

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY
OFFICIAL REPORT

Wednesday, 28th February, 2018

The House met at 10.00 a.m.

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

PRAYERS

(Quorum Bell was rung)

(Several members entered the Chambers)

Hon. Deputy Speaker: Good morning, Hon. Members. I think we now have quorum and Mr. Clerk, you may proceed.

STATEMENT

LIST OF EMPLOYEES OF THE COUNTY EXECUTIVE

Hon. Mwanthi: Thank you, Mr. Speaker. Hon. Speaker, pursuant to Standing Order 41(3), I wish to seek the following statement; what the County Public Service Board (CPSB) of Machakos County Government is doing to address the ever ballooning wage bill of the Machakos County Executive.

I, further seek that, this House be furnished with a list of all the permanent and contract employees of the County Executive and the terms or period of the contracts for each of the contractual employees. Thank you, Mr. Speaker.

(Applause)

Hon. Deputy Speaker: Hon. Members, that Statement which has been made by the Hon. Stephen Mwanthi, is a Statement which is touching on key issues in this County, of the Public Service Board and the employees and it is a Statement which, before I give directions, I would like the House to ventilate on it and Members to bring out whatever issues they might be having to be able to contribute to this Motion before the Chair gives directions of the same. You may debate on this or ventilate on the same. Anybody with a comment on this issue? Hon. Katumo.

Hon. Katumo: Thank you, Mr. Speaker, Sir. I thank the Hon. Member, Hon. Stephen Mwanthi for seeking such a Statement at this time. I think for the last four years, we have had a

ballooning wage bill, the County has been paying so much. Actually, we have been using much of the recurrent expenditure more than the development funds and sometimes we have, in this House, of course, we have re-allocated monies to pay some of our employees arrears and other monies and therefore it comes at such a time especially when you are trying to negotiate this new term in a smooth way to make sure that we correct the mistakes that were done before.

You will find also, especially in the Labour committee, we have been dealing with ghost workers, people who have been sacked have been paid and we have evidence before us in that particular committee. We also know of some funny candidates in this County being paid as workers or staff, we also have issues to do with those people who are employed as casuals, those who are employed permanently, those who are contract. It is not very clear.

Actually, as we stand now, we have departments like the inspectorate, we have the department of revenue office through the County Treasury, that is Finance and we do not know how many workers.

The major challenge you will face in this County is when we do not have a properly constituted or established County Public Service Board; the County Public Service Board is also struggling to exist. So, there is a lot to be done especially for us to move forward as a County. Right now, Mr. Speaker, Sir, you will also find that not only in the Executive, even this Assembly, we also need to know how many workers we have.

Those who are on contract, those also who are employed permanently because every other day, I see new faces.

(Applause)

We really do not understand whether we are copying from the other side or we are helping one another to rip this County apart and therefore, I support the Hon. Member that we need clearly this Assembly, as a watchdog of the people of Machakos, to be furnished with those details and schedules especially to know how many employees we have, how much we are paying and we want to be furnished with the payroll.

We also want to do a head count to know how many employees we have. Thank you, Mr. Speaker, Sir.

Hon. Deputy Speaker: Thank you, Hon. Katumo. Hon. Mulatya.

Hon. Mulatya: Thank you, Mr. Speaker, Sir. Mr. Speaker, Sir, previously, we had a prayer in this compound of our Assembly and we agreed to work hand in hand with the Executive. Mr. Speaker, it will be of no good reason for some things to be done behind the curtains. It is about time we all came on board and work together.

We understand that Hon. Speaker, Hon. Members that some contracts are ending today on the other side of the workers who are on contracts. We have that information that their contracts are ending today, Mr. Speaker and there are also some allegations and we have evidence, that some contracts, 600 of them have been renewed without our knowledge.

So, Mr. Speaker, it is about time. I remind the Executive again that we agree to work together, we push our County programs together without fights and these are the small things which bring about fights in our County.

So, I kindly request the Public Service Board to do their part and serve us with the list of these employees and also you will realize that, when all these Hon. Members were vying for

their seats, we promised some people some jobs and if contracts are going to be renewed without our knowledge, Mr. Speaker, Sir, we have nothing to tell our people.

So, it is my humble request for the Executive, the Public Service Board to move with speed and lay everything on the table. We do not want to go back again to the fights, we want to work, we know and we have heard our Governor saying openly that, he will be running for Presidency 2022 and these are the things now that will pull him back when we start our fights. So, it is my humble request, fully 100 percent supporting this Statement---

Hon. Deputy Speaker: Point of Order, Hon. Kamitu.

Hon. Kamitu: Thank you, Mr. Speaker, Sir. With a lot of respect, I respect my Majority Whip and the point of order is that he is repeatedly talking about fights. We do not fight and I have not seen any fights and if there is anything, things are supposed to be debated but there is no fight in this Assembly. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Mulatya, you may proceed.

Hon. Mulatya: Point of order taken. I was just trying to say the reasons which we may go back to fights. I have not said that we are fighting now; I am trying to solve that problem of going back to the fights. So, if we do these things openly, we have the list, we go through it, we have a lot of things that we have come to find out from the Executive which used to be done and you will realize that we will be holding a lot of documents concerning the same.

We do not want to be like the last Assembly. We want to be new, we want to do our things in a good manner, so, it is my humble request that we receive this list and I support this Statement. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Kalumu.

Hon. Kalumu: Thank you, Mr. Speaker. I would like first to start by asking the main big question; what is labor? Because we are talking about labor and labor is services which are given to an entity in return of some remuneration but what is making me wonder is, one; that I do not know whether those people who are being said that they are ghost workers are being paid without giving services to this County.

Mr. Speaker, I want to say that, in our Committee of Labor, we noticed that there is one Director who has been paid for one year, full year; he left this County, went to another office of NTSA and he has been receiving salary. What does that tell you? Does that conform to the definition---

Hon. Deputy Speaker: Hon. Kalumu, I believe the matter which you have raised now of that employee or that Director who has been paid for a whole year, is that matter before a Committee? If the matter is before a committee, it cannot be discussed in the House please. So, you may continue with other items but do not debate on that one.

Hon. Kalumu: Thank you, I stand guided. Mr. Speaker, I would say that, the problems in the Public Service Board of Machakos County, have been occasioned to the hearsay we are hearing. That some of the contracts of the employees are ending today and because they are

ending today, the hearsay is confirming that, they have given some regulations that this should be done and that should not be done.

So, I want to say this, we are not refusing our fellow County men and women to work for this County but what we are looking for is to minimize the wage bill because it is eating on the development money. If the recurrent expenditure is more than the development money, where are we heading to, as a County?

If you look at those budgets which have been presented to this House before, you will find that, Mr. Speaker, the wage bill is bigger, recurrent expenditure is bigger than development which has been occasioned by ballooning wage bill. So, strategies should be taken for us to realize some development money and this can be done only by trying to do a head count of each and every man or woman who gives services to this County.

(Applause)

If you do not give services to this County, I think you have no place in the payroll of this County and I am wondering why should it be like that yet we are here as County Government of Machakos together with the Executive to deliver services to mwananchi. Mr. Speaker, if we continue this way, nothing will be realized because all the money will be taken by the wage bill. Thank you, Mr. Speaker.

(Applause)

Hon. Deputy Speaker: Thank you. I will come back here. Hon. Member.

(Laughter)

Hon. Muia: Thank you, Mr. Speaker. My name is Nicholas, I can see you do not remember my name. I want to contribute on this Motion about the ballooning wage bill. As the Hon. Member, Stephen Mwanthi of Ekalakala said, it is good to have a list of those people who have been employed and my view is that it is better to get a qualified Auditor like KPMG, PWC to see what each employee does because there is a perception that the wage bill is high and there are so many people employed.

So, it is good to know what each person does and then we get a professional HR body to tell us if, whoever has been assigned for whichever job or duties and whether they are staffed or under staffed.

Then on the other hand of the contractual employees whose term is coming to an end, it is good we are also furnished with this information because as you know, most of these employees, even though they are our people maybe from Machakos County but if you can remember clearly Hon. Members, these employees were brought by the last regime that won in 2013. So, we also want to bring our people because we won in 2017.

(Applause)

Because when I pass in the market and I see someone swimming and he was not supporting me, it is like he is telling me, 'what can you do?'

(Laughter)

So, Mr. Speaker, we need to walk the talk and stamp our feet and show them that we are in authority and we are in power for the next five years. So, I urge that we get this list and each Hon. Member to employ his people of choice in his Ward. Thank you, Mr. Speaker.

(Applause)

Hon. Deputy Speaker: Hon. Mbevi.

Hon. Mbevi: Thank you, Mr. Speaker, Sir. I stand to support the statement on the CPSB. One, we have the labor committee and I think the Hon. Members who are in that Committee, probably last week, had a report on the same in their committee meeting and I heard some of the Hon. Members talk of some complaints that there was an issue that was to be discussed in the committee concerning, I think on the same and it was shortchanged.

Hon. Deputy Speaker: Point of order from Hon. Kisila.

Hon. Kisila: I think Mr. Speaker, you have ruled that we cannot bring issues of committees to this floor until they are brought here. So, let Members stop bringing issues which are still pending in Committees.

Hon. Deputy Speaker: Hon. Mbevi that issue is before the committee so please do not discuss it here if it is an issue before a committee. Go ahead.

Hon. Mbevi: Thank you, Mr. Speaker, Sir. So, I think it is important that we get this information of all the workers because if it is true that these contracts have ended, I think even from the top, that is our Governor, I think he was also renewed, he renewed his contract through the electorates. So, I think that should follow suit to everybody who is an employee of Machakos County.

So, I think it is very important that we have that list of all employees, we get to know who have completed their contracts because, of course, like many of us have said; we also have our own people who also want to get jobs like those ones. So, I support the Statement that we need to have that document tabled before this House. Thank you, Mr. Speaker.

(Applause)

Hon. Deputy Speaker: Thank you, Hon. Mbevi. Hon. Kiteng'u.

Hon. Kiteng'u: Thank you, Mr. Speaker. Mr. Speaker, I must comply with the Statement; one, because I am from Kivaa Ward and I got the same complaints whereby

especially the people of Kivaa Market, when I had a public participation the other day, they wanted me to make sure that we align all the workers who work for Machakos County because they do not get it.

I approached one guy who seems to be working for Machakos County and he told me that he is in the Project Coordinator, again he is the Ward Administrator, and again he is in charge of solid waste, the same guy. I had to follow up on his appointment letters on how he was employed and I found that he was employed as a solid waste guy.

He should be sweeping and making sure the market is clean and he has taken other few guys there, though you realize that they call themselves Inspectorates, they harass the people in the Market and claiming that they have been given the duties of making sure that the revenue is well collected.

So, in Kivaa Market alone, I must say that they are more than 10 who claim that they work for Machakos County but they do not have duties, they do nothing and they get paid at the end of the month. Mr. Speaker, as you realized that most of the contracts of these workers are going to elapse and we have 40 Wards, I would request we have the list brought to us and if we have maybe, for example, 800 workers who work, probably, in solid waste, then if there is a renewal of maybe 400, let the 40 Wards also be given the remaining 400 so that we can give equal distribution of these staff in every Ward.

(Applause)

Mr. Speaker, we have County Government of Machakos which is led by His Excellency the Governor of Machakos, Dr. Alfred Mutua and I must say, like in the revenue collection, we have more than 1,000 staff, and you cannot tell me that the Governor is aware of all these staff. The people around the Governor are killing Machakos County.

(Applause)

I must say this, because we may complain all the time; the Governor this, the Governor that, but the Governor is shielded by his people where we have the Departments, we have the COs, we have the CECs and all these people report to the Governor and they know all these staff. So, Mr. Speaker, I do really support this Statement and soonest possible, I request that this list of all the staff including the Directors in all the Departments, Agriculture, name them.

All of them, we know that we have these staff so that in my Ward I can know that I have maybe 40 staff who work for the Machakos County, in Masinga we can be able to know we have this much so that we do not have maybe somewhere like Machakos County, maybe Tala or maybe Mwala, just giving an example, where we have like 400 staff or maybe revenue coming from Mwala or other Sub-Counties (??)

We need to distribute equally in all the eight Sub-Counties and I think that one is what we are calling transparency working with the Executive. Mr. Speaker, kindly let this matter be taken seriously so that we can serve our people of Machakos. Thank you, Mr. Speaker.

(Applause)

Hon. Deputy Speaker: Hon. Kieti.

Hon. Kieti: Thank you, Mr. Speaker for giving me this chance. I want to say that, the statement before the House is timely, it has come at a time when we have quite a good number of employees whose contracts are ending. I will say that, as a House, it is good that we embrace team work because when we have these vacancies arising and you find that just a few Wards are benefiting from any slot that will lie vacant, then it beats logic.

Someone or one of the Hon. Members, I remember he said that, if you need us to be branded as a House that is working together, the electorate will do so and if you want us to be branded as a House that is divided, it will also be done the same and this will arise from Members who are trying to showcase their demands to the Executive at the expense of the Hon. Members who sit in this House.

(Applause)

So, it is my humble request that, Members if there are any slots that will be vacant at the end of contract of these Members who are exiting, whose service is ending, those slots should be brought in this House as Hon. Kiteng'u has said and then they be distributed to all of us because we all represent people and our people need employment.

Do not be happy when work is being done in your Ward and my Ward there is nothing going on. In fact, if that is going on, it is finishing all of us, it is not finishing me, it will finish all of us and a good example is the Hon. Members who have just exited there service from this House. So, I support the Statement and request that proper audit should be carried out on the payroll.

(Applause)

The whole system that indicates the distribution of the employees and their salaries and every detail about the employees should be laid bare before this House so that we can see how our County is behaving in terms of recurrent expenditure and we will be able to plan further in terms of the development that we need in our County.

Otherwise, Hon. Members, let us support each other for our future career in politics. Otherwise, if we do not work together, then we will all perish together. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Mwikali.

Hon. (Ms.) Mwikali: Mr. Speaker, thank you that you caught my eye. The mood of this House on this Statement is actually clear that the Hon. Stephen Mwanthi has done this great House an honour by bringing this Statement therefore I take my chance to congratulate him because this Statement he is bringing into this House is what is actually brewing seriously on our grounds.

One, the ballooning wage bill of this County is really crippling our County, needless to say that the rumors have it that, there are so many ghost workers, people who are not there but they are getting monies from our coffers just in the name of a wage bill.

Mr. Speaker, it is very important that since we have a County Public Service Board, they should just bring us very clean and properly listed Members of all the contracts that have been

given, those that are expiring and those that have been there for a long time because every term has its own contract and every term needs to have fresh audited list of every employee.

Hon. Deputy Speaker: Point of information or correction? Point of information please.

Hon. Munyao: Thank you, Mr. Speaker. I want to inform the Member on the floor, however much we would wish, it is a very nice Statement to discuss ballooning of the wage bill. When we talk of ghost workers, evidence should be tabled because it would also inform us on what action to take.

Hon. Deputy Speaker: Let me give a direction on that first; this is not a motion for the House; this is a Statement and Members are simply ventilating on it so this is just a Statement which has been made so there is no need for us to request for documentary evidence. If it was a motion, it would be different. Point of information, Hon. Katumo.

Hon. Katumo: Thank you. I want to inform the Member, the Labor committee chairperson is not here to invite the members to see the evidence we have for ghost workers in this County; evidence from the bank. Thank you.

Hon. Deputy Speaker: Thank you, Hon. Katumo. Hon. Mwikali you may continue.

Hon. (Ms.) Mwikali: Thank you, Mr. Speaker for your wisdom in defending the Statement. I did not want to preempt about a motion that will be tabled in this Hon. House about the same issue. Therefore, it is very unimportant now that we are saying we are working together, it does not mean we are going to cover anything that has been wrongly done. The people surrounding His Excellency the Governor are the ones killing the dream of our great county. The Governor is very good and they go out there borrowing food by saying things that are not the reality on the ground.

The Members elected in this House entered through this door because they had a box that the electorates put the ballots in, trusting them to do their duty and His Excellency the Governor will do his duty, and the workers of the Governor will do everything to help this House. Therefore, when we say we are working together, surely we will also fight. When somebody is treading on another's boundaries, we should work together to ensure that His Excellency the Governor does his duty very well and he is checked by this Hon. Members.

To do our duty of oversight well, we are going to demand, as per this Statement, that the list of all workers is tabled by the County Public Service Board (CPSB) to this House and it will be debated. Those contracts that are going to be renewed will be renewed by this House; those going to expire will expire honourably and no contract should be automatically renewed because that is against the law and ethics of this House. Hon. Speaker, I strongly support this Statement by Hon. Mwanthi.

Hon. Speaker: Thank you, Hon. Mwikali. Hon. Cosmus.

Hon. Masesi: Thank you, Mr. Speaker. I support this Statement fully on the grounds of the ballooning wage bill that has been on the rise. It is sad to talk about the ballooning wage bill of workers whereas when you travel to facilities like hospitals, we are always talking of under

staffing. It is sad where a county cannot take care of the lives of its residents in terms of employing enough staff in the relative facilities.

Mr. Speaker, last week but one, we had a prayer meeting with Executive where we agreed to harmonize things and do things in a transparent way. It is my hope that when it comes to the renewal of the contracts of employees within the county on the department of cleaning, they will see the need of involving all Hon. Members of this House and also to enhance our promises which we made to the electorates, Mr. Speaker.

Again, I would like and pray this House to help in terms of separation of powers. We are on the ground and we are aware that the employees of the CPSB were deprived of their rights. Their motor vehicles were taken away which could endanger how the Board works in an independent manner. I pray this House will support this Board to perform its mandate to the letter. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. Hon. Fred.

Hon. Muthoka: Thank you, Mr. Speaker. I support this statement by Hon. Mwanthi. What happened, I will give an example of those on contract basis, especially those who are on the ground. We have sweepers, ward administrators and ward coordinators; these people were used as campaign managers and campaign facilitators of the last Assembly, the elections are over but what is happening, they sabotage because this person didn't want you to win this thing.

(Applause)

After winning it, they are still sabotaging. I will give an example from Mitaboni; when I called the director of this Mulika Mwizi, he told me he is aware that somebody in Mitaboni working on Mulika Mwizi disconnects it, so that people see Hon. Fred cannot do it.

(Laughter)

When I called the Kathiani sub-county administrator, he told me he is aware and sent me the number of that person which we forward to the OCPD. So, I support this especially those people on the ground; the person who set this thing to be on a contractual basis of five year, he knew what happens, because sometimes there is change over.

When there is change over, let us change together with those people who are sweeping, those cleaning the toilets, I have to employ somebody to wash Mitaboni public toilet and we are being told there are people who are there and because they don't want to do it and have been complaining so it is very good this thing that has landed in this Assembly. Mr. Speaker, let us do it now. Thank you.

Hon. Speaker: Hon. Kamitu.

Hon. Kamitu: Thank you very much, Mr. Speaker, Sir. I don't want to waste a lot of time but I will stand here to contribute in regard to the Statement that has been brought by Hon. Stephen. This Statement should not stand out as a witch-hunting Statement but it is true. In the government that happens to have a ballooned wage bill and the end result will be that there will be no development realized in any Government.

Machakos County government, as an institution, sincerely should address the issues brought by Hon. Stephen and my input would be, because this is a House of procedure and Members have mentioned areas that this House is supposed to take some steps, as a matter of not quoting witch hunt, it is a clear indication on that as a House.

We have committees mandated to follow labor issues, finance and budget issues because when we are talking of wage bill, it is the recurrent revenues, money that are given to the counties by the central government. If Members are not aware, they are also reading in the papers that even the central government is also overwhelmed by the wage bill and I am here to say that there is circular which has been sent to all county governments.

It is not Machakos only. It is true in 2013, most of the politicians, our Governors and we are not even talking about Machakos, all the counties; there was overwhelming employment of employees.

Now that we have our County Secretary, Mr. Mwaka, who by virtue of his duty was not able to perform because he had a case, now that he is in the office and we have the CPSB, we have the CO finance, the CO labor; these are the committees that I was saying should now be called in so that we may have a transparent audit so that every department gives out the number of employees that they have and that will be the right direction and we will be able to audit and talk of the number of employees.

Machakos County, on a very sincere note, has a lot of workers and we cannot develop. So, for Machakos county to be seen to be developing, this is the time; whether your brother or sister is in, employees will be reduced whether we like it or not.

So, my humble request, through the committees, as a House of purpose and as a House of reason, we sit down and see and see exactly where most of the Members have talked about ghost workers, so as to remove that doubt of ghost workers. We sit down, bring the audit report of all the departments and we will be able as a House to help the County and we shall move forward in regard to harmonizing the number of employees we have and the type of money we shall be getting from the central government in regard to development. Thank you, Mr. Speaker, Sir.

(Applause)

Hon. Speaker: Thank you, Hon. Kamitu. Hon. Kisila.

Hon. Kisila: It is not protocol to speak after your Minority Leader has spoken but I would like to add one point; the buck stops with this House and let us not be seen to be mourning over something which is within our control. First and foremost, we are the ones in charge of budgeting, we are the ones who will approve the budget for this county, we are the ones who will make sure that we have the right number of people employed, not anybody else.

So, let us stop passing the bar to someone else; it is this House to ensure, through the committees, that we do the right work.

(Applause)

That is what has to be done, and us blaming the Executive or whoever; if the budget for wage bill is Ksh. 1 billion, it is what we are going to approve here. We are not going to approve Ksh. 1.5 billion or Ksh. 2 billion. We will stand here as Hon. Members and decline to approve any additional budget for wage bill.

So, I am saying as a House, let us take charge of our business and ensure the right things are being done. We have the budget committee which is sitting down to look at various elements in the budget, let them look at what is being spent versus what the Executive is proposing, when they bring it here, we are going to look at it very critically.

So, my point is, whether you have promised people to employ them during your campaign, it does not necessarily matter, or follow that we are going to employ people for the sake of campaign. Who will employ people if they are required? If the town of Makutano requires two people, let us employ two people but don't employ five or 10 because you promised them during your campaigns. Otherwise, you are just going to become another---

Hon. Speaker: Point of order from Hon. Fred.

Hon. Muthoka: I think he has not heard me right. I am not saying we employ our people; I am saying, if you had a contract of five years, it doesn't matter. Not me bringing, there is a vetting board here which will vet and employ in new contracts. If they pass again, no problem but let them be vetted afresh.

Hon. Kisila: I hear you but you said that you---

Hon. Speaker: Point of information, Hon. Kisila before you continue.

Hon. Kiteng'u: Thank you, Mr. Speaker. The circular we have in Machakos County on the wage bill, states very clearly that we have 2,816 workers, the wage which is being controlled by SRC. In Machakos County, we have more than 9,000 workers. Kindly, as a House, let us walk together to get the facts because this is the House which will save Machakos County. Thank you.

Hon. Kisila: Mr. Speaker, those facts have not been brought to this House and I will be a very vocal Member when those facts are brought here but until then, they remain hearsay. If the approved establishment for Machakos County is 2,800, we will have to stick to that, in the budget and finance process.

So, anyone employing above the 2,800 will be committing an offence. This House has the capacity to interrogate those numbers and ensure the right things are being done. I support the Statement, but let us all the time talk with facts and at the same time, I want various committees to start working, because now we have done eight months, if there is a committee working on this issue, already they should have brought this issue long time ago so that we go through it. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Johanna

Hon. Munyao: Thank you, Mr. Speaker. I support the Statement; with a ballooning wage bill, it would mean that our friends, relatives, residents are running for months without salaries. It would also mean that sometimes some of the projects are compromised in order to save a few coins to cater for the salaries of the overstretched numbers in the wage bill and I therefore support because when we work within what is required, it means our employees would be motivated, they will be able to earn allowances where due, they will be able to get pay on the due date and we are likely to get a motivated team which would propel the county to higher heights.

When we ask for evidence, Members, we are saying we want to have quality discussions and, make informed decisions. You may be in a committee, you have facts which are not within ourselves and when we argue from different points and we are discussing the same issue, we are bound to differ and therefore, I still request if there is evidence on ghost workers when it is due, it is tabled for discussion so that we talk from the same point. Thank you.

(Applause)

Hon. Speaker: Hon. Maitha.

Hon. Maitha: Thank you, Mr. Speaker. I support the sentiments of the Members who have said that we need a Statement to show the number of employees in this county. Mr. Speaker, as the Members have said, we know many of the contracts are ending today. I say it is good but also not good; I say it is good because we have so many employees who come outside Machakos County, and it is for this House to make sure that when they employ---

Hon. Speaker: Point of order from Hon. Muendo.

Hon. Muendo: Thank you, Mr. Speaker. I think the Hon. Member should also substantiate whether we have employees from outside; if he has a document, can he table? Thank you, Mr. Speaker.

Hon. Maitha: Mr. Speaker, it is a known fact---

Hon. Speaker: Let me make a direction on the same; earlier on, I had given a direction that we are merely ventilating on this statement; this is not a motion and if it were a motion before the House, we would be requiring facts. Let Members ventilate and speak their mind so we can be able to get the feelings of the public.

(Applause)

So, let the Hon. Member continue.

Hon. Maitha: Thank you, Mr. Speaker for your protection. Mr. Speaker, when you go to Tala Market, you will find many employees who have come from Kitui, Makueni and even in Central province. If you go to those areas, you might not find many employees coming from Machakos. We know we have so many Chief Officers who come from outside Machakos County and it is them who bring employees from where they come from.

(Applause)

It is with that regard, that I say when those contracts are being evaluated, let us employ our people. His Excellency the Governor says he wants to be the President of this country in 2022; we know of some of the employees out there who did not support him, who did not also support us. It is the time now that we weed out those bad elements in our society.

Mr. Speaker, I am also requesting His Excellency the Governor, when he brings the CECs and Chief Officers, let him bring many from our county; we have many learned people from Machakos and we need to see them employed. We don't want this thing of Makueni, Kitui.

First of all, the Governor of Kiambu said he doesn't want anybody to be employed from any other corner apart from Kiambu County. Therefore, why would we employ people from his area if he doesn't want our people to be employed in his County? Mr. Speaker, I support. Thank you.

Hon. Speaker: Thank you, Hon. Maitha.

Hon. Nyanzi: To support this motion, mimi nataka kusema hivi; wakati tulikuwa councillors, nilikuwa vice chairman wa council hii kutoka Kiambere hadi Mtito Andei; kabla hatujaingia hii nyumba, tulikuwa tukikaa chini na kusema sisi ndio tulitafuta hii kiti na nguvu, mambo ya kuandika tuandikiwe watu kumi kila moja.

Na hiyo ndio ilifanyika na ukiangalia hii watu watu wako kwa hii council yote wametokana na mkono wa MCAs. Mimi nimeshindwa sana na hao wazee ni wale walikuwa wanakula tumbaku na masikio, na nyinyi mmesoma mna madegree na hata sasa ni mwezi wa sita na tunaendelea. Archbishop aliongea pale, baba wa msheshimiwa wa Masii, akasema 'nyinyi mnakaaka hapa mnakaa kama *mbiwa*, inaua mbuzi mzuri na badala ya kula inaanza *mukwato*; inaanza kufanya ile maneno.

(Laughter)

Sasa badala ya nyinyi kusema kitu ya kwanza---

Hon. Speaker: Point of order from Hon. Kisila.

Hon. Kisila: Mr. Speaker, is the Member in order when he uses words like *mukwato*?

(Laughter)

Hon. Speaker: Hon. Nyanzi, stick the two languages allowed in the House. You either speak in English or Kiswahili. Thank you.

Hon. Nyanzi: I withdraw. Nimekubali. Kwa hivyo mimi ninasema saa ingine tunarukaruka, tunaongea maneno inatushinda. Nasikia msheshimiwa wa Yatta akisema katika wodi yake kuna watu karibu 40 wanafanya kazi wameandikwa na Kaunti hii na hii ndio mlango ya kaunti hii Machakos. Mimi natoka hapa Kalama, na ile kilio tunalia ni tuandikiwe ward administrator na watu wa aina hiyo na hatuna hata mmoja.

Inakuwaje huko Yatta, mbali sana watu, wanaandikwa 40 kwa wodi moja na huku hatuna. Tunataka hii mambo iangaliwe sawa sawa.

Hon. Speaker: Point of information from Hon. Kiteng'u

Hon. Kiteng'u: Hon. Nyanzi, Yatta or Masinga is in Machakos County.

Hon. Nyanzi: Wodi moja inakuwaje iandikiwe watu 40 na huku wodi zingine hatuna hata watu tano.

(Laughter)

Kwa hivyo naomba hii.....(*inaudible*) ndio tusilete maneno ambayo sio ya ukweli ili tuweze kusaidika. Kwa hivyo mimi naomba ikiwa itawezekana, kila wodi iandikiwe watu. Wakati huu sio tuanze kufuata ile maneno ya miaka iliyopita. Tukianza kufuata hio maneno, tutatoka na hio maneno yetu. Asante.

(Applause)

Hon. Speaker: Thank you, Hon. Nyanzi for your passionate contribution to this. Hon. Constance.

Hon. (Ms.) C. Nzioki: Thank you, Mr. Speaker. First, I want to contribute to the Statement; it looks like most of us are just worried about the contracts because there is hearsay contracts are ending today, we do not know how sure that is, but what I want to say is that even if contracts end, it does not mean those people go home and others come, possibly, because all of them are our people in Machakos and they need food.

I think, Hon. Members, we need to understand, even if I want to bring my sister to work, that other person also need to eat and they all belong to Machakos. When we say we don't bring people from outside, many of us are married to other tribes and from other counties---

Hon. Speaker: Point of information from Hon. Cosmus.

Hon. Masesi: Yes. Thank you, Mr. Speaker. I just would like to inform the Hon. Member, that devolution calls for employees or duties or works of a certain area to have employees from that area. Thank you, Mr. Speaker.

Hon. (Ms.) C. Nzioki: Understood. I also want to say we need to be careful when it comes to such debates or Statements because when we come out and say we need to have Machakos only.

I have understood your statement but Machakos is in Kenya and we are so many in Kenya we have many other people elsewhere so the Statement needs to be looked into again as we move on and those who say they hear contracts are ending, we have committees for that matter and it is always good to wait for them to finalize what they are doing then we come to an understanding. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Okay, Members. I think we have discussed a lot on this and before I give directions on how this matter is going to be handled, I just have two comments to make. First of all, this House, as some members have said, needs to understand that you will be judged as a unit and the performance of the House is judged as a unit and not as individuals. So, there is a need for the House to work as a unit and make sure that we achieve things together as a unit.

Secondly, I heard some Hon. Members, one thing which I would like to point out is that the buck stops at the top. The buck stops where? At the top. Everybody must take responsibility for everything they are in charge of. That is the law of management. The buck stops at the top. I am not going to be a manager in a company and I start blaming an employee down the line. As a manager, I take that responsibility.

So, we need to be able to take responsibility of the issues which come before us. Now, I direct that the County Public Service Board of Machakos appears before the General Oversight committee on the 15th of March, 2018 at 10 a.m.

(Applause)

I also direct that the CEC appears before the same committee at 2.30 p.m. on the same date. I also direct that the County Secretary appears before the same committee at 3.30 p.m. so that they can be able to shed light on the issues which have been brought to this Hon. House and the issues which have been mentioned on that statement. Thank you, very much.

(Applause)

Mr. Clerk, proceed.

MOTION ANNUAL CLEANING WEEK

Hon. Deputy Speaker: Hon. Members, under this Order, we have a motion by the Hon. Robert Kisini chairperson Environment, energy, land and natural resource committee. Hon. Kisini.

Hon. Kisini: Thank you, Members. In front of me is the motion on Environment, Energy, lands and natural resources committee. I want to table this motion.

Mr. Speaker, that aware that the mission for the department on environment, sanitation and solid waste of county government of Machakos is to provide a clean and safe environment to the people of Machakos County;

Aware that waste management is proving to be hard nut to crack for most county governments;

Informed that according to the Fourth Schedule of the Constitution of Kenya 2010, safe disposal of solid waste and sewer management rests entirely with the County Governments;

Aware that solid waste matters have been aggravated by the ever growing population in urban and peri-urban areas which continue to generate amounts of waste;

Aware that the crisis is slowly getting out of hand and the County risks falling short of environmental sustainability and sanitation target under the Sustainable Development Goals:

Acknowledging that solid waste is an emerging health threat emanating from dumping of solid waste in an undesignated areas like roads, water catchment areas and residential areas;

Aware that haphazard disposal of waste in towns reduces value of land, scares investors, detracts aesthetic value of our towns and pollutes our water resources;

Mr. Speaker, I wish to give notice of motion that this Hon. House discusses and approves the report of the committee on environment on setting of annual cleaning during the long rains and there is an omission, long rains and throughout the year by the County Government of Machakos.

Thank you, Mr. Speaker. I want....sorry.

I wish to move the motion that this Hon. Houses discusses and approves the report on committee on Environment on setting of annual cleaning week during the long rains by the Government of Machakos County.

I hereby call upon Hon. Brian Kisila, who is a member of the committee, to second the motion. Thank you.

Hon. Kisila: Thank you, Mr. Speaker. I stand here to second the motion.

Hon. Deputy Speaker: Thank you, Hon. Kisila. I now call upon Hon. Kisini to read the report.

Hon. Kisini: Mr. Speaker, it is the report on environment, lands water and natural resources committee. The task is to report on policy to set up county annual cleaning program. On page one is the table of contents whereby you can see there is the cover page, the preamble, the background, the legal frame work. The mandate of the committee, the committee membership, meeting with departmental Chief Officer, county cleaning program, committee observations, committee recommendations, conclusions and acknowledgements.

Mr. Speaker, the Constitution of Kenya 2010 Article 42 stipulates that every person has the right to clean and healthy environment, which includes the right-

- a. To have the environment protected for the benefit of present and future generations through legislative and measures, particularly those contemplated in Article 69;
- b. To have obligations relating to the environment fulfilled under Article 70

Further, Mr. Speaker, the Fourth Schedule of the constitution of Kenya mandates the County Governments with the matters of refuse removal, refuse dumps and solid waste disposal.

MANDATE OF THE COMMITTEE

Mr. Speaker, the Committee on Environment, Lands and Natural resources is a sectoral Committee established under Standing Order 190 and the Second Schedule. It deals with all matters related to the implementation of specific national government policies on natural resources and environmental conservation, including soil and water conservation and forestry and control of air pollution, noise pollution, other public nuisances and outdoor advertising; land survey and mapping; boundaries and fencing; electricity and gas reticulation; energy regulation; water management systems in built up areas and water sanitation services.

COMMITTEE MEMBERSHIP

Mr. Speaker, the membership of the aforementioned committee, and I beg to say that before I read the names, there was an error in typing, number 13 is not a member so members omit, that one is-

- | | |
|---------------------------|-----------------|
| 1. Hon. Robert Kisini | - Chairperson |
| 2. Hon. Christine Koki | - V/Chairperson |
| 3. Hon. Alex Kamitu | - Member |
| 4. Hon. Brian Kisila | “ |
| 5. Hon. Cosmas Kieti Muia | “ |
| 6. Hon. Dominic Ndambuki | “ |
| 7. Hon. George King’ori | “ |
| 8. Hon. Hellen Ndeti | “ |
| 9. Hon. Jacqueline Nziva | “ |
| 10. Hon. Jane Nyawira | “ |
| 11. Hon. Joseph Musau | “ |
| 12. Hon. Mark Muendo | “ |
| 13. Hon. Michael Mutiso | |

Sorry, it was a mistake, Hon. Mutiso, is not a member his name came in in the initial stages.

BACKGROUND

Mr. Speaker, on 10th October, 2017, a motion urging the County Government of Machakos to draw up a policy to set up County Annual Cleaning Programme was moved in this House. During the month of November, 2017 the Chairperson to the committee sought extension of time to enable them get more information and compile a comprehensive report.

The reason behind the motion was the increased solid waste in major Machakos County towns hence exposing the residents to unclean environment-related risks. The motion was referred to the Committee of Environment, Lands and Natural Resources with a view of working in conjunction with the relevant Department in the County Executive to come up with an implementable County Cleaning Policy.

LEGAL FRAMEWORK

The preamble of the Kenyan Constitution recognizes that citizens must respect the environment which is their heritage and must be determined to sustain it for the benefit of the future generations. Every person, both current and future generations, is entitled to a right to a clean and healthy environment based on the provisions of Article 42 of the Constitution.

This is further emphasized by the provisions of section 3(1), (2) and (2A) of the Environmental Management and Coordination Act. However, for this right to be achieved, the persons must cooperate with the state to ensure that the environment is protected and conserved and that there is sustainable development and use of natural resources.

To ensure this is realized, the state must undertake certain obligations including encouraging public participation in the management, protection and conversation of the environment. This is especially because the national values and principles of governance namely democracy and participation of the people and inclusiveness binds all

State organs, State officers, public officers and persons when applying or interpreting the Constitution and making or implementing public policy decisions based on the provision of Article 10(1)(a) and (c) and 10(2)(a) and (b) of the Constitution.

The state must, in conducting and facilitating public participation, take into consideration and abide with the principles of public participation provided for in section 87 of the County Governments Act. The provisions of Article 70 of the Constitution have further expanded the concept of *locus standi* as relates to the enforcement of environmental rights if its alleged that such rights are being denied, violated, infringed or threatened.

This concept is further given emphasis by the provisions of section 3(3) of the Environmental Management and Coordination Act. Section 29(1) of the Environmental Management and Coordination Act establishes a 'county Environment Committee for each county which shall be constituted by the Governor of each County by notice in the *Gazette*. The appointment of members to the Committee whose term shall be three years and are eligible for re-appointment must be done in consultation with the relevant county organs that are representative of the nominees in the county.'

MEETING WITH THE DEPARTMENTAL CHIEF OFFICER

Mr. Speaker, Article 195(1) of the Constitution of Kenya states that a County Assembly or any of its Committees has power to summon any person to appear before it for the purpose of giving evidence or providing information. The Committee invited the Departmental Chief Officer in Charge of Decentralized Units on 2nd November, 2017 and had an elaborate deliberation on this subject.

The Committee was informed that currently the County does not have a Cleaning Policy. Cleaning programs were being organized on need basis. However, he added that an Organization by the name Kenya Devolution Support Program funded by the World Bank had pledged to help the Department in coming up with a policy.

The process of formulating the policy was to kick off on 1st September, 2017 and end on 30th January, 2018. As at the time of meeting, nothing had been done as the organization cited political instability in the Country as the main challenge. According to the Officer, Ksh. 3.1 Million budget had been approved to be funded by the donor for this task.

On the same note, the Officer reported that the Department was to work hand in hand with NEMA to come up with measures of managing solid waste in the County. According to the NEMA regulations, a County Environmental Committee (CEC) had been formed and its membership was yet to be communicated to H.E the Governor.

The delay had been occasioned by the fact that there was no substantive County Executive Committee Member in charge of the Department to take up the responsibility. However, the Officer highlighted that the normal garbage collection program had not been affected by the vacuum occasioned by the absence of the County Environment Committee.

It was agreed at Committee level that coming up with a policy within such a short time would not be possible. Drafting a County Cleaning Program was the best option. The County Cleaning Program was to be incorporated in the policy later. The committee was of opinion that the program should put into consideration the existence of market management committees.

COUNTY CLEANING PROGRAM

The proposed program will in-cooperate County Executive members of staff, Hon. County Assembly members, Assembly Staff, Public and Private Partners, CBOs, Churches and all other institutions within the County to carry out monthly clean up exercise. The exercise will be carried out every 1st Tuesday of the Month. The Committee amended this to be done on every 1st Monday of the month considering the Assembly calendar.

The Committee agreed that the program will be rolled out in the 40 major county ward markets and the respective Department will be responsible for purchase and provision of the required equipment for the task.

The functions of the Committee will include proper management of the environment within the region of the County for which it is appointed and development of county strategic environmental action plan every five years.

OBSERVATIONS

Mr. Speaker, the committee observed the following:

1. There was no policy in place for County Cleaning Programme though measures had been put in place by the Executive for drawing the same through the assistance of World Bank.
2. The committee observed that the County Environment Committee established by section 29(1) had not yet been established.
3. The Department did not have sufficient budget allocation for the cleaning programme.
4. The number of cleaning equipment were not enough to manage waste in the whole County given the high urban population increase.
5. Most of the collection and transportation trucks were not in good working condition and lacked fuel.
6. There was lack of designated dumpsites in the County.
7. The committee observed that a big percentage of stakeholders were not aware of the cleaning programme.

RECOMMENDATIONS

Mr. Speaker, in view of the submissions given by the executive and committee findings, the committee recommends as follows:-

1. The Department should hasten preparation of the cleaning policy which should be tabled in the Assembly for deliberations and approval within 90 days.
2. The Department needs to come up with a budget for the cleaning programme exercise during the 2018/19.
3. Sufficient equipment/tools and working gear need to be purchased and distributed fairly to all wards to enhance smooth running of the exercise.
4. The current dumpsites to be rehabilitated and more designated dumpsites be established to enable smooth running of the exercise. All dumpsites in the County should be gazetted as an official means of communication to the public.
5. The exercise will be carried out in all the 40 Wards on a need basis.
6. That the exercise be undertaken every 1st Monday of the month by all County residents with the leadership of County Executive Staff and County Assembly. All stakeholders to be involved in the exercise and prior communication be done through local radio stations, religious institutions and Public Barazas.

7. That the County Environment Committee be formed soonest so as to ensure development of strategic environment action plan which shall incorporate the cleaning program.
8. That the department conducts a civic awareness program on the importance of cleaning program in the county.

CONCLUSION AND ACKNOWLEDGEMENT

Mr. Speaker, the problem of solid waste accumulation is slowly getting out of hand and the County risks falling short of the environmental sustainability and sanitation target under the Sustainable Development Goals. There is, therefore, need to remedy the situation by developing proper environmental policies supported by sufficient budgetary allocation.

It is, therefore, my privilege, on behalf of the Committee to table this report on consideration of the Machakos County Cleaning Program in this Hon. House for discussion and adoption. Thank you, Mr. Speaker, the report was prepared by our clerk assistant and is signed by the chairman. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Kisini for that report.

(Question proposed)

You may debate on the motion. Hon. Mitaa.

Hon. Mitaa: Thank you, Mr. Speaker, for granting me this opportunity, first of all, to congratulate the committee of environment, land, water and natural resources for the great job they have done. Mr. Speaker, I think part of the recommendations, not part, all the recommendations, I think these are things which our county needs.

We need to set up a day to clean the environment because Mr. Speaker, as you have noticed we have been unfair to the environment for long and actually time has come for us to know that the environment controls whatever happens on this earth.

Mr. Speaker, cleanliness is next to Godliness, if I am not wrong, and if we can maintain cleanliness within our county I think it will be a score even Biblically. So, Mr. Speaker, they have talked about gazetted dumping sites. We very well know that we do not have gazetted dumping sites within our county, specifically from where I come from Kangundo-Matungulu; I think we do not have a dumping site and if it is there, it is not gazetted. It is the high time a place like Kangundo, at least every sub-county, to have a gazetted dumping site where our people might know disposables can be taken to.

The other thing is about the trucks and equipment which are used for this function. Mr. Speaker, it has been a challenge to collect garbage within our county. I think we have limited access to these facilities and my request is that if we could budget to have more at least for each and every sub-county to have equipment for such function.

This would improve on the services because as it is done now, the truck which is at Mavoko, we have to wait all the way at Kangundo for us to access it and it is a challenge even to the unit which is involved in such functions because with limited facilities and the job is highly needed to be done almost on a daily basis or at least twice a week, it is a challenge for them to function very well.

So, Mr. Speaker, as I conclude, I thank the committee for finding time and for the recommendations they have come up with and I support the report fully. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Mitaa. Hon. Musyoka.

Hon. Mutinda: Thank you, Mr. Speaker, for giving me this opportunity. I want to first start by thanking the committee for the good work done and I think Mr. Speaker, the County Government has a responsibility to ensure that the environment in the whole County is safe and clean and it is the high time the County Government ensures that in every sub-county, there is a unit for that duty so that we may deliver the service to our people.

I remember just about two weeks ago, I had such services but immediately just after a week, I required to inquire, through the sub-county to have the loader but I was told it is in Mavoko. So, it means most of our equipment are running vast distances which is also not good for equipment because they will require a lot of money to service.

So, I think, Mr. Speaker, the county will ensure that these services are gotten and also I think we should see to it that, through the people who have invested in our county, through their corporate social responsibility, assist us in achieving these goals because I think it has been mentioned here, there is the problem for fuel and other equipment and service. So, corporate social responsibility of companies which make cement and other investors who are just around us can help us achieve these goals.

Also the committee, the partnerships in the market centers the committees in the market and others which can achieve these goals so that we have a clean environment and also we should not forget about our rivers; much as we are talking of the markets and other public places, we have to come up with a policy for the rivers.

This river Athi flows down all the way and some companies are draining their waste in that water, killing all the fish and such wildlife in the water and I think it is important that we save the environment even in the rivers like river Athi, river Tana, so that we have a good place and whatever water we are drawing from those rivers is safe for drinking.

Much as it will be taken through a process of purification and whatever, but that we have to ensure is that the source of that water is safe, the water is good and the environment. Thank you, Mr. Speaker, and I think that is the way to go. I thank the committee for the good job done and this county government should give a very clear policy on these lines. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you. Hon. Jeremiah

Hon. Munguti: Thank you, Mr. Speaker. Mine is just to comment for the good work that has been done by the environment committee. It is certainly sure that everyone in this country or in this world has a right to a clean environment and I would start by saying this was a good job which has been done by the committee and owing to the fact that waste management in our county has been a big challenge because like the place where I reside, you find that many of the residents just take their refuse just behind the plot and this one is causing alarm like outbreak of diseases because much of it that has been dumped just outside the plot and has a very bad stinking smell and eventually when rains come, this waters flow to our rivers and when they flow into our rivers, there is a risk of getting water-borne diseases.

Secondly, I would like to support this report by saying that it is also good, as much as we are looking for the dump site and the refuse to be dumped in a proper way, it is also good to look about our environment through the cutting of trees because our trees purify our air which we breathe in and much of it have been brought down by the so-called deforestation that has been going on throughout the county.

It is my humble request, through this Hon. House, that we make sure as much as we look for the dump site, we look about our trees. It is also good that we ensure that our dumpsites are well kept; when the refuse have been dumped because it is also good to burn the waste in a right way.

Hon. Deputy Speaker: Point of order from Hon. Kisila.

Hon. Kisila: I was just wanted to say that one member Mheshimiwa Kieti had dozed so I wanted to wake him up.

(Laughter)

Hon. Mitaa: Point of information, Mr. Speaker.

Hon. Deputy Speaker: Point of information.

Hon. Mitaa: I wish to remind Hon. Kisila that Hon. Members don't doze but they rest their eyes. Thank you, Mr. Speaker.

Hon. Deputy Speaker: I thank Hon. Kisila. Please let us continue with this. Hon. Kieti, watch as you rest your eyes. Continue, Hon. Jeremiah.

Hon. Munguti: Thank you, Mr. Speaker. Sorry for the interruption. Secondly, I also made an observation from the committee where they said that there was no policy in place for the county cleaning program. It is very true that within our county, we have no good policies that have been set so that we can have this cleaning days and I support so that every month, we can be having a cleaning day because our markets have been so dirty and it is through this program that we will actually have a civic education on educating our people on how to keep our environment clean which will bring sanity in the community. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Kisila.

Hon. Kisila: Thank you, Mr. Speaker. I only have three points and I am appealing to members to note that the point number 8 on committee observations. Number 3 talks about the department not having enough budget allocated for cleaning program, number 4 talks about the number of cleaning equipment not being enough, number 5 talks about most of the trucks not being in good working condition and number 6 talks about lack of dumpsites in the county.

My appeal is to members, especially those who are in budget committee, let us allocate enough money to this department. My proposal, Mr. Speaker, is that every sub-county should have equipment based in every sub-county headquarters, so that MCAs, together with the sub-county administrators, plan their itinerary.

It is even more scaring, Mr. Speaker, that we only have one fire-fighting machine; I just want to add that point to this last time when Mwala Girls went on fire, it took us almost one hour to get the equipment coming from Machakos. So, I am urging members, when we are looking at our budget, when we are looking at this year's financial budget, let us ensure the county has enough money to buy new equipment and maintain.

The issue is not just buying, buying and maintaining enough equipment and let them be based at the sub-county level so that we can be able to have control. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Kieti.

Hon. Kieti: Thank you so much, Mr. Speaker. I want to say that the chairman of environment committee has done us good by giving us this report and we all need a very clean environment; we cannot compromise areas where we live, we need to live in clean environment and it is upon us to make our environment attractive because if we live in a dirty environment, we have threats to our health.

We are likely to have breeding places of mosquitoes, flies; rodents like rats will not miss where there is dirt and because of food chain, we are also likely to have snakes around. So, if we have clean environment, we are likely to protect our health and to protect our lives also.

Last night, I watched the news and there were some news about cholera outbreak in Trans Nzoia, This is all because of dirty environment, so I fully support the idea of us having or setting sometime for cleaning our towns and when you look at our population, the population is multiplying day in day out and as our towns grow, then it also needs our attention and I fully support that we set out this day whereby all the stakeholders should be involved in the exercise of cleaning that their town so that they may live better lives.

Mr. Speaker, I want to say that some markets do not have dump sites and it is my humble request that the county government of Machakos sees to it that those markets that may be missing that vital site may look for that so that any dirt that is collected within the county is dumped in a proper manner.

I also want to say that we also need to encourage partnership with the bodies that have invested within our county. In fact, when you walk or when you drive along Mombasa road, we have those factories of cement along the highway, but when you get to some, there is a lot of emission and at the same time foul smell coming out of those directions.

So, those factories need to be encouraged to set a good example by planting trees; around Bamburi, there are so many trees, but the other factories have not done anything to protect our environment.

So, Mr. Speaker, I support that we have the date and then we also partner with those corporate bodies so that the aspect of cooperate social responsibility is not left when we are cleaning and protecting our environment. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Kieti. Hon. Koki.

Hon. (Ms.) C. Koki: Thank you, Mr. Speaker. I am on my feet to support the report tabled by the Hon. Chairman, Hon. Kisini on behalf of the environment committee. It is very well known that it is in the constitution that the people are provided with clean environment, and as Hon. legislators, it is our duty that we see to it that the constitution is upheld, respected and we give what is required to our people.

We paid a visit to Athi River ward and it is very sad to report that our people are living in pathetic conditions, in very dirty areas. I believe that our electorates, our people elected us with very much hope and faith in us that we are going to change their living conditions, that we are going to transform the environment and it is high time that we prove that we are able and we prove to them that they did not make the wrong choice.

I, therefore urge this Hon. House and urge all members to support this report on the day that we have set for the annual cleaning around the county that we come up and support it.

It will also involve our community and it is therefore they who are going to come out fully and protect the environment and feel like they are responsible and they will not make dirty or pollute the environment because they will feel like, 'if we pollute it, it is us who are going to clean.' Therefore, I support the report and I believe we are going to make a change; we are going to clean our environment through this annual cleaning day. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you. Hon. Mbevi.

Hon. Mbevi: Thank you, Mr. Speaker. I would want first to congratulate the committee for the work they have done but I want to add something on the recommendations. As long as we talk of dumpsites, probably we have some but you find that there are considerations that are not done when looking for the dumpsites.

One is distance; like in my area in Mlolongo, you find that where the dumping should be done too far and that way you find that there is a lot of corruption from some of my residents there and because of the distance, one will wish to compromise somebody to pay him/her something for the dumping to be done on somebody's plot and if you get to Mlolongo, you will find that most of the plots, a lot of dumping has been done on people's property and that is because of the distance of the dumping sites.

So, I would wish when the dump sites are being considered, they should also consider the distance and I think we have modern technology, whereby we can have some machinery which can make use of this waste as a raw material of some product and that way, I think it can also create some employment to our people.

So, I think a lot should be done on waste management because once it is well planned and this new machines are engaged, I think we will not have our environment with the waste.

The other issue is about enforcement; I also come to the area of corruption again, you find that our county officers are not enforcing the policy for locals to put the waste where it is supposed to be and when these officers get our people throwing the waste anywhere, they are compromised by the residents especially in my area.

We have organized groups where we have people collect the waste on a daily basis and the tenants pay to them. You find that the county officers are compromised by these people who are being contracted by the plot owners just to dump it the nearest area possible without even caring if it is somebody's property or plot.

So, I think it is very important that the enforcement officers also be serious and get warned and make sure that the waste is put at the right place. Thank you, Mr. Speaker.

Hon. Speaker: I think I will only take about two more then we close this issue. Hon. Agatha.

Hon. (Ms.) Mutunga: I am here to support this motion and more especially the date which should be discussed in this House and I wish if time would be settled, time should be done. I have seen it in most of the countries they are doing it like Tanzania, they have a specific time where every shop and every business is closed such that they do cleaning so they know it is a cleaning day.

So, if it should be done so and they know, they will close the business to do the cleaning and it will make it better and people will be very much careful when dealing with the matters of dumping waste everywhere. So, I stand to support it and I would request if it could be from a Monday or Tuesday, from a time, to a time and if need be or if this House would make it like I am not sure I stand to be corrected, if like the business should be closed in such a day from certain time to certain time we do it then they are re-opened. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Cosmus.

Hon. Masesi: Thank you, Mr. Speaker. I stand again to support this motion. Mr. Speaker, you agree that clean environment includes clean water, clean air, land and also energy which is essential for human existence and conducting business and so on more so health.

Allowing trash to pile, Mr. Speaker, will also act as a ground for breeding for the pests which will come out with germs which at the end will affect people through infecting diseases, Mr. Speaker. I stand to support that motion although through the report it came a point that we had an approved budget of Ksh. 3.1 million; I urge this House to make a follow up as much as we support the cleaning program, we also follow up on the cleaning policy which we saw through the report that there was a donor by the name **Kenya Devolution Support Program** which was funded by the World Bank and had an approved budget of Ksh. 3.1 million.

So, Mr. Speaker, I urge this house to do follow up on the same and make sure that this comes into a place.

Hon. Deputy Speaker: The last one, Hon. Kamitu.

Hon. Kamitu: Thank you very much, Mr. Speaker, Sir. My contribution, Mr. Speaker to this Hon. House is that I am one of the members of the committee and looking at the report of the committee, it was based on the fact finding that we went outside to some areas whereby we are saying the House should move out, as we did, as we had identified areas and we have seen some areas Mr. Speaker, Sir, in our towns like Tala, Matuu, Machakos town and in regard to this report, Mr. Speaker, if you see the observations that were made by the committee are very relevant and the recommendations also.

Maybe, my input is only to add to the committee and to this House is that in regard and with collaboration with our secretariat, there is a policy in regard to solid waste management that the First Assembly made because there were some visits that were made to Sweden.

So, we will partner and with those policies, you have seen as I said, the committee has come up with recommendations and the most important thing is now the disposal even after cleaning all the towns in areas that we are talking about a clean environment. We should have the end result, the end product in regard to disposal, should be active so that after every cleaning, we are bound to identify where are going to dispose all the dirt or the sort of items that are supposed to be disposed.

So, it is in that regard as I said, if we collaborate with our Assembly Secretariat, we shall be seen to be heading somewhere so that at the end result, as you understand in regard to solid waste management, there are those byproducts like energy which can be produced by the end product of those disposables.

So, in that regard, I stand to support the committee recommendations, the committee observations and as I said, the end result, that program of the county cleaning program is very important but we should move out to see that whatever has been cleaned is well disposed of in a dumpsite that has been gazetted and so forth. Thank you, Mr. Speaker.

Hon. Speaker. Hon. Members, at this point I call again the Hon. Kisini to reply.

Hon. Kisini: Thank you, Hon. Members, for deliberating on this report and for seeing the need. I again want to apologize to the House, more especially when I was trying to read about the composition, it is as if I was trying to omit the number 13, the name Hon. Michael Mutiso who still my member. I am sorry for that; it is as if it was Hon. Mrefu and so we know him as Mika, Michael Mutiso, sorry for that. He is my member and a good participant. I am sorry, so don't omit that name it is there.

I want to just respond to several issues; one is about the concern of the trees although it was not part of this report. We are also soon tabling a report on tree planting so that will take care of that concern of the trees.

I also want to say 'thank you' to the members for, maybe, although it has not yet been vetted, but for seeing to it that we avoid the catastrophe of the garbage; you all members can remember the Mombasa issue, that disease was brought because of the dumpsite and the passing of this report, Machakos will avoid such a catastrophe.

I also want to comment on why we came up with a month, one day every month; we wanted Hon. Members to be felt at their respective wards and showing that they are also involved because we are also very busy here in the House. That one day you will show your relevance to the ward.

About the equipment, yes, we know there is lack and the committee, this is also in support of another motion brought by also my member Hon. Mark Muendo, that we lack tools and for us to succeed, every sub-county must have these equipment more especially the trucks.

Then about the dumpsites; it is good those recommendations, those feelings of the members are taken into consideration and I also think I will request the executive to put in place that environmental committee. The Governor approves it so that it can be in place.

Lastly, I want to say thank you to one of our members, Hon. Kamitu; he has been to Sweden. This committee also wants to visit Sweden, show us the way! Thank you, Hon. Members.

(Applause)

Hon. Deputy Speaker: Thank you, Hon. Kisini for your response.

(Question put and agreed to)

Now, just one or two comments before we stop. I think the issue which have come out here and is key is the 10 per cent tree cover requirement. One thing which we know, one of the

Hon. Members have brought up the issue of tree planting and the Hon. Chairman has spoken about it. Kenya is supposed to achieve a 10 per cent tree cover and currently as a country, we are at about 3 per cent which means we are way below 10 per cent on tree cover.

As a House, as we continue telling other people to stop cutting trees and continue in other engagements, as a House and as a committee on environment and the rest, it will be the expectation of the House that we come up with programs which will assist this House in ensuring we do our contribution towards the achievement of 10 per cent tree cover especially the county of Machakos.

There is the issue of firefighting equipment which has also been mentioned by Hon. Kisila; this falls purely on the committee on health and emergency services and it is something which that committee needs to look at properly so that we can be able to ensure we have this equipment in all sub-counties and available for our use. These are some of the things, I think the other day we all witnessed the fire at the Center of Excellence where a whole dormitory was burnt down.

So, it is important for us to emphasize on making sure that we have emergency preparedness in terms of both firefighting equipment and also general emergency preparedness in the county.

ADJOURNMENT

Hon. Deputy Speaker: Now that the House has adopted the report, the House stands adjourned to today Wednesday 28th February, 2018 at 2. 30 p.m. Thank you

The House rose at 12.12 p.m.