

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF MACHAKOS

OFFICIAL REPORT

Wednesday, 7th June, 2023

The House met at 3.36 p.m.

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

PRAYERS

Hon. Speaker: Perhaps we could have the bell rung for 10 minutes.

(Quorum Bell rung)

Serjeant at Arms, stop the bell from ringing.

COMMUNICATIONS FROM THE CHAIR
BIOMETRIC REGISTRATION FOR ACCOUNTABILITY

Hon. Members, you recall that at the commencement of this session of the Third Assembly, I communicated on the attendance of Hon. Members to committee meeting, retreats and plenary sittings. I made reference to Article 194(1)b of the Constitution of Kenya which provides that the office of a MCA becomes vacant if the Member is absent for eight sittings of the Assembly without permission in writing to the Speaker of the Assembly and is unable to offer satisfactory explanation for the absence.

Further, I also made reference to Standing Order 167 of the Assembly Standing Orders which stipulates the procedure of removal from a committee of a Member who fails to attend four consecutive sittings of committee without the written permission of the chairperson of that committee.

Hon. Members, attendance to committee meetings, retreats, site visits and plenary sittings as raised queries with the office of the auditor general which has detected that Members are signing for one another. It is in this regard that I direct the office of the Clerk to facilitate biometric registration in all committee activities effective 1st July, 2023. This will enhance accountability and adherence to the leadership and integrity code which you subscribed to;

DEMISE OF MR. FRANCIS MALONZA

It is on a sad note. Hon. Members, it is with deep sense of loss and sorrow for the County Assembly fraternity to announce the untimely demise of one of our members, Mr. Francis Muendo Malonza, which occurred on 4th June, 2023.

Until his demise, Francis was serving in the department of Human Resource and administration. I wish to convey my heartfelt condolences on behalf of the County Assembly to the family, friends and the County Assembly fraternity. Fare thee well Mr. Malonza. Thank you, Hon. Members.

PAPER LAID
REPORT OF THE AUDITOR GENERAL ON

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MACHAKOS COUNTY ASSEMBLY HOUSING
SCHEME FUND FOR THE YEAR ENDED 30TH JUNE, 2019

Hon. Speaker: May I invite Hon. Ndolo to come and lay the Paper. Hon. Lucky, I understand you are holding brief for Hon. Ndolo; proceed.

Hon. Lucky Nzau (Matungulu West, WDM-K): Thank you, Madam Speaker. Hon. Speaker, I beg to lay the following Paper on the table of the Assembly today, Wednesday, 7th June, 2023; the Report of the Auditor General on Machakos County Assembly Housing Scheme Fund for the year ended 30th June, 2019. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member.

NOTICE OF MOTION
REPORT OF THE AUDITOR GENERAL ON
MACHAKOS COUNTY ASSEMBLY HOUSING
SCHEME FUND FOR THE YEAR ENDED 30TH JUNE, 2019

Hon. Speaker: May I invite Hon. Lucky to come over and make the notice of Motion on behalf of Hon. Philip Ndolo.

Hon. Lucky Nzau (Matungulu West, WDM-K): Thank you, Madam Speaker.

Hon. Speaker, that aware that Article 229(5) of the Constitution provides that “the Auditor-General may audit and report on the accounts of any entity that is funded from public funds; Further aware that, Article 229(7) of the Constitution states that, the Audit Reports shall be submitted to Parliament or the relevant County Assembly; Cognizant that the report of Auditor General on Machakos County Assembly Housing Scheme Fund for the year ended 30th June, 2019 was received in the Assembly in February 2022;

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

Aware that the committee after receipt of the report conducted several meetings with the Accounting Officer of the fund together with officers from the office of the Auditor General and subsequently compiled a report;

Hon. Speaker, I wish to give Notice of Motion that this House discusses and approves the report of Auditor General on Machakos County Assembly Housing Scheme Fund for the year ended 30th June, 2019.

Hon. Speaker: Thank you, Hon. Member.

MOTION
FORMULATION OF REGULATIONS TO CREATE A
FUND FOR CREDIT FACILITIES TO BODABODA OPERATORS

Hon. Speaker: May I invite Hon. Lucky Raphael Nzau to come and move the motion on the County to formulate regulations that will create a fund to provide credit facilities to bodaboda operators. Proceed, Hon. Lucky.

Hon. Lucky Nzau (Matungulu West, WDM-K):

Hon. Speaker, that aware that under the Fourth Schedule of the Constitution, the County Governments are responsible for county transport including county roads, traffic, parking and public road transport;

Further aware that according to Motorcycle Assembly Association of Kenya, the motorcycle business in the county is generating over Ksh. 400 million daily;

Informed that the County Government of Machakos is committed to facilitating the mobility of the populace in an economically and environmentally sustainable manner and that the industry has brought additional advantages in the transport sector at the grassroots such as faster way of beating traffic jam, ability to operate in places where taxis and buses cannot operate in addition to being cheap;

Cognizant that pursuant to Section 116(1) of the Public Finance Management Act, 2012, the County Executive Committee member for finance may establish other public funds with the approval of the County Executive Committee and the County Assembly;

Noting that in this County, the bodaboda sector has influenced positively, the lives of many families in the areas through solving unemployment menace and poverty reduction and that many of the operators are youths who are not well-facilitated financially;

Aware that H.E the Governor in her manifesto of promoting the youths promised to support the bodaboda sector;

Hon. Speaker, I wish to move the motion THAT this House resolves that the County Executive Committee Member for Finance formulates and forwards to the County Assembly for consideration, regulations that create a fund to provide credit facilities to bodaboda operators.

Thank you, Madam Speaker. At this juncture, I call upon my informed and able Member Hon. Ndawa to second the motion.

Hon. Speaker: Hon. Ndawa.

Hon. Mbili Ndawa (Matuu, MCCP) seconded.

Hon. Speaker: Thank you, Hon. Ndawa, for that.

(Question proposed)

I would wish now to invite Members to debate the motion and Members, it is your time to discuss this motion which is very critical to us. Mheshimiwa Dominic Ndambuki.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Thank you, Madam Speaker. I arise to support this motion in that bodaboda sector is one of the fastest growing sectors in Kenya which employs most of the largest chunk of our youths from our areas. Hon. Speaker, you will agree with me that job creation, job opportunities in this country is becoming scarce and job creation through bodaboda sector to our young men will solve the issue of employment and creation of employment opportunities. It is therefore prudent as leaders to see to it that we create avenues for our people to get capital to start these businesses.

Hon. Speaker a few days ago there was news in the social media of how some financial institutions were swindling our people who seek their services in order to buy bodabodas; our young men end up losing their hard-earned money in a bid to pay the loan that they have received from these financial institutions and Hon. Speaker, if we could have a fund that is tailored to the needs of our people and we support them to start these businesses and try to care to them that they

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need to grow these businesses well and train them so that they can have financial prudence in management of this bodaboda business, through their already established circles, then Madam Speaker, we will be playing our role as leaders by ensuring that we go out there and look for them good fortunes.

Hon. Speaker, as I support this motion, I also urge the department of transport to ensure that they help our bodaboda operators to have good Saccos that are operational and they train them in collaboration with NTSA on Regulations that they need to apply on the roads. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Member. Hon. Ndawa then Hon. Maundu after that.

Hon. Mbili Ndawa (Matuu, MCCP): Thank you, Madam Speaker. I will start by applauding my colleague Hon. Lucky Nzau for remembering our young brothers and sisters who are carrying on bodaboda operations. Hon. Speaker, I stand to support and say that the motion is timely and it is very important. Hon. Speaker, the bodaboda sector is the only sector that has absorbed so many young men and women. If we look at other sectors, the only sector that has accommodated many is the bodaboda sector and Hon. Speaker, I strongly believe that there is urgent need to support these young brothers so that they can be able to do their business---

Hon. Speaker: Brothers and sisters.

Hon. Mbili Ndawa (Matuu, MCCP): Yes, and also sisters. I am saying so because in my ward I have sisters who are also riding these bodabodas and they are doing it very well. In fact, if they are giving you that service you will enjoy more. So, Hon. Speaker, the motion seeks to create a regulation and I am very sure Regulations have got no much financial implication because a regulation is just to formulate and bring to this House for approval. Hon. Speaker, if we had the Regulations we would have requested that this proposal also included in the coming budget but since we do not have the Regulations in place, maybe they can come in the next financial year. In case we can make the Regulations maybe we can consider them during the first or the second supplementary budget so that we can assist them.

Hon. Speaker, the young boys and girls who are operating these bodabodas, if we do not take care of them, if they now stop this business I am telling you the issue of insecurity everybody will be crying because this is where they get their daily bread. If they do not operate they will engage in some other activities. Hon. Speaker, each and every part I am sure there are these bodaboda operators. In my ward they have assisted me; there is a neighboring school which is next to Matuu shopping center by name Makivenzi Secondary School.

One time the school caught fire and it is through the efforts of these bodaboda operators that rushed there and put off the fire. Another time another school was attacked and these young men rushed there and they set free those who were under attack. So, Madam Speaker, apart from giving transport service they are also important to all of us.

Hon. Speaker, two weeks ago, a businessman was hijacked at Masii shopping center and he was put in a saloon car. Hon. Speaker, when calls were made and members were alerted that so and so has been hijacked, that person was saved by bodaboda operators in Matuu because they blocked the road, the driver tried to reverse but he could not go anywhere so the culprits were apprehended. That is the benefit that I am now saying; let us now empower these people so that they can be able to get their daily bread and also assist us on matters of security and other concerns.

There is a very urgent need to save these bodaboda operators. I would also request that we also set aside funds for them to be trained on how to manage their monies. Hon. Speaker, as you are aware most of the operators are not riding their own bikes. They are riding bikes owned by other people and they are required every evening to give either Ksh. 400 or 500 to the owner of the bike. When there is no business that particular rider will be forced to use what he had yesterday so at the end of the month you may find a particular operator may not be able to progress.

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So, Hon. Speaker, let us assist them so that they can buy their own bikes. If they have their own bikes they will be keeping the money for themselves and I am very sure one can own even two or three and create more employment. I do support and request that the County formulates this regulation. The Assembly is ready for this and once it is brought before us we are ready to approve it for their implementation. I support Hon. Speaker.

Hon. Speaker: Thank you, Hon. Member. More input? Hon. Irene...sorry; wait a minute. I had given Hon. Maundu a chance to make his presentation after Mheshimiwa Minority Leader and then Hon. Irene will follow then Hon. Kaloi in that manner.

Hon. Dickson Maundu (Kangundo Central, MCCC): Thank you, Madam Speaker, for catching my eye. I stand here first of all to applaud my brother Hon. Lucky who has brought this motion into this Assembly. I want to say it is timely and we all know the importance of financial institutions. Those of us who have managed to get assistance from the financial institutions, we know their requirements. You are required to produce your payslip, logbook or title deed before you can access financial support.

So I want to say this is timely because with this in place the young people both ladies and gentlemen from Machakos County will be able to access soft loans from the County that will enable them to work and get their daily bread. I want to say this Hon. Speaker; unemployment in our county just like the other counties in the country is very high and therefore we cannot afford to lose the young people who are in this riding business when we do not support them.

I want to support this motion saying this is timely and it will go a long way in supporting our young girls and boys to have something they can rely on. I want to echo the word of the Minority Leader Mheshimiwa Ndawa who has said that these young men and women from our county, most of them are not working for themselves. They are working for others and therefore creating this Fund will enable those who are interested to get their own bikes and they will be benefiting directly to themselves.

To add on that Madam Speaker, I want also with the Fund we can now start formulating on how these riders will be trained on the safety in our roads. Meaning their customers will be safe using these riders and therefore I support the motion. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Maundu. Hon. Irene Mulu proceed.

Hon. Irene Mulu (Nominated, WDM-K): Thank you, Madam Speaker. I support this important motion because it touches our youth therefore I stand to support and ask this Hon. House to support this motion so that we even help our youth because they are our brothers, some are also our sisters to have something to put to the table and take care of their families. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member. Hon. Kaloi, then Hon. Rosina.

Hon. Jeremiah Kaloi (Athi River, WDM-K): Thank you, Madam Speaker. This is not only talking of bodaboda but we are talking of an industry that is employing a lot of Kenyans. Especially in urban areas where I come from in Athi River, there are a lot of bodabodas and this Fund will not only give them an opportunity to increase their funding or their monies but will expand their businesses. I have seen in other areas where the bodabodas are investing in real estate.

They are buying lands they are building houses, others are graduating from the bodaboda to matatu industry. So this fund, I am sure will help them to have the muscles to engage in bigger activities more than the bodaboda. So I stand to support the Motion. Thank you, Madam Speaker.

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

Hon. Rosina Kanini (Nominated, WDM-K): Thank you, Madam Speaker. Madam Speaker, I want first to congratulate the mover of the motion, is a timely motion. Madam Speaker, this bodaboda sector has created a lot of businesses and employment to our youth. Madam Speaker, before this sector came, we used to have a lot of insecurity, especially in the towns. Madam Speaker, many times these youth approach us, especially as Hon. Members for some small amount of money, some small loans, others seek if we can help them secure the bodaboda and you will agree with me that the MCAs do not have enough money to sustain all of them. So Madam Speaker with this Fund, our youth men of them will be in good to go. Thank you, Madam Speaker. I support.

Hon. Speaker: Thank you, Hon. Rosina. In addition to what members have just said, we all know that there is so much disorder in it within that industry of bodabodas. While we are creating a Fund and Regulations to have them operationalize that Fund, we also need to come up with ways of the proposed Saccos in that Regulation that can also bring order in the way they operate so that we can have proper schedules that are within their Saccos like the way we have seen motor vehicles have also come up with something like that.

They have Saccos that organize on the way you are going to carry passengers. I mean, there is some order within that within the PSV sector. So that was just mine to add. With those remarks, I now wish to call the mover of the motion to come and reply.

Hon. Lucky Nzau (Matungulu West, WDM-K): Thank you, Madam Speaker. I want to acknowledge and recognize the good report and response we have gotten from the members who are responding and supporting my motion. Hon. Speaker, I also want to add that we are in the mood and the spirit of devolution and devolution does not end at the county headquarters. We as legislators, need to see and make sure that devolution reaches the bottom one, the common wananchi and by bringing this fund to this bodabodas, we will be sending these monies to *mashinani* directly because these people are the ones who are running the economy of our villages.

Initially, we used to have teachers who used to run the economy of our villages but now with the bodaboda who operate from their homes and their very immediate villages they earn and go and keep the economy of their village life and worth living. In addition, we also have these bodabodas as the breadwinners of the current families; most of the bodaboda riders are groups aged around 20 years who are very much starting their families and coming from schools and with the current life standards, we have changed and that these people have a lot of burden and that is why you are seeing even many times having youth committing suicide.

This follows after a youth goes through the education system and at the end of it all succeeds but fails to get employment. When we create this fund, we may reduce the mortality rate of people committing or youth committing suicide because of lack of employment.

The issue of insecurity rises very much when it touches the bodaboda people like Hon. Ndawa, we have seen them arrest and stop a situation because they are always in the village. They know the new people, they know the strangers in the village and when an alarm is raised and given that they are energetic, they respond very fast and in such a situation, we have seen some activity some dangers are not falling to our people.

So Madam Speaker, I also want to add that with this Fund in place, we will tame our money in the County money from going outside with foreign business people. I am saying this because we have had our bodabodas get finances from foreign business people who are very harsh to them, Madam Speaker. These bodabodas pay daily and these motorbikes have gadgets that switch them off even when you have it that it will be rendered motionless and because this person is very far away; I have helped bodabodas who end up caring about a bike from Matungulu West to Machakos to come and have it reactivated which is a cost.

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We want all that punitive business-like operations done away with in Machakos because if we will operationalize our Fund from our County, I believe will be lenient to these young people, young brothers and sisters of ours, and they will be even motivated because this is the start of their life, the start of their business life, the start of their future. And when they start with us with a soft spot we believe and we assure their style of business with rise, their families will have good lifestyles and even our county will have dependable economic stable youth and people.

So, Madam Speaker, I call upon you to make the motion go through and I call upon all my members of the County Assembly to support this motion and we save our young upcoming brothers and sisters. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member.

(Question put and agreed to)

(Applause)

ADJOURNMENT

Hon. Speaker: The House adjourns to Tuesday, 13th June, 2023 at 10.00 a.m. Thank you, Members.

The House rose at 4.20 p.m.