bi. Spika.

**Hon. Speaker:** Proceed, Hon. Kamitu

**Hon. Kamitu:** Asante sana, Bi. Spika na asante kwa Mheshimiwa Stephen na asante kwa Mheshimiwa Mueni, mama ambaye mheshimiwa nampatia heshima kubwa tulkua na yeye kwa bunge ambayo iliopita na tuko na yeye kwa hii bunge ambao tunaendelea.

Kusimama kwangu nataka kuhimiza kwamba si eti sisi tuko na pesa; nimesema serikali kuu iko na pesa ambayo inaweza tengeneza barabara na waheshimiwa wetu kutoka kwa bunge ya kati ya serikali wako na pesa ambao huwa wanapatiwa na serikali kuu na sisi katika bunge yetu ukweli ni kwamba huwa tunakaa chini tunafanya budget ya barabara na ndio sababu nmesema nmesimama hapa kabisa niki-msupport mheshimiwa Tariq na subject matter ya hii debate ni kwamba barabara tufanye tendering; that is the most important thing.

Kwa sababu ukweli wakati naelezea mheshimiwa Mueni nlikua nasema macho yanaona huwezi kusema kwamba hii ni barabara, hii ni barabara ya baiskeli, hii ni barabara ya minguu; barabara ambayo inatakikana itengenezwe na Machakos County ndiyo nimesema zimekua classified na ndio nmesema mimi mwenyewe nikiwa macho ya serikali ukweli ni kwamba tuko na committee yetu ya transport na leo ni mfano mzuri ambao tumepitia barabara ambazo si kwamba Gavana hajui hizi barabara ni mbaya na zikiwa mbaya, si mpaka itengenezwe?

Kwa hivo kwa upande wa tendering ndio nimesimama hapa nikisema Gavana wangu nitamwelezea tukiwa kwamba tukiwa pamoja kwa sababu tuko na transport committee, mapping ya hii barabara za Ndithini na kila mahali na si kwamba Ndithini peke yake; kwa hivo msawaada wa leo, nimesimama nikisema ni msawaada ambao unafana, ambao tunatakikana kabisa tuufuatilie ndio ata sisi katika wodi zingine si kusema ati kwamba Ndithini ati ni mbaya zaidi.

Vile mnajua ni kwamba katika kaunti yetu tuko na mchanga ambayo ni tofauti; tuko na barabara ambapo kwa mfano tuko na barabara ambayo iko na ile loam soil, tuko na barabara ambayo iko na changarawe. Kwa hivo katika tendering mtu akipatiwa tendering, huwa anajua

atatumia materials gani na kwa hivo nasema huu mswaada wa leo wa tendering ni mswaada wa maana na utapindua sura ya mabarabara katika kaunti yetu.

Kwa hivyo kile kitu kingine ni kwamba Madam Speaker itakua, I will be short of words nikitaka kusema kwamba au nisipo elezea wananchi na sisemi hivi ati---

**Hon. Speaker:** Address the Speaker, Hon. Kamitu

**Hon. Kamitu:** Madam Speaker, nasema kwamba itakua kitu ya maana nae tena tukumbushea wananchi wetu kwamba katika ile code yao, ukweli ni kwamba Gavana aliweza kununua zile tractor zinaitwa grader na ningeliomba katika hiyo grading, tukikaa kama bunge, tutaandika barua kwamba hizi graders ambazo tuko nazo ziwe kabla barabara haijafanywa tarmacking au haijafanywa murraming, ziwe kazi yake ni ya kupanua barabara ndio wakati tunapeana tendering na nini itakua ni kazi rahisi kwa sababu tutakua tunajichanganya wenyewe tu.

We will be just cheating ourselves kwamba we don't have the graders; the graders are on the ground and in some areas hizo graders zetu kwamba kwa mfano leo nikimuomba mheshimiwa wa Kathiani ya kati na Kangundo, grader zetu zilitumika tuka-grade barabara, tukaweka lami na barabara hizo zinatumika by the same graders.

Kwa hivo, wananchi ni vizuri mjue kwamba katika hii area yetu ya Ndithini, yes, iko nyuma kidogo na kwa sababu tuko katika bunge vile mmejua kazi yetu katika bunge ni kuangalia kule kubaya turekebishe through the committee ya transport na tutahakikisha hio mikakati imetegenezwa executive waelezewe barabara zetu.

Lakini ningelikua nikae chini, niseme kwamba ati grader zetu hazijafanya kazi; barabara ya utoka Makutano mpaka Kithimani iliwekwa lami using the same graders. So, one thing we must look at the positive side of it na tuangalie ile area ingine---

*(Loud consultations)*

**Hon. Speaker:** Order! Order, Hon. Members! Hon. Kamitu, proceed and conclude your submission.

**Hon. Kamitu:** Thank you Madam Speaker, for protecting me, ndio niweze kuendelea. Kwa hivyo, kabisa tukiangalia the subject matter, Madam Speaker, tuangalie tendering ifanywe through our transport committee na tutafanikiwa na watu wa Ndithini mko na mheshimiwa wenu ambao kweli mmeskia ame-support kitu ambayo nimesema; imeonekana barabara hapa ni mbaya na tukirudi katika kule bunge letu tutaangalia na sio Ndithini peke yake kila mahali ifanyiwe tendering barabara zetu tuzipatie sura mzuri. Asante Mafdam Speaker na asante watu wa Ndithini kwa kunisikiza na Mungu awabariki. Thank you, Madam Speaker

**Hon. Speaker:** Hon. Kamitu, address the Speaker. Hon. Kiteng'u.

**Hon. Kiteng'u:** Thank you Hon. Speaker kwa muda wa pili. Asante Bi. Spika. Ningetaka kuanza na kuuga mkono msawaada ulio mbele yangu ambao umeletwa na Hon. Mulatya. Hon. Speaker, ni kweli kwamba tuko na grader nane; katika kila Sub-County tuko na grader moja lakini Bi. Spika, ile shida tuko nayo, naongea hivo kwa sababu grader ya Masinga Sub-County iko kwangu lakini ilifanya siku tatu na ikaisha mafuta, ikakata arm. Procurement ya spares za hizi graders imekua ni shida; tumekua tukitaka kununua hio arm with the department of roads for the last three to four weeks now na bado inasemekana haijapatikana.

Ningependa kusema hizi graders, they were procured ama zilinunuliwa 2014 na zimezeeka. Tunandaganya wananchi wakati ule tunasema wanauliza, grader iko wapi. Grader zetu haziwezi fanya kazi continuously kwa wiki nzima kwa sababu ziko na kasoro. Kwa hivo huu msawaada nauunga mkono kufanya procedure ya tendering na wakati nmekuja pale kuconsult Clerk although nimepata nmechelewa, nataka nilete additional ya No. 3 kama urgency na kama utaniruhusu ikue pia katika discussion, Hon. Speaker. Nilikua najaribu kutumia 52 but nikapata is before ama ningependa kuleta hio kabla msawaada haija---

**Hon. Speaker:** Kile utafanya Mheshimiwa Kiteng'u; utafanya debate yako itakua captured on the HANSARD when the committee is analyzing this motion, it will look into that so you are not going to amend from now.

**Hon. Kiteng'u:** Okay, thank you, Madam Speaker. Ningependa kuleta ile njia inafanya na KeRRA, Madam Speaker. Kwa kila sub-county ama ward kuna ile barabara main yenye iko supposed kuekwa pesa kwa kila budget ama yearly kwa kila mwaka, kwa sababu unajua Madam Speaker ata tuki-grade barabara kama hii tumepitia imekatwa lakini kukinyesha leo hio mchanga inabebwa, hio barabara itahitaji pia kua graded again and again. Kwa hivyo Madam Speaker, nikienda kuitisha tingatinga tena nikuje kugrade barabara nitaambiwa ward fulani haijokatwa kwa sababu grader ilkua kwako lakini barabara already kumenyesha na imeharibika.

Ningependa kuuliza ama kuongeza hio point ikue captured kua kila ward mheshimiwa ama departments of the roads waangalie ile main road kama 20 kilomita yenye itakua inaekwa pesa kwa kila mwaka na county government of Machakos. Madam Speaker, sio kila barabara zote the County Government inaweza kata lakini kuna zile barabara main zenye wananchi wanatumia kila siku.

Ningependa kusema kama kutoka hapa, ukitaka kwenda Masinga, utateremka mpaka kwa dam na kutoka hapo lazima uingie boat ndio uvuke pande hio. La sivyo lazima uzunguke Thika ndio uende Masinga na tumekua na hio problem. Ukitoka hapa kuna njia ngine fupi hapa ya

kwenda Dhillons lakini ukiangalia hizo ni zile barabara main na hio barabara kama inaweza tengenezwa ipitie gari kwa kila mwaka, unaweza pata hatuna shida ya communication katika barabara zetu katika county yetu ya Machakos.

Madam Speaker, naendelea kuunga mkono huu mjadala kwa sababu sisi wenyewe tumekua tukipata ya kwamba county government inakata barabara katika ward zetu na inafikia wakati grader inaisha mafuta. Ule mshahara wangu, kwa sababu wananchi wale watakuja kuniuliza mheshimiwa grader iko wapi na leo nafurahia wananchi wanajua kwamba mheshimiwa kazi yake si kukata barabara; mheshimiwa kazi yake ni kupatia executive pesa alafu executive waende wafanye implementation.

Lakini kwa vile kwa sababu hawa watu walinichagua, inabidi ile mshahara wangu mdogo natoa kwa mfuko Ksh. 20,000 naweka grader mafuta ndio barabara iweze kukatwa. Kwa hivo naunga huu mswaada mkono na nasema kuanzia leo the next financial budget ya 2019/2020, tuweke pesa kwa barabara na tendering process ifanye kazi kuanzia siku ya leo, Madam Speaker. Asante sana, Bi. Spika.

**Hon. Speaker:** Shukrani Mheshimiwa Kiteng'u. Mheshimiwa Winfred

**Hon. Winfred:** Asante sana, Bi. Spika. Nasimama kuunga mkono huo mswaada kwa sababu ni mswaada mzuri kwa County yetu. Ni jambo ya kutamausha sana kuja pande ya Ndithini nikama ugatuzi haujafika pande hii ya Ndithini ukiangalia vile barabara ziko na ni jambo la kutamausha sana waheshimiwa wanalia wakisema wanaeka mafuta kwa gari wanatoa pesa kwa mifuko yao.

Inamaanisha kuna mtu amelala kwa kazi yake; kazi haifanyiki vile inapaswa kufanyika. Huu ni mwaka ya nane kama sijahesabu vibaya ya Gavana kua kwa kiti na hizi barabara zimekua hivo. Ningeomba hili jambo tupitishie kwa haraka sana ili hizi barabara za Ndithini na Muthesya na pande zile zingine ambazo hazijahudumiwa zipate kuhudumiwa upate watu wanasikia wako Kenya. Asante, Bi. Spika.

**Hon. Speaker:** Shukrani Mheshimiwa Winfred. Hon. Members, I will call upon the mover of the motion to reply.

**Hon. Mulatya:** Asante, Bi. Spika, asante waheshimiwa wabunge kwa kuchangia kwa kina mjadala huu. Bi. Spika, nataka niongee mawili matatu. Kwanza ni the graders; hizi grader ama tinga tinga za kukata barabara kwanza mimi kama mheshimiwa wa Masinga Central, mimi zimenichokesha. Inakuja kwa wodi yako leo haina hydraulic, kesho iko na puncture, kesho kutwa haina mafuta kesho kutwa hio ingine operator sijui nani wake anaenda mazishi na mwananchi anangalia.

Hakuna kitu kiko na uchungu kama hio grader tumeona ile soko iko pale nyuma; imesimama hapo na hakuna mtu inaweza kusaidia. Madam Speaker vile hizi grader zimepeanwa na Department of roads naweza sema kwa njia moja au nyingine zimepeanwa kwa njia ya kienyeji sana. Unakuta haina funds zenye iko allocated; kama yangu mimi siwezi kujua ilikua ime-allocatiwa pesa ngapi. Ukienda huko Kinanie huezi jua ya hapo imeallocatiwe ngapi na kila mahali pengine vile vile.

Ikisimama pale mwananchi akiona ataenda kwa Hon. Kituku; tunataka hii iende. Anachukua mshahara yake ndio unatumika pale lakini ingekua ni contractor ako kwa hio barabara, kwanza ako within limits, anambiwa katika mwezi mmoja, miezi miwili miezi mitatu maliza hii barabara ndio ulipwe. Contractors wote tunajua wanalipwa na kitu inaitwa certificate kwa hivo kama hajafanya kazi hawazi kulipwa kwa hivo pesa ya mwananchi inakua iko salama kwenye treasury; hio ni kitu ya pili.

Tukipatiwa contractors Madam Speaker na waheshimiwa wabunge, kazi yetu ya oversight ama kuangalia utendaji kazi wa county unakua rahisi sana kwa sababu nikitoka hapa najua contractor fulani ndio anafanya tuseme Kikumini kwenda Kathwii na naenda kuangalia hio barabara na nangalia time limit. Kwa hivo ata kazi yangu ata mimi inakua rahisi na naenda nambia wananchi wangu wa Masinga Central kwamba hii barabara kutoka hapa kwenda pale ni mtu fulani ndio anaitumkia; hio inakua rahisi.

Lakini hizi graders imekua disaster, mazishi ikikua mtu amekufa pale nikimbie, niende nikanyenyekee nipatiwe tingatinga nipite hapo na gari yangu nionekane nimeleta. This is not why we were elected, Madam Speaker. We need contractors to come to this roads ndio ata sisi tuwangalie vizuri. We have the department of roads with very able Chair here Hon. Mbevi; anaweza akaongoza kamati yake wakangalia barabara zote za Machakos County. Lakini hii ya graders Madam Speaker, haiwezi kutufikisha popote.

Pia naweza nikachangia ya mwisho kama waheshimiwa wabunge watapitisha huu mswaada, ningomba tukae chini in the leadership of our able Majority Leader and Minority Leader, tukae chini na Chief Officers, tujadiliane na kama ni kwangu Masinga Central niseme ni barabara gani imeharibika kutoka wapi kwenda wapi; kama nimepata total of 200 km tunangawanya in three phases tunapatiana like three contractors. Thank you, Madam Speaker. Have a blessed afternoon. Thank you.

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

*(Question put and agreed on)*

Hon. Members, you have resolved on the motion, you have approved it so it is committed to the committee on transport and public works, the committee of the assembly and that committee is directed to present a report on further interrogation on this motion in which it is

expected to interact with the executive report on the 16th July, 2019; that is within 60 days Hon. Members, thank you. Mr. Clerk, proceed.

### **PROCEDURAL MOTION**

ADJOURNMENT FOR SHORT RECESS FROM 16TH MAY, 2019 TO 17TH JUNE, 2019

**Hon. Speaker:** Hon. Members, under this Order, we have one business by the Hon. Mark Muendo Leader of the Majority in the Assembly.

**Hon. Muendo:** Thank you, Madam Speaker.

**Hon. Speaker:** Hon. Mark Muendo, you have not introduced yourself formally to the House.

**Hon. Muendo:**

Madam Speaker, that aware that Standing Order 24(1) provides that except for the session commencing immediately after a General Election, the regular sessions of the Assembly shall commence on the second Tuesday of February and terminate on the first Thursday of December; aware that this Third Session of the Second Assembly began on 12<sup>th</sup> February, 2019;

Noting the crucial business has been transacted during this session including approving the Bursary Regulations, Consideration of petitions and various Committee reports;

Acknowledging that the House approved an Assembly Calendar pursuant to Standing Order 25(1) and aware that the calendar of the Assembly guides the House on when to have a break and when to resume sittings;

Aware that the approved Assembly Calendar indicates that the Assembly will go for a short recess from 16<sup>th</sup> May, 2019 to 17<sup>th</sup> June, 2019;

Aware that the recess will accord Committees time to scrutinize Departmental budget estimates for 2019/2020 and also to conduct public participation pursuant to Article 196(1)(b) of the Constitution of Kenya, 2010;

Further aware that Standing Order 25(3) provides that on a day when the Assembly is scheduled to adjourn to a day other than the next normal sitting day in accordance with the Assembly Calendar, the leader of the Majority party or Minority party or any member of the House Business Committee shall move a motion of adjournment which shall be debated for not more than three hours after which the Assembly shall adjourn without question put;

*(Applause)*

Madam Speaker, I wish to move the motion that pursuant to the approved Assembly Calendar for the third session, this Hon. House goes on a short recess from Thursday, 16<sup>th</sup> May, 2019 to Monday, 17<sup>th</sup> June, 2019.

**Hon. Speaker:** Secunder, Hon. Member.

**Hon. Muendo:** Thank you, Madam Speaker. I call upon Hon. Kiteng'u to second.

**Hon. Kiteng'u:** I do second the motion. Thank you.

**Hon. Speaker:** Thank you, Hon. Kiteng'u and Hon. Mark Muendo. Hon. Members, this Motion is a Procedural Motion; it is just to remind you that with the sitting today, you will go on a short recess that is starting tomorrow and as the Hon. Mark Muendo read, it is a matter that does not need questions to be put. Hon. Members, it is resolved on the motion and with the guidance and directions of the Chair, that the House will stand adjourned as per the motion.

However, let me just make a comment, Members. When you are going on the recess starting tomorrow, the office of the Speaker and of the Clerk is requesting you to take time on the short recess so that you can effectively and I repeat effectively participate in the Sectoral and Select Committees in which you are Members so that you can participate in the interrogation of the Budget Estimates for the year 2019/2020 which has been presented to the Assembly by the Executive. Remember it will also be including engaging the public on public participation.

Earlier on we dealt with the Finance Act and you noted that members of the public, in some sectors, raised questions they were not aware of that Act is and what it is all about yet you did public participation. That is to say you need more effective public participation and it has come at the right time when you are going on a short recess so that when the budget is finally passed by you, then the members of the public that you represent, will be fully aware of what it contains and remember some of the issues that the members of the public will be raising with you and which you have to have at the fingertips as some of the motion you are passing on so that whatever motion you are passing for the benefit of the mwananchi including upgrading dispensaries, including doing roads; you make sure that they are catered for in the budget that we are going to interrogate.

So, Hon. Members, at this juncture, we shall adjourn but before I pronounce the official adjournment, I just want to notify the members here and the members of the public in the gallery that after we adjourn this sitting, the Speaker will go and change to become a civilian like all of you and then we will have a short interaction with the members of the Assembly which is going to be now an informal interaction just for a short while noting the time that is now 3.00 p.m.



## ADJOURNMENT

**Hon. Speaker:** So, Hon. Members, at this point the sitting of the House is adjourned and it will commence on the 18th June, 2019 at 10.00 a.m. Thank you.

The House rose at 3.00 p.m.

