

MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Thursday, 13th February 2014

The house met at 2.30 p.m.

[The Speaker (Mr. Mung'ata) in the chair]

PRAYERS

Hon. Speaker: Hon Members good afternoon. We don't have enough copies of the Standing Orders because you can hear there is a power hiccup but let us bear with the situation. Proceed.

COMMUNICATION FROM THE CHAIR RADIO COVERAGE

Hon. Speaker: Hon. Members, I got a communication from a local radio station, that would like to cover the live proceedings of this Assembly. Copies will be circulated so that we will be able to consider that request.

WITHDRAWAL FROM A COMMITTEE

Secondly, I have a communication from Hon. G. S. Kavuu, who has sought withdrawal from the Committee on planning, trade, tourism and cooperatives dated 13th February, 2014, today. The matter is accordingly referred to the appropriate committee for consideration. Proceed.

PAPER LAID

PLACEMENT OF NOMINATED MEMBERS IN SELECT COMMITTEES

Hon. Mwonga: Thank you Mr. Speaker and the Hon members of the house. Mr. Speaker I am the chairman of the Committee of Selection and Mr. Speaker, this committee sat sometimes back last year in the month of April, according to the standing orders, and we came up with select committees, about five of them and during that period, Mr. Speaker, the Hon members, the nominated ones were not with us and according to the Standing Orders, all these select committees have a maximum and minimum number, Mr. Speaker and due to the absence of the female members of this Hon. House, we left some slots for the Hon members to be filled when they come or when they were to join us. Mr. Speaker, the Hon members joined us sometime last year - I don't remember the month when they joined us - but the Committee on Selection did not sit but we had to sit this morning to fill those slots.

The committees which were lacking some members are the Budget and Appropriation Committee, County Public Investments and Accounts Committee and Committee on Implementation.

Mr. Speaker, being the Leader of Majority I am the chairman of that committee. Its composition, allow me some minutes, Mr. Speaker. Yes, it is under Standing Order Number 153, which says, "There shall be a select committee to be designated selection committee, consisting the Leader of Majority party who shall the Leader of Minority and not less than 11 other members. So Mr. Speaker we had a meeting this morning and we came up with the following list:

In the budget committee, we had two slots which we were to fill and we shall have Hon. Christine Mutune, sitting in that committee and Hon. Ruth Ndumi.

Mr. Speaker, the Committee on Implementation, which is chaired by Hon. Kyalo Peter Kyuli, Mr. Speaker, we had left three slots for the female Hon. members of this house, and these are the three Hon members who will be sitting in this committee. We have Hon. Catherine Nguluku, Hon. Peninah Kaluki and Hon. Margaret Ndalana.

Mr. Speaker, the other committee, is the County Public Investments and Accounts Committee. Mr. Speaker, it is procedural that this committee is headed by a member from the minority or from the opposition side if I may say and I would like to call upon the leader of minority to go through the list of those members. As you have communicated to the members, it is true one of the members declined his membership, that is Hon. Munyaka, and we had to fill three slots in that committee.

Mr. Speaker I know what we did may not satisfy all the other nominated members, but I want to assure them on behalf of the Committee on Selection, immediately we come up with the other committees which I presume is next week, we will take care of each and every member.

Mr. Speaker, I now with your permission want to call upon the Leader of Minority to table the list of members of PAC. Thank you, Mr. Speaker.

Hon. Speaker: Proceed

Hon. Kaso: Thank you Mr. Speaker. The Committee on Selection sat this morning, and came up with the following list as you are aware. When we were putting members to various committees last time, the nominated members were not with us. And as you are aware, one of the member of this committee resigned yesterday- Hon Oliver Nzeki - so we had to sit this morning and put some more members in this committee so kindly Speaker, the following is the list of the members. The standing orders are very clear; this committee has only five members. So the first member is:

1. Hon. Dominic Maitha- Chair

2. Hon. Michael Mutuku
3. Hon. Joseph Kalunde
4. Hon. Anne Musyoki
5. Hon. Alice Nzioka

So Chair, those are the members who will be sitting in the Public Investments and Accounts Committee. Thank you, Chair.

Hon. Speaker: Any other papers? Proceed.

NOTICES OF MOTIONS

PLACEMENT OF NOMINATED MEMBERS IN SELECT COMMITTEES

Hon. Maitha: Mr. Speaker, yesterday as we were speaking about the speech of His Excellency the Governor, I said that there were some documents that I needed to present. One document was about the cars which had been written a letter to be allowed to operate and I was requested to bring a document. I have a document with me as well. The other thing is, the other day when we were with the Governor, he said that a letter was written by his Excellency the Senator, implicating members of this Assembly regarding the allowances that had been given and I said, mine is to get information and present information to this House that is correct and right.

I have managed to get a letter that was written by the Hon. Senator to the Kenya Anti-Corruption and as I have gone through that letter I have not seen anywhere where the letter is implicating the members as earlier said. And I would request, because the Chief Of Staff Mr. Mutuse said he is going to provide any other documents that are supporting this, contrary to this document, anything that will be brought contravening this letter or giving further information that members are implicated, then Mr. Speaker I would like to request any member who has that to present it.

So, I have the document with me here, unfortunately I have not managed to make a copy because there is no power, but I will give you the copy, Mr. Speaker. Thank you.

Hon. Speaker: You can lay the document that you have, we will give you time.

Hon. Maitha: Mr. Speaker, let me get another document which is here. Thank you. Thank you Mr. Speaker, Sir.

Hon. Speaker: Hon. Members, the documents that I have received is dated 1st November, 2013, addressed to Mumo Matemo by the Senator, Machakos County. Copies will be made available and circulated to each of you, because it is part of the speech that was mentioned yesterday by the Hon member. The other document is dated 1st December, 2013 and this is written by Francis Mwaka addressed to the Commanding Officer, Government Vehicles Check

Unit, Traffic headquarters, Nairobi. Again, appropriate copies will be made and circulated to the members as we continue debate of his Excellency's speech.

NAMING OF A MEMBER

Hon. (Ms.) Ndawa: Thank you Mr. Speaker. I beg to give a notice of naming a member.

Hon. Speaker: Proceed

MOTION

PLACEMENT OF NOMINATED MEMBERS IN SELECT COMMITTEES

Hon. Speaker: I think the speech continues; it's the main agenda of the House.....We get back quickly to the papers. I will urge the Leader of the Majority and the Chair, Selection Committee to now move the House to approve the names presented. You only gave a notice, you did not ask for approval.

Hon. Mwonga: Mr. Speaker, thank you. I did not ask for the approval of the members by the whole House because I thought after I allowed the Minority Leader to present his list, he will do that and because he did not Mr. Speaker, I now beg the house to approve the new nominees in those three committees. Thank you, Mr. Speaker.

Hon. Speaker: Hon Members just for guidance, I wanted to read order number 156 sub-section 2 of our Standing Orders. I can begin with sub section 1; this is the role of the Selection Committee. "The selection committee shall, within seven days upon nomination of members, to serve in any committee of the County Assembly present the list to the County Assembly for approval." I think that is what the majority leader has just done.

"Whenever such a motion for approval and a list under paragraph 1 is moved in the County Assembly, no objection against the proposed membership of a member in a select committee shall be permitted and objections evenly shall be formulated against the proposed membership as a whole."

So now with that in mind, I put the question that: do you all approve the list that has been presented by the majority leader in the House.

(Question put and agreed to)

Proceed with the next motion.

NAMING OF A MEMBER

Hon. (Ms.) Ndawa: Thank you, Mr. Speaker. I beg to read the following motion, that this Hon. House discuss the conduct of a Hon member and there after naming the Hon member, as per standing order number 104 and 105.

Mr. Speaker, Sir, aware this Hon. House comprises of Honourables who are expected to behave honorably; aware this house should lead by example, so that it performs its mandate well; aware that the conduct of Hon member should be of high dignity; and aware that Hon members are expected to be highly disciplined in terms of conduct, whether to ourselves or any other member of the public, this Hon house should discuss the conduct of one of our members and thereafter name the said member as per Standing Orders number 104 and 105. Thank you, Mr. Speaker.

Hon. Speaker: Did I hear the name of the member?

Hon. (Ms.) Ndawa: Mr. Speaker, Sir, I would like to name the nominated member for Masinga, Hon Carol.

Hon. Speaker: You motion is under which standing order?

Hon. (Ms.) Ndawa: 105. I'm sorry Mr. Speaker; I would like to call Hon Veronica to second this motion

Hon. (Ms.) V. Mbithe: Thank you Mr. Speaker and Hon members. I'm here to support this motion and I would say that as Hon members, the Bible says that all leadership is ordained by God and therefore we should respect leadership. Therefore I would beg this house to respond to this because if we continue like this, we shall not have a direction and I feel that we should have a direction and we should also have working ethics as Hon members of the house. Thank you, Mr. Speaker.

(Applause)

Hon. Speaker: Hon members, that is a motion that has been brought under Standing Order number 105, and I read just to give directions to the House; you know these things are happening for the first time.

“Any member may at any time, on a point of order, invite the Speaker or the Chairperson of committees to name another member for grossly disorderly conduct, but the decision whether or not to do so shall remain with the Speaker or Chairperson of the Committee,” so even naming can be done at the committee stage.

“Whenever a member shall have been named by the Speaker or by the Chairperson, then

- a) *if the breach has been committed by such Member in the County Assembly, a motion shall be made by any other Member present, that such member, (you should give the name of the person), be suspended from the service of the County Assembly, and the Speaker shall*

forthwith put the question thereon, no amendment, adjournment or debate being allowed.” So it will not be open to any debate but the question may be put to the Assembly.

- b) *If the breach has been committed in a committee of the whole County Assembly, the Chairperson shall forthwith leave the chair and report the circumstances to the County Assembly and the Speaker shall on a motion as aforesaid being made, forthwith put the question. Again, no amendment, adjournment or debate being allowed, as if the offence has been committed in the County Assembly itself.*

I ask to see the notice of motion.

Silence

The ruling for that motion shall therefore be reserved until the next sitting. But members look at those provisions and ponder about them, because we need to instill discipline. Proceed

MOTION

DEBATE ON SPEECH BY HIS EXCELLENCY THE GOVERNOR

Hon. Speaker: Yesterday’s debate on the Governor’s speech continues and the floor is open for debate. Maybe clerk you can remind me who the last speaker was yesterday, before there was lack of quorum That was the Deputy Speaker; you were the last contributor yesterday and I don’t remember if you finished your statement. You can proceed.

Hon. Nganga: Thank you Mr. Speaker for giving me another chance to make my statement towards the Speech of his Excellency the Governor. Reiterating what I had affirmed yesterday, I had raised some concern in the first paragraph page four of the speech of His Excellency the Governor which is talking about servant leadership that we as leaders within this county would want to be seen to exercise and exhibit in all our manner of conduct of business. And it is on this that I took the opportunity to urge members to use the opportunity that they have been given to serve in this County Assembly, within this period of first County Assembly, to serve our people with selflessness. I want to urge the members to expedite their duties within their committees.

Mr. Speaker, going by the conduct of business that I have experienced during the day of today, I want to applaud members and also chairs of committees who are able to turn up and digest relevant and reasonable business within their committees. I also want to urge chairpersons who have not been able to undertake the same to find time within their busy schedules , call up their committees, sit and see in to it the fact that the people of this county are looking upon us to guide the development agenda of this county. And that can only be driven if we are committed to the responsibility as members of committees

You realize, we were in training and one of our panelists told us that in assemblies, most of the business of House is always conducted in committee stage. You realize that with the new format that was brought out by the new Constitution, we don't have our ministers sitting on the floor of the House and therefore, it is the responsibility of the various Chairs of Committees to be able liaise with the various ministries and departmental heads to get the details concerning the various issues that are affecting our people.

We want issues about our health care addressed, we want issues about our polytechnic, ECDE issues addressed, we want matters relating to our ward infrastructure addressed and they can only be done well within a committee stage. Issues relating to mapping our towns and urban planning and even matters relating to land lease and our land titles can be well articulated within our committees. Members, I want to urge you to take committee issues very seriously and every other issue that is questionable, that you feel the government of the day is not doing as per expectations that you are not conversant with.

If we go to the first page, the Governor talked about *siasa mbaya, maisha mbaya*. We need to be able to rise to the occasion, point out the areas that we are sure of, the challenges that as a people we are facing and where we are not sure of what is happening, we need information on that item.

The Chairmen of committees, going by the Constitution, going by the County Government Act, you have the mandate to call upon everybody to produce documents and give you the information that is relevant to his docket that you may require. So if we optimize these opportunities that have been given to us, then that would be a good thing.

Mr. Speaker, I will also not fail to add on items relating to roads and I want to applaud the Governor for remembering Ikombe-Matuu road from Katangi. He also forgot to add the Katangi-Ngangani, Makutano-Kikesa-Kithimani road because my ward has two main roads that are classified roads and if we improve one and we leave the other one not to have been worked on, then the people of the ward of Ikombe will think some of them are being sidelined. And I would want to urge, that in response to the speech of his Excellency, we can also annex that item to our roads.

On matters relating to healthcare, I would like to urge the Committee on Health to consider during the policy making framework, to liaise with the minister in charge. We have heard about the health care cities in Dubai and also such like cities in Turkey. They may make a resolution and a recommendation to the relevant minister that these community hospitals that we are setting up and the already existing level 4 hospitals can be set up as specialization centers. In the coming financial year, we will be working on equipping our newly established health care units and in establishing this, we would like to have our health care practitioners being able to focus within a certain area of specialization. If somebody is suffering from a certain eye disease, you realize in Kenya, they are mainly referred to Kijabe or a certain hospital in Nyeri.

And we want to have like the community hospital that is going to be set up in Kikesa, people can be referred to Kikesa community hospital to be attended on matters relating kidney dialysis, where all experts and professionals who are doing research on those issues can be based within a common area and can share their research documentation and enhance faster development of vaccines and research items. Mr. Speaker, with those few remarks I would like to end my contribution at that point and urge members to find it important to debate this speech because it will guide the legislative agenda of our house in the coming months. Thank you.

Hon. Speaker: Hon Deputy Speaker you talked about hospitals. Can you give your advice on what is supposed to be done? Is it the ministry to do it; is it the committee to do it?

Hon. Nganga: Thank you Mr. Speaker. In a sitting with the committee chairman that we had today, I also rendered the same advice to him, that we can have like Kangundo General Hospital, we have Kathiani General Hospital, we have Matuu General Hospital, Masinga, Athi River and even Machakos, we can have Machakos as our referral hospital where all our health care practitioners can be found. Any other ailment that could not be cured or attended to elsewhere, like the way we are having the Kenyatta National Hospital, Moi Referral in Eldoret serving this nation. Then these other hospitals we can have them serving, like we can have the hospital in Katangi for example working as the cancer research centre.

And here, the committee has the mandate to make the final resolution Mr. speaker on the request of the policy that will be forwarded to this committee by the relevant minister and in the event the minister is not able to do that in time, the committee chairman together with his members have the prerogative and have mandate of the standing Acts of Parliament and also the Standing Orders to make the decisions, come forward and make the policy and maybe through this House it can be enacted and guide the minister in implementing its agenda. But my concern was that this needs to be done in consultation so that nothing is left out and the minister cannot be caught in a limbo or cannot be caught unawares, so that they may be moving in one thought. That is what I meant Mr. Speaker.

Hon. Speaker: Thank you very much. Proceed.

Hon. (Ms.) V. Mbithe: Thank you Mr. Speaker. I am here to support the speech that was given by our Governor, Machakos County. It was indeed a brilliant speech. But here on the same Mr. Speaker, I would like to bring this to the House that, having taken the responsibility of approving the former budget of this almost ending financial year, it will be very much out of order to have us as a House approve the next financial budget of the entire county, without having reports on the expenses of the Executive on the budget that we approved in this financial year.

Mr. Speaker, there is a committee that has been appointed to do that, that is the PAC and yesterday Mr. Speaker, the chairman of the PAC aired to this house, that it has been difficult to get the reports from the Executive. It has been difficult to get the audit reports, if I heard well,

and I am asking as the house, whether the chairman fronted this to the house or to the Speaker, so that we summon those Executive or Chief Officers that have not been able to produce their audit reports because one of the definitions of the house, is overseeing the Executive. And if we are not careful, we are going to carry the blame wholesome; we are going to carry the blame for not playing our role properly.

So could we hear, Mr. Speaker, our PAC chairman tell us how difficult it has been? Because the whole house has got a mandate to reprimand these people and to summon them here and give us the reports and the status as per now. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. I think it is now important we hear the chair, to tell us, what have been the challenges.

Hon. Maitha: Thank you Mr. Speaker, Sir.

Hon. Speaker: And you contributed yesterday.

Hon. Maitha: Yes, I will be very brief.

Hon. Speaker: There are people who have not spoken.

Hon. Maitha: Mr. Speaker, I would like to respond to the Hon member. The first challenge that Mr. Speaker as I said yesterday that we had was that, and you can prove me right or wrong, Mr. Speaker, I came to your office demanding a supply of the audited reports of Machakos County and up to now I have not received any reports. This one I even went to the Clerk of the Assembly, he told me there are some reports which have come almost two weeks ago, and Mr. Kivelenge can even attest to this.

He even reminded me that there were some reports which were supposed to be furnished to me up to date and I even told the Clerk to supply me with those reports but I have not received those reports. We even have audit reports of this Assembly that came to this institution of Machakos County Assembly and up to now Mr. Speaker sir, they came as early as last year, they have not reached my committee. It has been difficult for me to get these reports. Another challenge that we have been having Mr. Speaker is, we have been having shortage of members in my committee, we were only three, and being three, I said that today, we have been given extra three members, after the resignation of my Vice Chair.

And I would like to say this Mr. Speaker, there is part of governor's speech that has said, *siasa mbaya, maisha mbaya*, and I want to say before you and this hon. house: for any committee to perform, it must be given the mandate, the timelines and the full support for it to deliver the results. If any political machinations come in to interfere with the workings of a committee Mr. Speaker as I have witnessed in my committee in the past reports, then it becomes quite difficult. And I stand before you and this Hon Assembly without fear or favor that it will be difficult for my committee to deliver as I stand here, because of reasons that have been made against me to

finish me as a chairman of PAC. I say this without fear or favor, the resignation of the vice chair Mr. Speaker, was politically motivated. The three members, who have been added to my committee Mr. Speaker, are meant to oust me as the chairman of the PAC. And I am ready for that Mr. Speaker, I am ready for that.

I know certain people sat down Mr. Speaker, and they said they are going to fix three members in my committee who will bring a vote of no confidence to the chairman PAC and oust him. I am ready for the oust Mr. Speaker. That will not relent me to speak for what is right for the people of Machakos County, and I only have one special seat that cannot be removed from me, and that is the seat of the Hon member of Muthwani ward. So Mr. Speaker, in as much as I want to deliver, political machinations are out to make sure that the people of Machakos County don't get accountability, and I have evidence of what is happening and I will prove it even before any court of law Mr. Speaker, when called to do so. So for any members, if they want results to be given Mr. Speaker, they can do that. Thank you

(Loud consultations)

Hon. Speaker: Order.

Minority Leader (Hon. Kasoa): Thank you Mr. Chairman. I have heard the chairman PAC, saying that this is political and I need him just to come here and clarify because this one is just a hearsay, because any member of this house, has what it takes to seat in any committee

(Applause)

And it is the work of selection committee to sit down; it is not about the Leader of Majority or the Leader of Minority. The committee of selection sat down this morning and it is the members of this House who approved the Selection Committee. So can he just clarify, who sat down and which politics is this so that the other members can know. Mr. Chairman, thank you.

Hon. Speaker: Hon. Members, the motion on the list of membership of the committees was done and approved by the House, we shall be chewing our own curd if we open that debate. Let's proceed with the Governor's speech

Hon. Ndeto: Thank you Mr. Speaker sir for this opportunity. The speech by the Governor was quite good, with good and key areas in which the Government of Machakos is geared towards implementing. I want to go to page four. For those of us with the speech, it says: 'as I pointed out recently, in Kenya today, there are two kinds of leaders, there are those of us who are vibrant, selfless who are focused towards initiating speedy, timely, real development for our people in a transparent and efficient way, then there are those of a different era who have run out of ideas, are greedy, intolerant, afraid of positive change, and whose main agenda is to ensure that the poor remain poor so that they continue to be masters as they enhance corruption, despondency and the devil's agenda.' Out of this paragraph, the Governor made it very clear out of his speech that we have two kinds of leaders, those who are efficient and transparent, it's

important as a house that we uphold this and make sure whatever is going on in the Executive is transparent and they are done in an efficient way.

Then part B of it, there are those of a different era, who have run out of ideas, are greedy, intolerant, just this one word-intolerant. I am not very good in English, but intolerant means: unable to tolerate one another. When you think of this single word, it basically touches things like freedom of association, freedom of speech. I may not tolerate somebody because of his association; I may not tolerate somebody because of his speech, but am calling upon this Hon house, as we move on, with the second session of this first assembly, to think about this. Because, if we cannot tolerate one another, because of freedom of speech, freedom of association, then we will have issues. Also I am looking forward, backward and I'm sensing somewhere we are going to the carrot-stick method of management. And we have to be careful before we land to that. Thank you, Mr. Speaker.

Hon. Speaker: thank you very much. Contributions.

Hon. Nduva: Thank you Mr. Speaker and the Hon members of this house. I want to contribute to the speech of his Excellency the Governor of Machakos County and congratulate him for his wise contributions during the time this government has been in existence. Mr. Speaker, I will stand in front of these Hon members today to urge on one point and until I leave this house, I will leave none of the stones unturned; the issue of tractors. Mr. Speaker, it will not be easy for these members to be convinced to allocate money to the department of agriculture, because we know very well that the tractors that we bought in the last financial year are not enough to serve or to service our farmers in this county. But if the way the machines were misused is the way they will be misused, Mr. Speaker, I'm confident, it won't be easy for these members to be convinced we should add more machines while knowing very well we will be punishing our farmers, our electorates and Machakos community at large.

Mr. Speaker, I want to request these Hon members, I have found out Mr. Governor is doing each and everything to uproot all the malpractices of the officers who were involved in this cartel of renting the machines and siphoning the fuel. While his machinery is on ground, the chairman of Agriculture stood here yesterday and said: 'we went round the county, taking data of what happened during that time when the machines where in the country side.' Mr. Speaker, some of the points that we went and contrary to maybe the information the governor has been given, the machines were not handed over to the department of agriculture, the ministry that is a devolved unit in the county government. Those members of this House whom we went round with across the county taking data of all the machines that were working, we realized either one or two *shambas* were ploughed and the tractor given to the Ministry of Agriculture, and the rest were being used by those people who call themselves representatives of the Governor.

Finally, Mr. Speaker, sometimes when the tenure of Moi was over, everybody who was caught, was crying Moi, and now it seems whoever is caught, is talking about the Governor. But I want to urge these Hon members of this house, there are people whom we know very they well

were involved in these cartels, and if members you want me to name these people, I will name them. I told this Hon house I have even pictures of these people doing these cartels, ploughing murrum, ploughing shambas in Juja constituency. Were these machines bought by the Government of Juja or bought by the Government of Machakos?

Mr. Speaker, if I am allowed, although I'm scared for my life, I can name these people. I can only do that if security is provided. Mr. Speaker, I urge this Hon house to pass a resolution, because these members or these people who have been misusing the machines and other allocations of the Machakos County are painting black paint to our Governor. I will urge this House to pass a resolution, let these people stand aside before any other allocation is being given to these ministries. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much for that serious contribution. Hon members, I think what the Hon member has said is very vital, but we need to understand the procedure that the relevant committee ought to sit down, come up with a report, the report is presented to the Assembly and once the report is approved by the Assembly, it acts as a judgment of the court, can be enforced in a court of law, and that is the way to go. Once we approve it, your opinions will be implemented. That is the way to go; it may not be safe to name a member here, who was in the scam as you said because he is not here to defend himself. I think that is what guides us. Thank you very much. Proceed.

Hon. Kitheka: Thank you Mr. Speaker and the house at large. I stand here to pin point on some issues in the governor's speech which was laid bare yesterday to the members of the County Assembly in this Hon house. Mr. Speaker, first and foremost, I would like to remind members that the members have got a very big duty of oversight of all the issues, which are being done in the County Of Machakos and anything which will go in the wrong direction, the people of Machakos will not only count on the Governor, they will count on all the elected members of this Hon House.

Mr. Speaker, I go to the third page, which stipulates clearly about the new city, about the stadium. I would like to bring to your attention that Mr. Speaker, as we sat in this Hon House, we did not discuss anything to do with the park- the new park in Machakos City and we did not address any issue to do with the kind of magnitude of money which has been pumped into that city or to that park. Mr. Speaker, I think we had priorities of the projects which we should carry into our area. Mr. Speaker, it is my humble wish and request to be given a vivid document, declaring and showing clearly, where we approved the use of money for the Assembly to make a park in the new city.

Secondly, Mr. Speaker, I would also request to be furnished with the real document which we put forward for the construction of the stadium of such a magnitude in a town like Machakos. Mr. Speaker, to be humble enough, I think the people of Machakos have got pertinent issues which are touching across the county on the priority of projects which are intended to be done in the county.

Mr. Speaker, I would like to pinpoint on the issue of the Social Welfare Fund, which we budgeted a total sum of about Kshs. 160 million but to our dismay in this house, it has come to our information that the only money which is being worked on is a mere Kshs. 51 million, so we would like to get a clarification on the same issue as pertains that. Mr. Speaker, on the issue of..

Hon. Speaker: Sorry there is a point of order.

Hon. Matheka: Thank you Mr. Speaker, Sir. I would like to know from the member on the floor, he has mentioned that money from the assembly was used to build the stadium. I would like to have a clarification of that because am equally dismayed by that. Money from the Assembly, if I heard him right, was used to do the stadium. Can we get a clarification of that or can he substantiate that statement?

Hon. Speaker: It is a point of order. So you are asking whether he was in order to say so.

Hon. Matheka: Yes, I am asking whether it was in order for money to be taken from the Assembly's account to do the stadium. That is my question. I want to know whether it is in order.

Hon. Speaker: So, how do I think he is in order if that is what the member saw?

Hon. Kitheka: Hon. Speaker, I wish all members to be vivid in what I say. I said that money was from the County of Machakos, the budget which we approved. I didn't talk about the County Assembly of Machakos and I'm sorry for that short wave which you might have gotten in the wrong ear.

Mr. Speaker, I am in the fourth stanza of this document which stipulates clearly to this end, we have purchased security vehicles. Mr. Speaker, my understanding is that the Central Government has not devolved the security part of it to the County Government. So it would be haphazard for the county to put any money in such a project, because we cannot get money from the Central Government and then go to assist the same Central Government with buying vehicles for security. And Mr. Speaker, as the Governor yesterday addressed us, he told us clearly that all the documents for the vehicles for the security have been gotten and are with the Executive.

I want to bring it to you clearly Mr. Speaker that, I have information, right hand information, that a KBX 501R registration number, log book K355359V, dated 9/01/2014, is registered in a company called Ideos Trading Company. So Mr. Speaker, I want to get a clarification of the same, because as at 1pm today, that vehicle is still registered to that company and yesterday we were given very vivid information, telling us that the vehicle is registered in the Machakos county government. So Mr. Speaker---

Hon. Speaker: Hon. Member you are saying as at 2 p.m. today?

Hon. Kitheka: As at 1 p.m. today.

Hon. Speaker: 1 p.m. today?

Hon. Kitheka: Yes, 1 p.m. today.

Hon. Speaker: You have a copy of official search?

Hon. Kitheka: I have a communication.

Hon. Speaker: But you don't have---

Hon. Kitheka: I have communication.

Hon. Speaker: To that extent on that point, you are out of order. You are out of order if you do not have a copy of the search.

Hon. Kitheka: Mr. Speaker, thanks if I am out of order.

Hon. Speaker: You cannot be on a point of order if the Member on the floor is out of order. Proceed with the debate.

Hon. Kalunde: Mr. Speaker, and the house at large. I stand here to support and congratulate his Excellency the governor, for his wonderful speech. Mr. Speaker, Rome was not built in a day, and all the members of this assembly, would attest with me that, for the few months since the government of Machakos County was formed, the governor has done so many things, which has have become the talk of the nation.

(Applause)

Everybody in this country, all the organizations, the counties, are mentioning Machakos as the only county which has done marvelous in the short time and I'm sure you all know that even the famous leaders like Kenyatta did not finish what he was planning to do for this country. Moi, who was also a famous man, did not finish what he was thinking that was good for this country, including Kibaki. So Hon members, we have started judging the Governor in funny methods, for what he has done. For example, I did say and Hon Kavuu would bear me witness, we were shown about 10 registration books for the vehicles which are now in your wards, which are registered in the name of Machakos County.

So, Mr. Speaker, if one is challenging the other, or when you want to say that Hon Kalunde has cheated because there is a document which does not agree with what Hon Kalunde is giving you, you produce another copy, relevant to what he is talking about. Mr. Speaker, if the entire country is talking about the development of Machakos County, and they hear we as the elected members, are the ones who are thinking that what has been done is nothing, then what good things can we see, if we cannot see what the Governor has done. In fact the governor has only given in his speech what he has done for those few months, and it is still at the start. We are

now going to make the budget for the next period, which of course we are going to put other things which we think have not been done.

The only thing which I didn't mention when we were in our Kamukunji there, and I still believe they can help this county is that, obviously, most of our markets which did not appear in the Governor's speech are in pathetic state because most of the markets in Machakos County do not have title deeds. And we should be pushing the minister to make sure that, he either gives the waiver of the rates so that our people can pay for what is outstanding and that will make money for the County and at the same time organize for those markets to be surveyed and titles be given so that our people can also go into higher businesses because they will be able to borrow money from the banks.

Mr. Speaker, most of the things which the Governor has done especially for the tractors and the motor vehicles, I will only pin point one thing. For tractors and motor vehicles, they can sink an organization in a very short time and in fact, the way the member of Kithimani was talking about, if these vehicles and the tractors are going to be left to people who are not responsible, Mr. speaker, within six months or one year, they will shame the good work of the Governor. So it is important that these machines are given to be supervised by the people who have got knowledge in motor vehicles and tractors. Thank you.

Hon. Speaker: Thank you very much. Following those two contributions, the one by Hon Kalunde and the one by the Hon member for Machakos Town, I think it is important that the issues they have raised are pertinent, and I will urge that the Committee On Implementation takes it up to find out whether indeed there was a budget set aside for the new city, the Machakos People's Park and the issues raised on the social security fund. And for the tractors I think there is already a report that is pending. Is the chair agriculture here? I think there is a report that he is covering the issue of tractors. Let us move on. Let us hear....we can hear Nzioki. We have not heard him for a long time.

Hon. Nzioki: Thank you so much Mr. Speaker, I am sure you will hear me now

Hon. Speaker: Thank you.

Hon. Nzioki: Mr. Speaker, thank you very much. I would want to salute the Governor for his tireless efforts, by making Machakos a better place to be. But Mr. Speaker, there are some workers who are pulling the Governor's efforts behind. I would start by saying this Mr. Speaker, like in the tractors programme, a case in my ward, there was a driver who used 60 litres in one day, but he was told to sign for 200 litres. Mr. Speaker, if you go down in our wards, there are so many things that are not happening, things like what we had started, most of the programmes we have started, the chicken programme, the rabbit programme, the tree planting programme, and most of it was messed up by some of these workers.

Mr. Speaker, I would want to say that, when it comes to the programme of food, providing food to our people, the best way is not to give free things. Mr. Speaker, free things are always not the best things. For example, the seeds; I have a case where those seeds were given, and those who were given the seeds were selling them, they never planted them and they went for the seeds from their *ghalas*.

Mr. Speaker, when we talk about the tractors, there were so many malpractices that were behind those tractors. Mr. Speaker, I would want to suggest that next time there is this food programme, we don't give free things, we don't give free tractors; we only subsidize, we have to subsidize things like the fertilizers. We also need to have subsidized cost on the tractors; we need to buy subsidized seeds.

Mr. Speaker, on the issue of roads, the Governor spoke about roads which were supposed to be earmarked for tarmacking, and for murraming and for opening. I would say there is one important road that he left out, that runs through three wards, that is from Ndithini, Muthesya to Ndalani, that road is about 50km and if that road is done Mr. Speaker, I think Ndalani and Muthesya and Ndithini would be opened up for our people.

Otherwise, Mr. Speaker, I wish the projects that we have started in Machakos run up well, so that people may see what we are doing maybe in five years' time. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. Hon members kindly ignore the document you have been given, it has been improperly circulated. I think it is supposed to have gone to the Agriculture Committee first. Thank you. Let us proceed with debate. You have talked because you had a motion. I now hear gender; I will consider you after this.

Hon. Ngunzi: Thank you Mr. Speaker. Mine is simple, I want to look at the speech of the Governor and more so the area that dealt with cars. Police cars have come; we are very grateful and they are almost everywhere in the whole county of Machakos and that was a wise idea by the Governor and his team. The only problem is that the cars have now become a cash cow for Administration Police officers. They are now going by night; they are going by day and harassing the citizens and I stand here to send an alert to you members who are elected. These cars will take you home.

If they are not carefully handled, these cars might become a problem too. I got calls yesterday, I got calls this morning that the car is here and it has gone with somebody and they are asking for as much as six thousand. So what we thought was a good intention by the Governor, they were here for security reasons, they are now here to finish the people. Now see the irony in it that the cars were brought to bring about security to our members, they are now becoming a problem and remember APs have never had cars since this country was brought in to existence. The corporals and the APs are now big men. So Hon members go back to your wards and address the issue of these cars.

The other thing Mr. Speaker, Sir, is the issue on education and I'm addressing the chairman to the Education Committee. We gave bursary forms to our members way back in December, we are still waiting for this money; people are sleeping in my home, waiting for checks. Mr. Chairman of education, where are the checks and the Governor ignored to address the area on education. I think the chairman and the Governor knew what was happening. So we need to be addressed on this issue the soonest, and I want to hope that not later that tomorrow, we will have something to tell our people.

Hon. Speaker: Hon member you cannot impute improper motive on the Governor, on a speech that we are discussing.

Hon. Ngunzi: I am sorry, I want to withdraw.

Hon Speaker: You are now out of order. Take your seat.

Hon. Ngunzi: I have withdrawn.

Hon. Speaker: Take your seat. It is such a serious attack on the Governor. Now we can hear a lady, we have not heard Hon. Rachael.

Hon. (Ms.) R. Nduku: Thank you Mr. Speaker sir for giving me this opportunity. First I want to appreciate the speech of the Governor, but there is something little I wanted to just put him to attention. Page two, the last two lines, he talked of: 'currently, we are busy maintaining and fixing 40 roads one per ward, using over Kshs. 200 million.' My concern is, I don't know whether when the Governor and Ministry Of Roads And Public Works were planning, because I remember initially, they had given us five roads per ward and again they gave us one road.

My worry and my concern has been whether the Ministry Of Roads And Public Works, they indeed did need assessment in each ward. Because as I am here talking, the road I gave in my ward, the contractor refused to work on it because the 500 million or the 5 million we were given for each ward, Governor didn't know the status of those roads. In my ward the road which I gave out, it was in a very bad condition until the contractor ran away, and she said the money cannot cater for that road, and still it is on standby.

I wanted to urge the Governor, when he is implementing the projects, to come over or the officers to come over and see the status of the roads we have. My cry and the cry of my people, in Syokimau- Mlolongo is about roads, other things are not our priority. So I want to remind our Governor and I know he is able to correct the amounts which he is allocating equally to our wards and our wards are not equal as per the needs we have.

Thank you, Mr. Speaker, and I know he is going to correct on the amounts he is going to allocate even in other ministries. Because I remember the time the Minister for Agriculture was here, I tried to ask him when he is giving out seeds and fertilizers, what is he going to compensate me within my ward and my people are not farmers. My people are business men and

women. So I don't know my fate when we are talking of budget , when we are coming to talk about the next year's budget, I want to request the County Government of Machakos to remember urban areas when it comes to some ministries because we are suffering. Thank you very much.

Hon. Speaker: Thank you very much. Hon members I think what Hon Rachael is simply saying, is that the committee on Roads and Transport, take it up and the Chair Budget look at the alignment of the budget. What she does not need can be translated into something else that her ward requires. Hon. Muthuka, we can hear the lady and then you.

Hon. (Ms.) Ndawa: Thank you Mr. Speaker, Sir---

Hon. Speaker: I think Sammy when you sit there you become a stranger of the house. You can take your appropriate seat.

(Serjeant-at-Arms takes appropriate seat)

Hon. (Ms.) Ndawa: Thank you Mr. Speaker sir and the Hon members who are in this house. Mr. Speaker, I want to talk about the governor's speech which is meant a lot to us by highlighting most of the developments we have done so far within these nine months we have been in this County Government of Machakos. Mr. Speaker, if I want to quote what is happening in Machakos, I believe the Hon. Members can bear me witness because they have so far travelled to different countries and they have seen what is happening in other countries and how the development done by His Excellency the governor is going to bring a change in this county. For example, Mr. Speaker, I have been to the park where the governor is trying to make one the biggest park in Africa especially within east Africa. We do not have such a park in Africa. It will be the first one in Africa here in Machakos County.

(Applause)

Mr. Speaker, Sir, I believe the development brought by His Excellency the Governor in this county of Machakos is because he has travelled and he has seen how other countries generate income through development. The park we have in Machakos County, Hon members, is going to create or generate income in this county. Once the park is opened tomorrow, you will see every weekend what will be happening in that park, Mr. Speaker.

(Applause)

Mr. Speaker, I happen to be the only Hon member who has travelled like his Excellency the governor *(laughs)*

(Applause)

Because, Mr. Speaker, when I start naming the countries I have travelled to at my age, I know what his Excellency is doing will bring benefit to this county.

(Applause)

Hon. Speaker: I will urge you to mention a few maybe to substantiate

Hon. (Ms.) Ndawa: Definitely, Mr. Speaker, Mr. Speaker, at the age of 18 years I happened to land in Germany; Deutschland as they call it, and I can assure you for those who have the catalogue of Machakos City, you will see we will have what we call trains. The ones we have in Nairobi Mr. Speaker, I can say is not a train; it is a sign of a train. We have trains which move by electricity and these trains are monitored in a centre somewhere, where you don't need to have a pilot or a driver to sit on that train. And that is what we saw in that catalogue and I can assure you Mr. Speaker, watch and you will see Machakos city grow.

I am telling Hon members who are against development, people who are out there who are against development, they should sit back and watch as Machakos City grows. Because what I saw in Germany Mr. Speaker, we used to go in a zoo; a zoo is what we call a national park. And we used to pay a lot of money to enter there. But if you guess what we used to see there is to feed goats, cows and they generated a lot of money through that.

So the new park Mr. Speaker, if you have been there, people will pay a lot of money to see flowers, to go by a boat, in that so called Maruba Dam, where so many people thought this is just dirty water here. But today I'm telling the people of Machakos County, the Hon. Members, let's stand behind his Excellency the Governor so that we find ways to generate income in this county.

Without income coming in, this county is given only 15 per cent of the share of the national government. 85 per cent has to be followed up by an MP and a senator who are also against development. So as a county, if we don't stand firm with our Governor, then we stand to fail, because we must generate income. Mr. Speaker, as you told me to mention a few, I also went to Portugal.

Hon. Speaker: Before you mention the rest, you said the senator is against development.

Hon. (Ms.) Ndawa: Because Mr. Speaker, you hear him all over saying, we have used so much money to build a park. He does not see facts. Because this park, starting from tomorrow and I want you to quote me, every weekend, this County Government of Machakos will be collecting money from that park.

Mr. Speaker, I also went to Portugal, a place called Porto, and this place, we were paying a lot of money to climb on the other side through Pacific Ocean. Mr. Speaker, Atlantic ocean not Pacific ocean, Atlantic, through a cable, from one side to another. I saw wonders Mr. Speaker. And I want these Hon members to go there so that they can see what I saw there Mr. Speaker.

Hon. Speaker: Where is that for the Speaker's notes?

Hon. (Ms.) Ndawa: I will give you a written note of where they should go. Mr. Speaker, I lived in Netherlands for a full year. This country called Netherlands is below sea level and Mr. Speaker, they happen to be among the first developed countries and stable economically in Europe when they are below sea level. Mr. Speaker, because I know you are learned and you know about Netherlands, it is for sure, even for Hon members they know Netherlands is below sea level. I want them to read, get into the geography, history of Netherlands and see how these people came up to be among top in Europe. It will help Machakos County to be among the richest counties of Kenya and most probably, the London of Africa.

Mr. Speaker, I also went to Austria, and I can tell you Mr. Speaker, I went there because I wanted to go skating, Mr. Speaker, we don't have snow here. I went skating. We used to go through a cable car, top to the mountain and then you come down skating.

Hon. Speaker: I think now the house is convinced you have travelled.

Hon. (Ms.) Ndawa: Yes they are convinced Mr. Speaker. I want them to support the Governor fully so that we change Machakos County Mr. Speaker.

Hon. Speaker: I think the appropriate committee should arrange for a meeting between you and the governor perhaps to give us some more advice.

Hon. (Ms.) Ndawa: Yes Mr. Speaker. Thank you, Mr. Speaker. Thank you for acknowledging that, Mr. Speaker. Mr. Speaker, I also want to say 30 years ago Kenya was in the same level with Malaysia, and today we are the people crying for food, relief food, we are the people crying draught and everything together combined together Mr. Speaker. If you go to Malaysia today, these people you cannot compare them with Kenya. Let's support development, let's put our heads together and move forward to make sure Machakos County becomes a better place. 'The place to be'. Thank you, Mr. Speaker.

Hon. Speaker: thank you very much

Hon. Muthuka: Thank you Mr. Speaker and the rest of the house. Mr. Speaker, I think the Hon member who was on the floor has travelled a lot, I think also I'm going to talk to her so that she can expose me.

Hon. Speaker: So that you would want to be travelled.

Hon. Muthuka: I would like to be exposed as she is. Maybe I can be at par with her. Mr. Speaker, I would like to commend the Governor, for his well-articulated speech though some issues need to be checked. I think reading from the Governor's speech that the House approved the budget the government is busy implementing, there is something which is not true.

Currently we know what is happening, the budget which is being implemented is not the budget the house passed and that is in records and I have proof, because even from my area, Ndalani is a rural area and we know the house passed renewal of licenses fee should be Kshs. 200. The fee

being implemented for that area is Kshs. 510. So actually that tells us this is not the true budget that the house approved. Again I like the way the Governor puts things together.

Hon. Speaker: On the point that you are actually delivering now on the budget, the committee on budget is sitting today with the Executive member of Finance, trying to find out what the problem is, I think that is already being handled. If the chair, Budget was here he would actually give us a response but keep it at heart that it should be responded by next sitting.

Hon. Muthuka: Thank you Speaker. I think something is being done. Again Mr. Speaker, I want to commend Governor for leading the park from the front. We have seen the security vehicles, CCTVs, but then it leaves a question. The cars that are purported to be for security actually are not the right cars for our terrain. Giving an example from Ndalani, we have a Ndalani police station. That car cannot even go to the nearest market which is two kilometers away because of the poor state of the roads. So I think a lot of consultations should be done, because I believe that every house has its own needs and its own priorities.

Again, we have put a lot of resources in some recreational facilities, while our people are languishing in poverty and hunger. As we talk now, I was in my area on Sunday and I'm afraid most of the school going children are not going to school, simply because there is no food. Each area has its own priorities; my area needs water, needs food, good roads and health facilities.

I also commend the Governor because we have the ambulances coming. Probably next week they will be in our area but how many people are they going to serve within that area. We have already fully furnished dispensary facilities which are not staffed and there are no drugs. I think also as we applaud what is happening, let us put our priorities in the right order. It's needless for a woman who is about to deliver to go to the shop and now start shopping for uniform for the kid for standard one or two, while she should be concentrating on the infant clothes.

So what we are saying, Mr. Speaker? Whatever is here is good, but priorities should be set clearly, from the top to the bottom. Most of the things that the Governor approached, they are in the good spirit of transforming Machakos County, but I would ask if full consultations should be done and also I believe each ward has its own priorities. Let us be consulted, let us give our projects so that our people can feel they are part of this big county. Thank you, Mr. Speaker.

ADJOURNMENT

Hon. Speaker: Thank you very much. Any other contributions? It appears that members are tired for the day. In the absence of any other contributions this afternoon, then the House adjourns until Tuesday 2.30 p.m. Thank you very much and have a good weekend.

The House rose at 4.02 p.m.