

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY
OFFICIAL REPORT

Wednesday, 29th November, 2017

The House met at 10.02 a.m.

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

PRAYERS

Hon. Deputy Speaker: Mr. Clerk, proceed.

Hon. Mitaa: Thank you, Mr. Speaker. I think the House is lacking quorum. Maybe we can be guided.

Hon. Deputy Speaker: Mr. Clerk, can you check on that please? Okay, thank you. Hon. Mitaa, member for Kangundo Central for the point out but I think the members who have just walked in, the House should now be properly constituted. So, we may proceed.

Hon. Mitaa: Thank you for your guidance.

Hon. Deputy Speaker: Proceed, Mr. Clerk.

PAPER LAID

SUSPENSION OF OPERATIONS AND STAFF OF THE DEPARTMENT OF FINANCE AND REVENUE COLLECTION

Hon. Deputy Speaker: Hon. Members, we do have papers as listed in the appendix. You may see that in the paper you have there may not be having it. This was necessitated by some changes which have taken place before we came into the assembly and you will be able to get them. The motion is going to be debated in the afternoon so you will be able to get the circulation two hours before the motions are debated in the afternoon. As for now I request the Hon. Member.....is he in the House? Okay, Hon. Jeremiah to lay the papers.

Hon. Munguti: Thank you, Mr. Speaker, Sir. Aware that, I wish to lay to the Table of the House today, Wednesday, 29th November, 2017 the report of the joint committee of finance and revenue collection and labor public service and ICT on suspension of operations and staff of the department of finance and revenue collection. Thank you, Mr. Speaker, sir.

Hon. Deputy Speaker: Thank you, Hon. Jeremiah. The papers are now laid. Mr. Clerk, proceed.

NOTICES OF MOTIONS
ACQUISITION OF MACHINERY AND EQUIPMENT FOR SUB-COUNTIES

Hon. Deputy Speaker: I call upon the Hon. Mark Muendo, MCA for Kinanie ward to move that notice of motion.

Hon. Muendo: Thank you, Mr. Speaker. I want to give notice of motion. Mr. Speaker, I wish to give notice of the following motion; that the County Government acquires one grander, one roller, one shovel, two tipper lorries and two water bowsers for each sub county for use to construct roads, collecting garbage and supply water. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Mark Muendo. That motion is noted. Hon. Masesi there was a notice of motion you are supposed to give.

SUSPENSION OF OPERATIONS AND STAFF OF THE DEPARTMENT OF FINANCE AND
REVENUE COLLECTION

Hon. Masesi: Thank you, Mr. Speaker, Mr. Speaker, I wish to give notice on the following motion; that this House considers and approves the report on the joint committee of finance and revenue collection and labor, public service and ICT on suspension of operations and staff of the department of finance and revenue collection. I lay the paper Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Masesi for that notice of motion. Mr. Clerk proceed.

STATEMENT

Hon. Deputy Speaker: We have some statements, Hon. Members as listed in the appendix and these are supposed to be moved by the Hon. Justus Kitengu or Hon. Tariq can go ahead and move that motion please that statement. Is it a statement?

Hon. Deputy Speaker: Yes, Madam.

Hon. (Ms.) Mwikali: Mr. Speaker, there is always the tradition of decorum and etiquette and this time, I would like to point out that there is a member in the House who seems to be a stranger. Mr. Speaker, I seek your guidance.

Hon. Deputy Speaker: Okay, Hon. Members. I think that it is the issue of the Hon. Members for.....who seems to have come into the House without proper decorum and maybe I would request if he could just kindly leave the House for a short while to get properly dressed and come back.

(Hon. Ndawa withdrew from the Chamber)

Thank you, Hon. Member, for pointing out that issue of decorum. We may proceed, please.

BUSINESS FOR THE HOUSE FROM 28TH TO 29TH NOVEMBER, 2017

Hon. Mulatya: Thank you, Mr. Speaker. I stand here under Standing Order 41(2)(a) where during the statement hour, a member of the House Business Committee designated by the committee for that purpose, shall every Thursday or on the last sitting day, for not more than ten minutes, present and lay on the Table a statement informing the House of the business coming before the House in the following week.

Mr. Speaker, the House Business Committee met on Monday, 27 November, 2017 and pursuant to the provisions of Standing Order 151, balloted business for this week of 28th to 29th November, 2017 as follows;

Wednesday, 29th November, 2017

Morning;

Motion that the county government acquires one grader, one roller, one shovel, two tipper lorries and two water bowsers for each sub county for the use of the construction of roads collect garbage and supply water by Hon. Mark Muendo.

Afternoon;

Address by the Senator of Machakos County Senator Kabaka;

Motion to constitute Peoples' Assembly;

Motion to approve report of joint committee of finance and revenue collection and labor, public service and ICT on suspension of operations and staff of department of finance and revenue collection.

Hon. Deputy Speaker: Thank you, Hon. Mulatya for that statement. Mr. Clerk, you may proceed.

MOTION

ACQUISITION OF MACHINERY AND EQUIPMENT FOR SUB-COUNTIES

Hon. Deputy Speaker: I now call upon the Hon. Mark Muendo MCA for Kinanie ward to move his motion.

Hon. Muendo: Thank you, Mr. Speaker,

That aware that the objectives in devolution includes recognizing the rights of communities to manage their own affairs and further development and to promote social and economic development and provision of proximate, easily accessible services;

Aware that some wards have been finding it hard to get County facilities such as graders to construct roads, lorries to carry solid waste and water bowsers to distribute water when they need them;

Aware that these facilities are not uniformly distributed across the sub counties;

Acknowledging that the county government procured some graders and tippers for use in road construction and aware that some of these equipment have broken down;

Aware that the remaining equipment are not adequate to serve all the wards of the county;

Noting that each ward needs to construct its roads, collect garbage and provide water to its residents;

Aware that the county can provide these services efficiently to the residents by ensuring each sub county acquires the necessary machinery and noting that the cost of acquiring them is far much less compared to the cost of contracting the services;

Mr. Speaker, I wish to move the motion that the County government acquires one grader, one roller, one shovel, two tipper lorries and two water bowsers for each sub-county for the use of constructing roads, collect garbage and supply water.

Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Mark Muendo, would you have somebody to second your motion?

Hon. Muendo: Thank you, Mr. Speaker. Mheshimiwa Masesi to second the motion. Thank you.

Hon. Masesi: Thank you, Mr. Speaker. I stand to second the motion by Hon. Mark Muendo on the basis that as we are equally required by the law for equality in terms of services within the county level. I want to congratulate the Hon. Member and support the motion due to the fact that it will enable each and every citizen of the county to receive equal services. Thank you, Mr. Speaker.

Hon. Deputy Speaker: I now propose the question.

(Question proposed)

I invite members to debate the motion. Yes Hon. Member for Kangundo Central.

Hon. Mitaa: Thank you, Mr. Speaker, for granting me this opportunity to contribute to the motion. I start by thanking the mover of the motion Hon. Muendo and since this is a very important motion towards developing our county. As the seconder has said, we have witnessed a situation whereby some areas lag behind when it comes to offering these services and I think since the county is able to purchase these equipment for each and every sub county, our region stands better to benefit when the machines are located at the sub county level.

I stand to support the motion and I wish it can be implemented as soon as possible. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Dominic.

Hon. Ndambuki: Thank you, Mr. Speaker. I wish to congratulate the mover of this motion because the motion could not have come at a better time other than this. Knowing that most parts of this county have roads that are not tarmacked and during this rainy season many

roads have been washed away, others have been cut off so if we could have these machines procured, then we would restore our roads back to the former state that will ease transport.

To add to the motion, perhaps as we also think about it, I would suggest that we also include other machines that we can use to collect refuse other than the back of tippers because we also have waste from the public latrines that we have and I am made to understand that we contract other people to collect that refuse. So if we could also have the machines to do that then that would also go a long way in helping the county. Thank you, Mr. Speaker.

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

Hon. Katumo: Thank you, Mr. Speaker, Sir, for this opportunity. I stand to support this motion before the House today. Mr. Speaker, you understand that as a house we exist to uphold the welfare of our people. As we have been moving around, we have seen the state of some of our roads. We have also seen the state of our estates. Actually, from where I reside, the old Mombasa road in Mlolongo, the road every day is becoming narrower and narrower every day because there is waste each and every other side and I have been wondering what is not happening with the county government of Machakos.

With this kind of a motion by my friend, financier alias King'ang'i. I think it is the right way to go.

(Applause)

That we need to have equipment that will make our county be a better place to live in.

Hon. Deputy Speaker: Hon. Member, I think we are in the House and let us use the official names when addressing our colleagues. Go ahead please.

Hon. Katumo: Obligated but I said alias. Thank you very much. I continue now. I am saying if at all we want to uphold the betterment and the welfare of our people in Machakos, we need to have motions like these where categorically we are saying we need the right equipment in the right place at the right time to make sure that we do away with garbage, we make sure roads are passable.

Now, in Mlolongo; I think people know where Mlolongo is, we have phase three. I think phase three is far away for people residing in the upper Mlolongo than it is to Machakos because there is no passage. I remember last year but one, we had two tractors that were placed there for a whole year without doing anything. When we inquired, we were told there is something missing here, there was no fuel and things like that but I think the spirit in this motion is to make sure that in every sub county, in every ward we will have such equipment to make sure that things are done at the right time. We become responsive not to wait for when things get out of hand.

Secondly, Mr. Speaker, Sir, I would wish to move this motion with some amendment to include..... what do we call this vacuum? Yes, exhausters are here? Because I find we have streams of water flowing in some of these estates you might think there is a well somewhere. It is this raw sewage and when we have this vacuum machine; you are calling it what? Yes, exhauster, when we have that, it aids some of these estates.

You know these estates have been constructed very casually and they are not joined to the main sewerage lines to make sure that we live in habitable places and people of Machakos will not experience cholera, diarrhoea, kwashiorkor and will not experience these diseases that we can control water borne diseases because of such.

If that water, that raw sewage is flowing right to river Athi, flowing right to Maruba dam, the same water we are using in this assembly, we need to do something to make sure our stomachs are okay, our health is okay and I think I want to congratulate my brother for this timely motion. May God help you. Thank you, Mr. Speaker, Sir.

(Applause)

Hon. Deputy Speaker: Thank you, Hon. Katumo for your contribution. Hon. Kisini?

Hon. Kisini: The mover of the motion has clearly stated that those facilities we have are not uniformly distributed across the sub-counties. I would like or I would request if we can first know how they are distributed and how many are they because we are not getting those services and for us to be relevant to the people at the ground, we need to have those facilities seen to work. I come from Athi River and more especially during this rainy time there are some estates which are not accessible.

People have camped at our places and offices demanding those services and when we ask we are told that there is no fuel. We are told that those lorries, those graders are not repairable or there are being repaired. So, when are they going to be repaired to give services to the people? I want to support that for us to have a fair distribution, let us have as he has stated, let us buy those facilities and equipment so that we can be seen as relevant. Let us know what the position of what we have.

I tried one of these times to visit the county garage and most of them are stored there. So, members I want to support. I want to move also the motion I want to support the motion which has been moved by our friend that we buy one grader, one lorry all the equipment that he has stated for each sub-county so that there can be fair distribution. We do not have to wait for a year so as to get those services. Thank you, Mr. Speaker.

(Applause)

Hon. Deputy Speaker: Members before we proceed, I have heard from members that there is need to have an amendment done on this motion to include an exhauster in the wording of the motion and for us to continue debating on it with the amendment, I would request for it to be moved.

First of all, do we have a proposer for the motion to be amended to include an exhauster? Who is proposing? Hon. Katumo had proposed we do the amendment seconded by Hon. Kamulu.

(Question of amendment proposed)

I want to add the word and an exhauster after the tipper lorries. So it reads the county government acquires one grader, one shovel, one roller, two tipper lorries and an exhauster and

two water bowsers for each sub-county for use to construct roads, collect garbage and refuse and supply water.

Hon. Deputy Speaker: Hon. Member for Kaewa.

Hon. Kieti: Thank you, Mr. Speaker. There is also something that is missing within our sub-counties and it is my wish that we include the fire-fighting equipment like the small vehicles. When we have fire within those areas, we get a lot of loss because for a vehicle to move from here to go and fight fire in those areas, it takes a lot of time and by the time it gets there it finds everything has been consumed. So it is my wish that we also include fire-fighting equipment. Thank you.

Hon. Deputy Speaker: Okay, Hon. Member. Thank you for that. I do not know whether we want to include emergency preparedness together with the current motion or that item could be included under a motion on emergency preparedness. Mr. Clerk maybe you could---

(Loud consultations)

Thank you. I think Hon. Kieti, we will debate on the motion as it is and we could consider your addition on a separate motion which would cover and encompass a larger area off emergency preparedness for the county. We may continue with the debate, Hon. Members. Hon. Jeremiah.

Hon. Munguti: Thank you, Mr. Speaker. I stand to support this motion which was brought by Hon. Mark Muendo. Reasons because when you look at our roads right away when the rains have just poured down, you find that the roads are in dilapidated state.

In fact, it was just recently when you heard through the media...through the local stations called Kameme and Musyi FM, actually, calling upon the County to repair the roads in Muthetheni Ward.

Just to mention but a few from Masii as you join Muthetheni, there is a road by the name King'atuani-Muthetheni-Miu new road which was in the limelight of the media and the members of that area and therefore, I call upon this House to support this motion and I stand firmly to support the motion because when you look at our roads, they are in a poor state and it is through this motion, that we will make sure that, all roads are constructed effectively.

When we have one shovel, one roller and two tipper lorries and also to include exhauster, you find that, in our markets, nowadays we have toilets which are using actually sewer and what we are using nowadays is the dispensing hole which is being used for the waste and to avoid cholera, we need an exhauster which will be actually removing the waste.

On the other issue, you find that, during the dry season especially in my ward, we have a very big challenge to our residents. You find that, Mr. Speaker, our people are walking a long distance looking for water and for that matter clean water for use and if we will have these bowsers, they will help our people to draw water near their own places and this will make them use their time adequately by doing other beneficial works like going to the market to sell their produce which actually they have started.

Like in my ward, you find that we have rivers which are seasonal rivers and most of my people are planting cash crops and by so doing, when they draw water through the bowsers on

the near markets, you find these people have time to go and sell their produce in the nearby markets.

Thirdly, aware that when we have these roads well made, you will find that, our people will have access to either transport their own goods or access to moving to other places especially to markets or taking their people to the hospitals, it will not be a challenge to them. Therefore, I stand firmly to support this motion and to congratulate the mover of this motion. Thank you, Mr. Speaker.

(Applause)

Hon. Deputy Speaker: Hon. Nick.

Hon. Mutuku: Thank you, Mr. Speaker. I stand to support that motion because I think it is very appropriate. As you can see and as many MCAs and residents of Machakos County can recall is that, the roads are actually in a pathetic state. For example, in my ward, a road has been cut off for the last three weeks and this road connects a very important facility; a hospital called Kisesini hospital which serves more than 5,000 people.

So, even medical supplies cannot reach to the hospital. They have to use donkeys, sometimes even goats to carry the medicine. This is very unfortunate.

(Laughter)

So, I support this motion and not only to have these graders and these items to be available in every constituency or in every Sub-County, but again to make sure they are operational and staff who man these facilities are available and fuel is also available because they can be there and sometimes they can be broken down, no spare parts, no fuel. So, I support the motion but let us have these facilities in every Sub-County and to be fully functional with all the manpower needed. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Mueni.

Hon. (Ms.) Mueni: Thank you, Mr. Speaker. I stand to support the motion by saying that, I think in Machakos County, all roads are bad starting with my place just around Machakos, Kenya Israel, where you have votes. So, I think I come with boots up to the road, so what I can ask the Members of Machakos County, is to pull up their socks because when I hear you are not getting the money, I do not know what you are talking about saying that the roads have to be taken care of.....Everything has to be taken care of by the money.

So, we need money from the Government, from the Governor, so that everything can go well. So we are not attacking anybody, we are just on our way to work---

(Laughter)

If you do not work or you start sitting here and saying you have to work, I think you are doing a lot of nothing.

(Laughter)

You have to do your work, get the money first so that we can talk about the work. Thank you.

Hon. Deputy Speaker: Hon. Mueni, I think it is only in order that you stick to the motion on hand and not to digress to other motions, please. Hon. Rozina.

Hon. (Ms.) Kanini: Thank you, Mr. Speaker. I want to first thank the mover of this motion because it is very timely and I think he was in my mind. Mr. Speaker, I happen to come from an area with public garbage and Mr. Speaker, that area is pathetic with flies, stinking water, garbage and all sorts of rubbish. I severally call those concerned and the usual response I get is, there is mechanical problem or there is no fuel.

So, if every Sub-County had its own facility as this Hon. Member has proposed, this would not be the case and every Sub-County would be standing on its own. So, with that, I support this motion. Thank you, Mr. Speaker.

(Applause)

Hon. Deputy Speaker: Thank you, Hon. Member. Hon. Peter Mutiso.

Hon. P.J. Mutiso: Thank you, Mr. Speaker. I stand here to support this motion. It is a good motion because I think it will take care of our people and even us. For example, in my area, it is in a pathetic situation, from town to Kyambuko, Syomuomo and even Mukalala just across here; you cannot move to those areas because of the roads which are not graded for some time and what I am saying is that, the graders are there, I do not know what is happening. Maybe the other plants are not there but the graders are there. It is only the engineers or the people who are supposed to grade the roads who are not taking care of our roads.

For example, if you go just around Bomani, where they used to keep those graders, they are almost over 10 and I think last time they were about eight which were given to every Sub-County but it is only that nothing was being done then. I remember sometimes I borrowed one and I fueled it with my own money and I graded all those roads on top of the hill there. So, the graders are there, it is only that we need to have a schedule on how they will be grading roads in every ward.

It is not a matter of, you are not supporting who and where, it is only that we want to serve our people because sometimes like last time, that is in the previous Government, some areas or wards, nothing has been done because of wrangles or politics but I do not think whether we can allow that because, I got votes from all over, the Governor the same, the President the same, even the MP. So, what I am saying is that, even if I do not agree with someone, my people need to be served. I am not saying that I disagree with anybody or these members, it is only that, we do not want to allow politics because when we do that our people will not get services.

For example, if you go around the market there, the sewer system is flowing all over right now. I have come from that place right now and I was not able to move because of people. You saw that I came in late because I was addressing that but, I could do nothing because I am not an officer on that area, I am not an engineer but I was just talking to my people. So, if that would not be done, especially the sewer, I will tell my people not to pay the rates because.....why should they pay if there are no services.

So, Mr. Speaker, we need to address these issues as quickly as possible if you want to save our people. Thank you, Mr. Speaker.

(Applause)

Hon. Deputy Speaker: Hon. Member for Ndithini.

Hon. Kituku: Thank you, Mr. Speaker. I would like to support this motion brought before this Hon. House by Hon. Mark Muendo. We acquire one grader, one roller and the rest of the machinery. I am convinced that, if we could acquire this machinery, we could have our areas worked on better. In Ndithini, for example, we do not have even one single motorable road and we have a lot of murram there and as you all know, Ndithini is the furthest but I believe that it is not very far, it is only because we do not have a road that is through.

But if we could have machinery around and we have fueling place, I think we could connect all these areas that are inaccessible so that people may also feel that we are delivering services to them. So, I stand to support the motion and if it is possible, the matter could be taken as fast as possible. Thank you.

(Applause)

Hon. Deputy Speaker: Hon. Nyanzi.

Hon. Nyanzi: Nimetoka kule Konza, Masaini. Nilipigiwa kura na Wamasai nikateremuka mpaka huko Kalala/Kathiani ni area kubwa sana na nimeshuhudia, nimepongeza Mheshimiwa Mark Muendo kwa kulete hii motion timely; wakati mzuri sana ambao tuna muda mrefu kama hizi matingatinga yatanunuliwa, yatafanya kazi pengine wale watu wako kwa nyumba hii watarudi tena kwa bunge miaka mitano ikipita kwasababu hayo matingatinga ikiwa, kwanza yatakua na watu wa kuyaangalia vizuri.

Mimi nimekua nikiangalia hii kazi ya Kaunti hii; shida kubwa kabisa ni kwamba hatuna locational administrator, ward administrator, mtu wakusimamia hayo matingatinga wakati yanafanya kazi. Kile tunaye ni kaunti administrator peke yake ambaye anasimamia hii Sub-County yote na hawezi kuona vile matingatinga yanaweza fanya kazi. Kwa hivyo mkiweka hiyo, mpitishie ya kwamba, Kaunti hii ya Machakos, iulizwe iwe na administrator kwa kila ward wakuangalia mali ya Kaunti.

Hayo matingatinga yako mengi sana ambayo hapa Machakos ni kama kumi na yanazunguka na hakuna mtu wakuangalia, mara unskia imeharibika hii, mara unaskia inaletwe imeharibika kitu hii na hii kitu hakuna ni kuletwe hape na hakuna kitu kinafanywa. Kwa hivyo lazima tuwe na watu wa kuangalia hio kazi pahali inafanywa.

Kuna watu wanaitwa Co-ordinators; wamechaguliwa wakati wa siasa, hawa wati wa ku co-ordinate siasa zitaenda namna gani na hawa watu hawani file, hawana ni, MCA hajui kunafanywa nini hata MCA hana sauti, hata hiyo tingatinga ikija huku. So, tunataka tuweke sheria kama inawezekana MCA awe ana uwezo wa kila kitu kikifanyika kila ward anaweza kujua kile kinafanywa.

Ile nyingine ni kwa mfano, kwa ward hio yangu kuna earth dams zilichimwa nane na zote zilipasuka kwasababu ma engineer hawakua pale wakaonesha vile inaweza kutengenezwa. Hiyo

ni hasara na hayo matingatinga yako isipokua sijui kwa nini na tuko na ma engineer wengi sana hata wengine mimi nawajua, wanafanya kazi gani?

Kwa hivyo tuambiwe wanafanya kazi gani kwasababu hizo earth dams zimetumia pesa mingi na zimetoboka kwa hivyo nikiwa nimetoka huko Kalama, nauliza kama hayo matingatinga yatanunuliwa, hizo madimbwi zitenegenezwe ili watu wapate maji wawe wanaweza kufanya irrigation na wanaweza kunywa maji safi na wanaweza kuendelea vizuri.

Kwa hivyo, mimi na support hiyo motion na ililetwe timely na ifanyiwe haraka na maatingatinga yanunuliwe tuendelee na kazi. Asante.

(Applause)

Hon. Deputy Speaker: Hon. Masesi.

Hon. Masesi: Thank you Mr. Speaker. I stand to support the motion. First and foremost, Mr. Speaker, I want to believe that it will be proper for this House to be furnished with the current status of the machinery within the County. It will be good for us, Mr. Speaker, to know how many tractors, how many graders are serviceable as per now as we try to move on.

Secondly, Mr. Speaker, I want to say that, it is our mandate as the Executive and the Assembly to provide service to the mwananchi or to the residents, electorates of Machakos County which will enhance our scorecard come 2022, Mr. Speaker. Mr. Speaker, it is time for us to give back to the society, having taken care of the roads and water, we will be as good as done. Thank you, Mr. Speaker and I support the motion.

Hon. Deputy Speaker: Thank you, Hon. Masesi. I think for the information which you request, maybe you would need to present a statement to request to be given an update for the status or once this report is committed to the committee, then the committee can be able to handle that and get that statement on the current status of the equipment as they are in the County. Thank you. Hon. Johana.

Hon. Munyao: Thank you, Mr. Speaker. I stand to support the motion. It is a nice advice to the executive and we are realizing that, politics aside, we need to serve our people. I concur with the Member who is aware that the County has already acquired some of the equipment stated in the motion. I is only that we need to realize the separation of powers and work with the Executive but I agree that there is need to have each Sub-County equipped with the necessary machines to serve our people.

I only have a small concern because of the equipment which is stated in the motion; I can only tell that a 'sharpe' as indicated could be some kind of an electronic calculator, I do not know whether that one is going to serve in the construction of the roads, a "buzzer" for example as given in the motion, is a person who drinks a lot. We may need to have proper framing of the motion because some of the equipment indicated here I do not think there are such equipment, if we were to go to the market to buy.

So, I support we have the equipment which can serve our people but we need to be able to frame some of the issues appropriately. So, thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Johana, what I am getting from you is that, you would want an amendment to be done on the words utilized to describe the equipment on the

motion. For example, you have mentioned, water buzzer should be water bowsers. I think he is talking about a bowser instead of a buzzer and then one sharpel....you are saying that is a calculator? So what should be there Hon. Johana?

Hon. Munyao: Shovel or main loader.

Hon. Deputy Speaker: Shovel or main loader. So, members I think what I am gathering from the Hon. Johana, is that there is need to amend the motion further so that we can be able to correct the wordings as he as stated and I will make a ruling on that shortly. Just a minute. Okay, so Hon. Johana, your concerns have been noted and those typing or typo errors, clerical errors should be adjusted by the clerk so that the motion has the correct wordings. I think it is a typo and it should be corrected so that it can be able to have the correct meaning and thank you, for the observation, Hon. Johana. Yes, Hon. Ndawa.

Hon. Ndawa: Thank you, Mr. Speaker. I stand to support the motion which has been brought here by Hon. Muendo. Considering the state of the roads in Machakos County, this issue or this motion needs to be agreed upon because with equipment, I am very sure work will be done much faster. If we can have equipment in every Sub-County, it will be easier for the MCAs in the Sub-County to agree on who is to take this bowser, who is to take this grader and who is to take the other one. So, I am very sure, the work will be done faster.

The other issue that we will need to consider as we pass the motion is the financial implications. When we talk of buying new equipment we also need to consider the purchasing power. Right now, I believe we have some equipment but I am not sure whether they are functional, I am not sure the state of the equipment, whether they can be repaired. Suppose we had an audit on the equipment that we have in Machakos.

(Applause)

I think that would give us better understanding so that we can know exactly how many do we need to purchase? If the ones that we have can be serviced and they can work, there is no need of buying so many equipment. If the few we have, we are not able to service, so if we buy more it can also be another problem. So, I would request, we consider the cost of the trucks that we need to buy and when we do that, we also need to agree that we have two functions of the Government. We have the Executive and we also have the legislature.

The people who are served by the Executive are the same people who are served by the legislature. We need to agree, the two arms of the Government have to work hand in hand so that we can deliver services to our people who brought us to this House.

(Applause)

After five years, now we are talking here as Hon. Members everybody was brought here by a single location or a single ward. As we move out of this House after five years, everybody will be going back to wherever he was sent to come here to request for fresh mandate and you will just go as a single candidate of that particular ward. So, Hon. Members, I will beg this Hon. House, we know the functions or the roles of MCAs and they are well stipulated. We have three roles---

Hon. Katumo: Point of order!

Hon. Deputy Speaker: Yes.

Hon. Katumo: Mr. Speaker, I seek your guidance on whether the Hon. Member is in order to lecture us on what we know we are. Thank you.

Hon. Deputy Speaker: Thank you, for that point of order. I would request the Hon. Ndawa to stick to the motion at hand please.

Hon. Ndawa: Thank you, Sir. Let me continue. We have eight sub-counties in this County of Machakos and in my sub county that is Yatta, we have five locations, wards; I believe the locations are the same as wards. Okay, let me use the word wards. In my ward which is Matuu, my roads are in pathetic situation. If we talk of a single road which is less than two kilometers from Matuu town to Matuu Level Four Hospital, after the rains came, that road is in a pathetic situation. The culverts which are there, are broken.

The water cannot go into the culverts. So, the roads are cut off. So, this is the high time we move with speed to ensure that we have equipment so that we can repair these roads and our people can access the relevant service providers like hospitals, schools and other areas.

The other issue is about garbage collection; in Matuu town there was a tractor which used to ferry the garbage but right now the tractor is not serviceable. The condition now is not good. I don't where the road---

Hon. Deputy Speaker: Yes, Hon. Mark Muendo.

Hon. Muendo: Thank you Mr. Speaker. As far as I respect the Hon. Member of Matuu, still he is lecturing us because I think the motion is very clear; to acquire the machinery and those that are there to be distributed evenly to the sub-counties. Thank you, Mr. Speaker.

(Applause)

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

Hon. Maitha: Mr. Speaker, can he mover be called to reply.

(Laughter)

Hon. Deputy Speaker: Thank you Hon Moffat. I will let the Hon. Member who is on the floor to finalize before we move ahead.

Hon. Ndawa: Thank you very much for your protection. What I just want to know from the mover of the will the tippers be used for transporting murram or for carrying garbage.

(Hon. Muendo spoke off the record)

So, I support the motion.

Hon. Deputy Speaker: Thank you. I think the Hon. Member, in all due respect, has a right to give his say and he has done that. Any other member who wants to contribute to contribute on this motion before I call on the mover to respond to the motion? Hon. Kiilu.

Hon. Kiilu: Thank you, Mr. Speaker. Allow me to appreciate and congratulate the mover of the motion Mheshimiwa Mark Muendo and again allow me to request the members to appreciate that the former Assembly was able to purchase some materials. However, I am concerned about the distribution of these materials and as Mheshimiwa Muendo has said, actually what we need is; one, let us take into account what we have and secondly, two, as Mheshimiwa Mbili has said, let us have a check on how many machinery we have. Let us check those which are serviceable and those in service. If they are not, we can put a budget on the same.

Allow me to say that I come from one funny area because of the terrain and I am concerned and I would have requested that we amend the motion further because when we say one tractor, one shovel and two tippers per sub county; can you imagine joining Muthesya ward with Ndithini, Masinga and Kivaa. These are very vast areas; it just the as saying it will stay in Masinga and Kivaa for more than six months; these areas are large actually and when you look at the terrain, the separation of Muthesya and Ndithini from Masinga, we are far off. That is the reason I believe I don't want to blame the former Members of county assembly, but it is the terrain and the way our area is curved off from Masinga Sub County.

Therefore, what am requesting is that, I don't want to amend the motion but if there will be balances, let Ndithini and Muthesya be considered because we are in an island. Finally, let me say that this motion is timely. I appreciate that members are saying that their areas are impassable, they are in pathetic situation but in Muthesya there is no way now you can access Muthesya with a vehicle.

I was not able to move to one of the functions of members because I had rushed home because of an accident. I had three accidents over the weekend, one of a lorry that overturned as it was climbing on a hilly terrain; another of a family in a Probox and another in a personal car. So, the roads in Muthesya are pathetic and impassable and what I am requesting the members; let us not only pass motions, but let us pass motions with timelines.

(Applause)

We pay motions and motions and good motions but how effective; what is the timeline? We can agree here on the purchase of these materials but when, we can stay for the next three to four years. So, let us pass motions with timelines. Thank you, Mr. Speaker.

Hon. Deputy Speaker: I am going to allow Hon. King'ori to comment on this and after Hon. Koki. Then I will allow three more and then from there we, will request the mover of the motion to respond. hon. King'ori.

Hon. King'ori: Thank you, Mr. Speaker. I support the motion but with a little amendment. I would like the motion to touch on age limit of the type of vehicle we buy and the ones we have. Right now, I happened to check the tractors, the graders; they are of old age, they are not even re-

serviceable because of their age. We need to put an age limit to those machinery so that they can work without many interruptions so that we can have a continuous process when we need them.

What I mean is this; we need to put an age limit to all age limits to all our machinery in the county as provided in the Kenyan imports of cars where we have age limit of seven years to minimize cost of repairs and time wastage after breakdown. I think we lose a lot of money when these machines are broken down.

Hon. Deputy Speaker: Point of information please.

Hon. Katumo: Mr. Speaker, I think there is a clear stipulation within the Finance Management Act where you find governments don't buy old vehicles and given time I can come with where we can get that---

Hon. Deputy Speaker: Thank you for that point of information and Hon. King'ori, the motion we have on hand is on acquiring of equipment. Let us stick to that and not get into too much in the details, the committee which it shall be committed to will be able to handle it. Let us stick to debating on the issue of the county acquiring the equipment.

Hon. King'ori: Thank you Mr. Speaker. I would also want to add some equipment to the list of the shovels and the graders; we also need advanced equipment for loading the waste. We need more advanced equipment that can load the waste themselves to avoid more cost and more human labor due to the sophisticated materials which are dumped in our dumpsites. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. King'ori. Could I have Hon. Alice?

Hon. (Ms.) Nzioka: Asante Bw. Spika kwa kunipa nafasi. Nimesimama kuunga mkono mswaada ambao umeletwa na Muheshimiwa kutoka Kinanie. Ni mswaada mzuri lakini isiwe sisi kama bunge ni itikadi ya kupitisha miswada. Ni lazima, kama miswaada tutapitisha, utendakazi utekelezwe. Mimi maoni yangu, kuna kamati ya miundo msingi; ingekuwa ni jukumu lao kuchunguza zaidi kuona kama ni hivi vyombo tunataka za kutengeneza barabara zionekane zinaweza kufanya kazi kwa sasa; ambazo zinapaswa kutengenezwa ili tukipitisha tuwe tunajua, kwa mfano tuna wodi 40 katika kaunti ya machakos, sisi kama Kaunti ya Machakos, tuna tingatinga za kutengeneza barabara ambazo zina hio idadi?

Ili tusiseme tumepitisha tuseme kama sehemu ninayotoka ya Masinga tunahitaji tingatinga. Tunazo vyombo za kutosha katika kaunti yetu, na kama ziko, ugawaji utakuaje? Bunge iliyopita, kulikuwa na mpango ulikuwa umepangwa na waheshimiwa, Kaunti ndogo ina wodi tano, waheshimiwa wanakaa pamoja kuweka ratiba na mipango ambavyo kazi itafanywa katika kila wodi, maana tutasema ugawaji uwe sawa katika kila wodi na ni mswada mzuri lakini hautatekelezwa.

Pia sisi hapa bunge tuna kamati tekelezi ambayo inafanya kazi. Kama tutapitisha mswada wafuate waone kama ni miundo msingi imetengezwa. Sio eti tunapitisha miswada na unakuta hakuna wakati; ama tunasema ni mswada mzuri lakini tunakaa mwaka unaisha na hakuna ambacho kimetendeka. Kwa hivyo kamati tekelezi, nakumbuka tangu tuanze bunge tumefanya miswada mingi, kamati tekelezi imekaa na kufuatilia kuona ile miswada imepitishwa imetendeka? Kwa

hivyo, Bw Spika, mimi ningesema, mwanzo tujue kama hizo vyombo za kutengeneza miundo misingi katika sehemu zetu ziko, na kama ziko, ugawaji utakuaje.

Maana tukisema tingatinga za kutengeneza barabara arobaini katika kila wodi ipatikane moja na upate idadi ya vyombo tunavyo ni kumi ama ishirini; sasa ni jukumu ya waheshimiwa wakae pamoja hili kuona ugawaji uko namna gani maana sisi katika bunge tumekuja kwa ajili ya waliowachagua waheshimiwa walioko hapa. Wanataka kufanyiwa kazi maana wakati wa siasa kila muheshimiwa hapa alitoa ahadi, akasema mimi mkinichagua nitatengeneza barabara, mkinichagua mtapata maji; itapatikanaje kama hakuna mpangilio?

Kwa hivyo mimi naunga mkono msawaada lakini tuwe na mipango mwafaka tuone mswada ambao tunapitisha unatendeka. Bw. Spika asante kwa kunipa nafasi.

Hon. Abdirahman: Thank you, Mr. Speaker. I support the motion. The motion has come timely. Actually, I am a victim and I use Syokimau road most of the time, I feel the pain. It is possible to have all these machines in every sub-county. At this point, I seek advice through your Chair that if the relevant committees can take up the matter from planning purchasing and distribution, we can have a report later on a timely manner so that we walk what we say here as we liaise also with the other arm of the government.

So I support and I encourage the mover to follow up with the Chair and the relevant arm of the government, Executive to find out the budget with the relevant committee of Finance, because at the end of the day we need to have these machines doing services for the people. I realize that if you talk to most of the drivers in the public, they only tell you we need roads, we don't need to be fed. We don't need to be given handouts. We just need roads to work on.

So with that Mr. Speaker, thank you so much, I support.

(Applause)

Hon. Deputy Speaker: Thank you. Finally I think I will have Hon. Musyimi.

Hon. Musyimi: I support the motion. Aware that we had heavy rains, our roads were washed others were cut off. I stand to talk of one road in my ward, from Kawauni town to Kwa-Mbalu, the waters passed across the road and it was cut off, even a motorbike cannot pass. Those people are suffering. I support the motion and request the members to be given the graders to go and repair our roads because the rains have now going down now, I think it will be the right time to repair our roads. Otherwise, I also support the point mentioned by the Hon. Alice who said we need to implement what we have passed in this House.

Remembering we had the first House and it had passed some Bills and Motions. Most of them I think were not implemented and here we are still passing, we have the committees in place, we have the Executive which we should work one on one. So, I request that implementation committee, which I am a member, and I request each and every committee to work hand in hand with the other committees so that we may implement what we pass.

I had an Act in place, I think it was passed by the other House, it was an Act talking about the cooperatives and aware that in Machakos we are farmers and the people we are representing here are farmers either in crop or diary---

Hon. Deputy Speaker: Yes point of order.

Hon. Katumo: Hon. Speaker, is the member in order to divert from the motion to bring other unrelated business in this House?

Hon. Deputy Speaker: Point of information.

Hon. Munguti: I think the Hon Member is not out of the motion because he is trying to emphasize on our roads.

Hon. Deputy Speaker: Hon. Member, stick to the motion and make sure the relevance of what you are saying is based on the motion.

Hon. Musyimi: I was not driving out of the point, but I was just quoting but now I have withdrawn that, I will bring it later. Mine is to say, we Members of the House and the relevant committees should join hands, work together and serve our people and request the Executive to work with the House so that we may do what is necessary to our people. Thank you, Mr. Speaker.

(Applause)

Hon. Deputy Speaker: Thank you, Hon. Member. I now call upon Hon Mark Muendo to respond to the motion.

Hon. Muendo: Thank you Mr. Speaker. Let me thank the Members of this House for supporting the motion overwhelmingly and point a few issues on the motion. Aware that this County of Machakos is one of the biggest counties in this country, we require concentration and service and service and supervision will only come out when the management is on the sub county levels.

One of the Member, Hon. Nyanzi talked of there being no sub-county coordinators, when I came up with the motion, I was looking of how this House will benefit, may be in 2022 they will come back. Without the Ward Development Fund, this is going to help members a lot.

When I put two tippers, the Member for Matuu was inquiring whether the tippers will be collecting garbage or they will be carrying murrum; Mr. Speaker, let me inform the Member that a tipper can carry garbage and murrum. I had that in my mind because my roads in Kinanie where I come from we need a lot of murrum. The other thing, Mr. Speaker, is this issue of equitable distribution of equipment in this county. The past Assembly did not come back because the equipment were taken to the people who were saying 'yes' and those who were saying 'no' the equipment were not taken there.

When I brought this motion, Mr. Speaker, I was aware that these Members and I would like these Members to be back in this House because they are good people---

(Applause)

.....to have their own graders. For example in Athi river we have grader, four of us- me, King'ori, Hon. Dan and Hon. Kisini; we will plan how it is going to be in this ward this time, and with that one with close supervision we are going to succeed Members of this House. When I put two tippers, I knew one tipper will be collecting garbage in the urban towns because in Athi River we have urban towns and rural and the other tipper will be carrying murrum from Lukenya. The

same will apply to Kangundo; when one tipper is carrying garbage the other one will be servicing roads with murrum.

Mr. Speaker, this motion is timely. I know that we are going to have a budget, and I am not saying we are going to purchase them tomorrow, but when the budget comes in this House, we should be watching to see that we have these funds to facilitate these equipment.

Mr. Speaker, Hon. Alice has talked about follow up; yes I agree, we will follow up these motions. I think in this second House we have only passed two motions and the committees are working on them. I don't see why she is panicking. I am the chairman of the implementation committee and I will make sure those motions are followed up and adhered to, if not so, reports should be coming to this House timely to report to the level we have gone.

Mr. Speaker, Hon. King'ori talked about age limit; let me inform him that in the law of procurement, the government is not allowed to procure old equipment. So, these equipment are going to be new.

Mr. Speaker, to finalize, I am not saying the county government doesn't have equipment, but we don't see them. If they are there, the relevant committee will get the number, the ones which are serviceable and which can move and in the motion I am talking about distribution of the equipment; if they are 20, fine; if they are ten, fine; the sub-counties are only eight. So, if they are serviceable we are going to utilize them, but the distribution must be at the sub-county level.

(Applause)

Mr. Speaker, aware that the rains and everyone is complaining about the roads; the roads are terrible, they are impassable and I would like this House to move with speed to approve this motion for maybe next season we will be having these equipment in place when the budget will be allocated to them. Mr. Speaker, with those few remarks, I urge the House to support the motion because this is going to help you as you await the Ward Development Fund and I don't think it's coming soon. This will be coming soon.

(Laughter)

Thank you, Mr. Speaker.

(Applause)

Hon. Deputy Speaker: Thank you, Hon. Mark Muendo for moving that motion.

(Question put and agree to)

The motion is committed to the committee of Transport and Public Works for further consideration and the committee should report to the House within 60 days.

ADJOURNMENT

Hon. Deputy Speaker: This House stands adjourned up to Wednesday, 29th November, 2017 at 3.00 p.m. Thank you.

The House rose at 11.31 a.m.