

MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Wednesday, 19th February 2014

The House met at 2.30 p.m.

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

PRAYERS

COMMUNICATION FROM THE CHAIR

QUORUM HITCHES

Hon. Speaker: Hon. Members, the communication that I have is that our normal calendar was to be followed this week. Today we ought to have had a sitting in the morning and in the afternoon. We were not able to convene because there were no members in the precincts and that is why we elected to have the afternoon session and I fear there may be no quorum.

AUDITOR GENERAL'S REPORT

The other communication is that we are now in receipt of the auditor's report. For those who have been keen on the dailies, I think there is a report that was issued to Machakos. We received that report on the 17th of February that is on Monday this week. Before the report reached us, it was already in the newspapers, I think you have noted that. Now I formally communicate that we have the report and it will be forwarded to the appropriate committee that is PIC and PAC according to the Standing Orders. We have similarly received the other report for Mavoko Water, *mshimiwa wa Mavoko*, and I am sure you have issues and thank God, I know you are in PAIC so you can deal with the report which will be forwarded to PAIC for further deliberations. Thank you. The main agenda for today is the debate on the Governor's speech shall proceed.

Hon. Maitha: Thank you Mr. Speaker and the honorable members present. I would like to say that regarding what you have just communicated, the information that we got from the media regarding the issue of Public Accounts Committee report for Machakos County assembly, I want to assure this honorable house, Mr. Speaker, that all what was said or all the information that is contained in that that audit report, Mr. Speaker, as long as I remain the chairman of PAC committee, we are going to ensure that all the information required to be given to the County Assembly, we are going to give.

I would also like to say Mr. Speaker, I don't know whether it is in order honourable Members, yesterday discussed the same report in the limelight of the public having not reached your desk. I think it is in order, Mr. Speaker, that honorable members treat themselves with decorum and respect to this honourable assembly that any matters that are meant for the

assembly and they have not reached your desk, they should be respected until proper communication is given by you so that members can discuss because by that time, it would have become a document of the Assembly.

The other statement that I would like to say is the last three or four weeks, we have had quite a number of executive functions. Mr. Speaker, I don't know whether it is in order because executive functions are functions of the County Government. We have had the project of launching the bursaries, we went and launched the programme of the security cars and yesterday we were launching the ambulances Mr. Speaker and many other projects. I think to some extent I feel the members of this County Assembly are not given the respect that they deserve when it comes to those functions and my reason is this, for example yesterday when we attended the Governor's inauguration of the ambulances, the comprehensive health care system, you find that honorable members of the County Assembly are not given time even to speak in those occasions, and they are the ones who have budgeted for those functions.

They are the ones who have given those events the budget to operate and I think these honorable members need to be given time because this is a county function, it is not a national assembly function. So honorable members of this assembly need to be given time to speak, air their political views and development issues because it is a function of the county assembly, budgeted by the county assembly and being overseen by the County Assembly. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. As you were making your statement Hon. Chair PAC, you indicated that you have already received the report from the Auditor General. Maybe you can guide us further how you received the report before it was received by the Speaker.

Hon. Maitha: Mr. Speaker I have not said that I have received the report. What I have said is this, members were discussing the report before it was received in the Assembly by you and confirmed and announced to the members so that they it can become a document of the Assembly. So what I was saying is, is it in order that honorable members can discuss a document that is meant for the assembly yet it has not reached your office to make an official communication to the assembly? That was what I was asking. I didn't say that I have received the report; I said that members should treat themselves with respect to the various offices available. Thank you, Mr. Speaker.

Hon. Speaker: I get it and before you sit down, now this is your docket. What measures are you taking to make sure that, that will never happen again and those did it ought to be---

Hon. Maitha: I think Mr. Speaker, these honorable members need to go through the Standing Orders. I think the only tool that will save these Assembly members to execute their duties as per the law and not as per the imaginations is for these honorable members to go through the Standing Orders so that they can understand the procedures of how issues should be undertaken Mr. Speaker.

Hon. Speaker: Are you suggesting that the report leaked out to the public and the media through the honorable members?

Hon. Maitha: the report leaked out to the public before it got to the Assembly. I would not have felt bad if members of the national assembly or any other member who is not an honorable member of this assembly goes and discusses a document that belongs to the assembly. They know that an Audit Report Is a report of the Count Assembly and it can only be discussed by honorable members if it has been received by your office and communicated officially in the Assembly. So that is what I am saying Mr. Speaker, Sir.

STATEMENTS

Majority Leader (Hon. Mwonga): Mr. Speaker and members of this honorable house, I want to react on what the immediate contributor has raised on the report of the Auditor General. It is not true that the honorable members, both the Members of the National Assembly and the Members of this County Assembly discussed the report of the Auditor General before it had reached this House. The members who were there, unless the speaker did not hear what they were saying, were also raising concerns on how it went to the media but they did not discuss the report by the Auditor General. Maybe my friend, my good friend and a colleague did not understand what the members were saying. I personally asked how this document reached the media house and yet we knew the day it reached the office of the Clerk. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. When you rose up on statement time, you can only issue a further statement; you cannot respond to a member's statement. I have allowed you to speak because it is the first time we are having this.

Hon. Members, we still proceed with the speech of the Honorable His Excellency the Governor, the speech that was read on the date that you can remember. But before we begin with the speech, now that the report of the Auditor General is a note matter for the county, it is important we have an overview of the journey the report takes. Once a report is received by the Clerk of the County Assembly, which report entails the Executive and the County Assembly, that report is ordinarily communicated to the House like we have done this afternoon.

Immediately the communication is done, then members are entitled to copies of those reports, each of them and then the report is forwarded to the appropriate committee as I have directed. That report becomes a property of the Assembly and immediately the report is deliberated - the committee will be guided on the procedure of doing that – then they will present a report to the House for debate. Then it is this House that will decide on the fate of that report eventually. It is at this stage therefore, not a conclusive document that can be taken to accuse anybody of anything and I will urge members to understand that because I have learnt it is causing panic to the entire County. With that, we can proceed with the debate of the Governor's speech.

MOTION

DEBATE ON SPEECH BY HIS EXCELLENCY THE GOVERNOR

Hon. T. Kilonzo: Mr. Speaker, Sir, I think according to me the speech that the Governor gave during the opening of the assembly was a very good speech. Most of the members, I don't want to say a few, but most of the Members of this House said it was a good speech and Mr. Speaker as the Governor said that he will give this county what it takes as long as development is concerned, I think he is doing good as far as we have seen. For example sometime back we launched the police cars and yesterday he launched the ambulances and Mr. Speaker, I support what the Governor is doing to this county and in this House Mr. Speaker.

We have to stand with the Governor and support him in whatever he is doing. What is good Mr. Speaker it is for this house to support; I am not saying all he is doing is good but because what he is doing is almost 99 per cent good, then we must support the Governor. Mr. Speaker, according to me, some of the things that we started early when we started this government, some were not done to perfection. For example, when we talk about the "*tinga tingas*" subsidy.

Hon. Mbithi: Point of information Mr. Speaker. In your own wisdom, can the honorable member explain to this house what "*tinga tinga*" is?

Hon. T. Kilonzo: Mr. Speaker, "*tinga tinga*" is a tractor; that is a good explanation. I want to explain that some of these things should not be given for free, Mr. Speaker.

Hon. Katela: Mr. Speaker, I want to put you on notice that we have a stranger in the House, who is not dressed as a member of this House.

Hon. Speaker: Point of order rejected. Proceed. That member is not named. Proceed.

Hon. T. Kilonzo: Mr. Speaker, what I was trying to say---

Majority Leader (Hon. Mwonga): Mr. Speaker, we should also learn the Standing Orders. We should not have two members standing at the same time so as I talk, my colleague sits. Mr. Speaker I want to draw to your attention a member who is not properly dressed. That member is non-other than Hon. Wilson Kasimu. I beg that the consequences should follow immediately - you order that member out of this House. Thank you.

Hon. Speaker: Members you should be reminded that the Speaker doesn't see. But now my attention has been drawn to the person of honorable Kasimu. Serjeant-at-Arms, kindly escort him out of the chamber. Proceed.

Hon. T. Kilonzo: Mr. Speaker, I want to concur with those members that said that those tractors should not be given free. Actually whoever who needs a tractor should pay something so that we are not feeling that it is given free and the people will not use it properly because even now if someone's *shamba* is as small as what, they would like the tractor to go and plough for

them so I think members, lets agree something small should be paid so that we may have things move smoothly. Other things like the seeds were not given in time, the rains came the seeds were not given, and when they were given, people went to plant. The rains came and they were short so the seeds did not grow on time. So if we say the Governor is trying to help us, he should also give the seeds in time so that the people may have to plant in time. So I tend to support the Governor's speech, thank you.

Hon. Speaker: Thank you, chair I hope you have captured those important points.

Hon. (Ms.) Musyoki: Thank you Mr. Speaker. We are talking about the tractors, we are talking about the seeds, we are talking about ploughing and the rest. Rain is God given. Right now we are facing the drought, and only this House which can deliberate and make sure that our people in Machakos are not dying out of hunger. That is the past now. What are we doing to make sure that our people will not die tomorrow? What are we doing not to see what we are seeing in Turkana today in Machakos? Tractors were brought, they ploughed; that has failed and even the Governor himself has agreed that it was a failure. Can we move faster so that we cannot hear our kids eating carcass. Can we move faster? The Governor said the other day, yesterday actually when we were launching the ambulances, that there is an amount of money which has been set aside for famine.

Famine is looming. It is only these two, three days the rains have come out to save us. God has seen that our cattle are going to die; our animals are going to die but what about the animals? What are we doing as the County Assembly? It is only us who are all here from Machakos County to see that none of our kids is sleeping hungry. I believe us here, we have the power to see that no kid goes to school without porridge. It's through us and through our able Governor that we can make sure that by tomorrow morning we have maize from Rift Valley because they have it in abundance.

Kindly *waheshimiwa* lets hold hands together, let us join our Governor, make sure our county, as it's being said its number one, let it be. *Mwolyo*, " I am going to the Governors speech, he said he wants that to be something of the past. As of now it cannot be of the past unless, us people we stand up and say it's the past. We have to put our effort. Chairman Agriculture, that is his docket. What are you doing about it? What are you doing about Machakos people? As the governor is pushing the other side, which side are you pulling? Can we see food in Machakos before we say our people be given yellow maize for the horse? Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. You cannot put anybody on a point of order...point of information? Who are you informing? I think the Speaker is already on his feet.

Hon. Katela: Thank you Mr. Speaker, I stand to support the Governor's speech which was rich and welcoming, and on that note I wish to put a question on the same concerning the security vehicles and even the ambulances. Can this House be told vividly who will be in charge of those vehicles, because in the short days that we have had the security vehicles, I have seen

some danger, some misuse, because the OCPDs are in charge of it and when they are being sent to rescue someone, you have to look for the OCPD yet it is this honorable House which passed the budget to buy those vehicles. The same thing I think will happen with the ambulances.

Can we be told clearly how the local County Assembly member, what control he has because if anything goes wrong with that vehicle, the Governor will put a whip on me. He doesn't know the OCPD. If the car is misused, the electorate will blame me. I am not saying that we be given a leeway to use them but when it is needed elsewhere and my locals don't know the number for the OCPD, the chief cannot listen to them, they will always turn to us. What powers do we have on them? How far can we control them and how can we use them to assist our people? Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. You have raised a pertinent issue but you need to tell us you are directing that to which committee. Which committee should give a statement?

Hon. Katela: Thank you Mr. Speaker. That should be Transport and Health. This is because ambulances belong to the Health Committee and the police cars belong to the... I think we should place them in the Transport Committee because we do not have a security committee here, do we have?

Hon. Speaker: I think a member should stand and guide the honorable member.

Hon. Katela: Please, I need to be guided.

Hon. Maitha: Thank you Mr. Speaker. I think the cars have already been bought. We passed a budget and bought them, so it's now upon the Implementation Committee to ensure that what was budgeted by this House has already been done and is implemented to the fullest. One thing we need to understand is that this comes under the docket of security. Security is a national function; I think what I need to say is in spite or in as much as, Mr. Speaker, these cars need to be monitored by the Implementation Committee, I strongly believe the chairman of Implementation Committee might not be coming from Masinga or for example, might not be coming from Muthwani. For example he might not be coming from Athi-River.

So we have a duty to play, the oversight role as members so in case any of these honorable members finds that these cars are being misused, it is upon them to liaise with the relevant committee, such that the relevant committee can be directed through your chair to go and seek the information about that.

Before I sit down I want to say something regarding the hunger, which is the famine that is coming up in Machakos. As per the Public Finance Management Act, during and when we are preparing our budget, it is very clear, the Constitution is very clear, every county is supposed to set two percent of the total budget as an emergency fund. I wish to get clarification from the Chair Budget, was there a provision of the two percent for the emergency fund? Because it's a

provision. The minister understands that the budget should give two percent of the total budget value as emergency fund. Thank you.

Hon. Ndeto: Thank you Mr. Speaker. First to respond to what the chair PAC has said, when we were making the budget we provided Kshs. 10 million for emergency cases like what we are facing now, of which I believe it's not enough. To proceed on the Governor's---

Hon. Speaker: I am asking for your pardon, you are saying we provided for what?

Hon. Ndeto: Kshs. 10 million.

Hon. Speaker: For what?

Hon. Ndeto: For relief food and emergency.

Hon. Speaker: Are you saying that the region is facing hunger now?

Hon. Ndeto: Pardon?

Hon. Speaker: Are you saying that we are that we are facing hunger in the county?

Hon. Ndeto: Yes, in the county.

Hon. Speaker: Ok

Hon. Ndeto: About the Governor's speech, which was well done, I wish to make the following observation regarding the issue of "mwolyo" as quoted in his statement. For us as a county to do away with this, I think the only way is by doing irrigation. We have quite a lot of land in Machakos County. We also have one main river, which is Athi-River, which goes through Matuu and I believe if we can set land, speak to the people and do farming, seriously that one can cater for this. We can provide food for the whole county and give it to the other counties. Also out of the Governor's speech, most of the things which this Assembly budgeted for and they were done, the failure is coming in when it comes to the implementation part of it. I wish the Speaker will direct the Committee of Implementation to be serious on how the items that we have budgeted are implemented. Thank you.

Hon. Speaker: Yes, honorable member. I think the right procedure would have been that a motion is raised to declare hunger a disaster and then from there you can directly follow the law in terms of subsidies.

Hon. Ndeto: I will take that responsibility and bring a motion to that effect. Thank you.

Majority Leader (Hon. Mwonga): Mr. Speaker, I am not contributing on the speech of the Governor right now but I think I will do the conclusion. I think I was standing up to clarify on a request that you made on the issues raised by Hon. Katela, member of Muthetheni. The

issue of police cars, the AP cars and the inspectorate vehicles all of these lie in the Ministry Of Urban And Decentralized Units. Thank you.

Hon. Speaker: And while giving that clarification, there is an issue that a member said that security has not been devolved. What is your take on that in terms of the security vehicles?

Majority Leader (Hon. Mwonga): I beg your pardon, Mr. Speaker?

Hon. Speaker: The honorable member has said, in terms of the management of security vehicles, that function is not devolved. What is your take on that?

Majority Leader (Hon. Mwonga): Mr. Speaker I think what my Government is doing, because I am the conveyer of everything from the government to this honorable House, you have seen many a time the leader of Majority of the National Assembly saying my government or our government and I think Mr. Speaker that I'm not wrong and you will not rule me out on that.

Hon. Speaker: I agree it is your government, proceed.

Majority Leader (Hon. Mwonga): Thank you. That is why I am so proud because of what my government is doing. It makes me wonder when a member in this House stands and contributes and talks ill or against what the government is doing on the issue of security. I know the issue of security is not a devolved function. But each and every county among all the 47 counties have their own security detail and what the government is doing is just boosting and enabling our officers to move fast. So if there is any member who does not know what the government is doing, that is what it is doing and it is doing it very well.

Last week, I heard one member complaining that the APs are harassing his people. I want to say that, that member is not in charge of his ward. It is regrettable if your people are being harassed by APs or regular police and you are there. What are you doing instead of coming to this House and telling us that your people are being harassed? It tells me that you are not in charge. Why are they not doing it in Masinga? Why are they not doing it in other wards? Why is it only in your ward? This is the question you should ask yourself. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. Let's hear honorable Oliver Nzeki.

Hon. Nzeki: Thank you Mr. Speaker and the House at large. I stand here to contribute on his Excellency's speech. It was fine, good and marvelous but there are some issues I would like to talk about the security cars. You will find that the drivers don't know anything about security. Sometimes you will find that the AP is drunk, he has left the rifle or the gun in the vehicle. Then let's say that a robber has come and shot the AP and the driver is there and doesn't know how to operate the gun. So I am suggesting that this House sets aside some funds to train the drivers on security matters, otherwise you will find us sacrificing our drivers.

We talk of ambulances. I don't want it repeated as it was done on security cars. You will find that the security cars were not handed over to the county representatives/honorable members

and that's why you will find the APS are commanding the security cars, so when the ambulances are going to be brought to our wards, I am asking this House that it be brought first to the members then the members have a *baraza* to sensitize its people where it will be located.

There is also an issue on roads, Mr. Speaker. The other time I talked about the roads. I am asking the Chairman for Roads and Public Works to go and check my road at Katelembo. It is done shoddily. It's only $\frac{3}{4}$ of a kilometer and we were given Kshs. 5 million. The contractor is gone and the lady is saying that it is complete; no bush clearing, no murrum, no what-not. So I'm asking this House especially the chairman of Public Works, Roads and Housing to go and check that road. It is not well done and I had talked to the minister for roads and he said he will go but when? This House should first go and inform the minister. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. I noted that important point. I think that should be directed to the appropriate chair of that committee to take appropriate action. I think it is important we hear the Deputy Whip.

Hon. Kamitu: Thank you, Sir. My contribution in regard to the Governor's speech, I stand to support the Governor's speech. This is strongly on the issue of Machakos Park. In the Governor's speech he also mentioned about the park and since the park was opened, those people who had the chance to go to the park it was quite attractive and out rightly, it is going to give the county a lot of money in regard to revenue collection. I would like to share my experience in this House with the honorable members.

I have mentioned that and I am not proud to say that but I will share my experience as a senior police officer where I was given a chance to go overseas for training and out rightly the image the Governor is bringing to our county is sincerely seen and experienced by other counties. So what am I saying? I am saying that whatever the Governor is doing for Machakos County, these are development ideas that will attract international investors in this country. We are talking about police vehicles. International investors will not come to a county where there is no security. So what am I saying? My emphasis to this honorable house is to support our government, our current government the Machakos County under the wise leadership of our Governor so that we may forge ahead by attracting international investors.

People are talking about the street lights in some of our important roads and the CCTVs. To me they are very important in regard to security issues because as I had mentioned, international investors, even our own investors in the country, would also be attracted to an area where there is security. So in this regard I would request whether the street lighting could be done in other towns in regard to the Governor's speech. I would also encourage and ask this House when they go out within their wards or within the towns they should encourage what the Governor wants.

We are talking about the cleanliness of our towns, for the big towns we have within the county. This is our responsibility as MCAs. We should encourage and promote not to be seen

that Machakos County is ahead but to be seen that these are the practices that are being carried out in the wards. Mr. Speaker sir, I will comment on the contributions that some members have mentioned. This is in regard to the police vehicles. What I would encourage with the experience that I have, what I would encourage and request my honorable members, is to do the oversight responsibilities within the ward.

What am I saying? I am saying that you should be able to get the number of the driver who is driving the police vehicle and by that my humble request Mr. Speaker Sir, is to request one of the chief officers or the chief officer under decentralized to come here and tell us what are the security details that he has gotten, what is the discipline, what are the instructions in regard to those police vehicles so that whatever we get out of him this House will sit down and try to help him come up with clear instructions in regard to the usage of those vehicles. This is because as our members have mentioned, they may be misused out in the field so it is the work of this assembly, us as the MCAs, to oversee that these vehicles are used correctly.

So I would like and kindly request maybe the committee responsible for the Decentralized Unit to come here and give us what he has in regard to those police vehicles and again I would also like to know the number of drivers who were employed and their age. This is because I would give a very practical example. One of our driver in Tala Ward is very old, he cannot sustain the hours that he is supposed to do on 24/7. So these are some of the issues that we would like to know.

The number of drivers employed, their age and their expertise in regard to those vehicles. Likewise we would also like to know the voice of the drivers in regard to the ambulances that were launched yesterday because we would like to know whether they are equally responsible. Because these are very expensive equipment - ambulances are very expensive equipment. So we would like to know the number of drivers, their experiences and if they are ready to work because somebody who is fifty years in regard to driving issues is not very efficient.

Thank you Mr. Speaker, Sir otherwise in regard to our honorable able chairman for agriculture, my humble request in regard to irrigation is that he should go and see the minister for Agriculture in regard to agriculture in some of our streams within our counties or wards. We have got the Thwake River which runs from honorable Matheka's hill down to Mitaboni. This is one of the rivers which should be made use of in regard to dams. On the strength of making some water reservoirs for ease of irrigation and rehabilitation of the old dams as we said and as most of our members have mentioned about food security within our county.

So it is through dams, it is through irrigations and rehabilitation of the whole dams that we can promote food security within our county. Thank you very much.

Hon. Speaker: Thank you very much. I think those issues you have raised should be directed to the relevant committee. I will urge you to follow up on that particular issue with the

chairman for Implementation so that what you have said can be identified. Let's hear you and then from there we come to the voice of Lower Kaewa

Hon. (Ms.) V. Mbithe: Thank you Mr. Speaker and the entire house. I would like to ask the hon. Member who has just sat down whether he is the one to advise us, because he has been in security and he knows all the security details more than all of us here. Mr. Speaker, Hon Kamitu should tell this House that security details are not mixed with civilians. Mr. Speaker, it's a concern because as much as we want our sons to be employed, these drivers are civilians and security details or the intelligence cannot be mixed.

Hon. Speaker: But this is just for your information, next time you will be citing the Standing Orders that you are referring to. Proceed.

Hon. Katela: Thank you sir, thank you Mr. Speaker. I want to inform my colleague, that Hon member that the idea and the most important thing of buying these vehicles was to employ our youths. When we say...

Hon. Speaker: The Point of order overruled. Proceed.

Hon. (Ms.) V. Mbithe: Thank you Mr. Speaker. Mine as a Hon Member of this House is to point out, because if I don't point out as we know that the mandate of this House is to make sure that things are done in order. Mr. Speaker as much as we want everything to go in order, we have also to make sure that things are done professionally Mr. Speaker and we are not disputing any project that the Governor is doing. But as the House, it will be very wrong for us to adapt to something that will be bringing regrets after this.

Mr. Speaker, when we talk about security, it's a very serious affair and when we are talking about our youths being employed and they do not have any training on security, I don't know how it is going to work Mr. Speaker. The security for example when they are going to arrest a culprit and these people have guns Mr. Speaker, if this driver has no security know-how, it can be putting our youths also in trouble and risking their lives. Mr. Speaker, I would ask as my fellow colleague has just spoken, that the officer in charge of the decentralized units would come here and tell us the way forward because we want our youths safe and as much as we want them employed. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. Now we can hear you.

Hon. Mbithi: Thank Mr. Speaker and the house at large I'm Hon Collins Mbithi, the voice. Mr. Speaker, with me ...

Hon. Speaker: Point of order, make your point.

Hon. T. Kilonzo: Can that member tell us, which voice, because we don't know which voice.

Hon. Speaker: I agree, let's hear from the member.

Hon. Mbithi: Thank you Mr. Speaker. This is the voice of lower Kaewa. Thank you. Mr. Speaker, with me is the speech of his Excellency the Governor, Machakos County. And to me, the Collins dictionary would describe it as theoretically excellent and practically fair. If I go to the second page, Mr. Speaker---

Majority Leader (Hon. Mwonga): Mr. Speaker, I want to seek clarification from the chair. Is it in order for a member to contribute twice on the same issue? Mr. Speaker, last week, the Hon member who calls himself the voice of Kaewa, contributed on the speech of the Governor and now he is trying to contribute again. Is it in order Mr. Speaker?

Hon. Speaker: I think the Speaker agrees; that point is taken until there is nobody else to speak. Is there any member who has not contributed? A member who has not contributed before the Voice of Kaewa proceeds. There is a member who has not contributed. Oh, proceed.

Hon. M. Mutua: The Speaker and the Hon House at large. I would like to contribute as far as the Governor's speech is concerned. Mine is to say, truly speaking, the speech met the aspirations and the wishes and dreams of the people of Machakos County as far as the promises which the Governor promised the *wananchi* and also what the Hon members promised. As we analyze the speech, we also need to look at the element of strengths and the element of weaknesses. As per the Governor's speech, I did not see any weaknesses.

What I discovered about it is it had all the strengths and actually met the standards of an international speech. What I can also comment about the speech, it was equivalent to a promissory note because whatever the Governor had promised had already been achieved by the time he came to deliver the speech. Mr. Speaker sir, I would also like to comment about the Auditor General's report which was discussed a bit earlier. Mr. Speaker I think it is in order for this House to write a protest letter in regard to the same because it was not in order for that report to have leaked. So I think it is prudent enough for your office to respond to that letter on behalf of the Machakos County Assembly.

In line with the speech, as you are aware Mr. Speaker sir, the core mandate of this house is oversight, representation and legislation. When we were making the budget, we did spend a lot of time, energy and also our able chairman did spend a lot of time in making the budget. What I would like really this House to oversee is we need to make sure the budget we prepare as a House is complied with and obliged.

It is also in order for the Executive to bring a supplementary budget, if there is something they want us to change and make, it is in order so that the Hon members, the able Chairman, Budget committee and also our majority and other leaders of the House can feel they own the budget. But if it's not followed, I feel this house will feel like they are being taken for a ride. That is what I can say as at now. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much Hon Member for Mavoko. I don't know why members did not notice the powerful points you have made today. One, you have said the speech is like a promissory note, I think members need to appreciate that.

(Applause)

Thank you very much. Any other contribution? Now then in the absence of any other person...you contributed to the speech...at a point I saw your hand up. And now we can have the voice of lower Kaewa. Now you should proceed uninterrupted.

Hon. Mbithi: Thank you Mr. Speaker. I'm happy now that I'm protected. Mr. Speaker, like I had just stated, the speech of the Governor could be described by the Collins dictionary as theoretically excellent and practically fair. Why Mr. Speaker? In page two, the third paragraph, his Excellency the Governor stated that, 'we have started a subsidy programme of allocating subsidized seeds, fertilizers and tractors. This programme has been wrought with some challenges. In my layman's understanding of subsidy, Mr. Speaker, it is making a price slightly below the market price. And this is what brought the challenges Mr. Speaker because we are giving every other thing in Machakos free.

Seeds are free, the tractors are free and we definitely had to face these challenges because we did not feel the pain of coughing some cash from our pockets. In the near future Mr. Speaker, my committee, Agriculture, Environment and Natural Resources is coming up with measures to see how we can combat these challenges and make them our strongest points, Mr. Speaker. Hon Anne---

Hon. Speaker: Maybe before you proceed, you said what is your understanding of subsidies?

Hon. Mbithi: In my layman understanding of the word, subsidy is making a price slightly below the market price.

Hon. Speaker: What do we mean when we say an item is fully subsidized?

Hon. Mbithi: Fully subsidized then I think it goes to zero.

Hon. Speaker: Okay then, proceed.

Hon. Mbithi: But then it is not fully subsidized.

Hon. Speaker: Just proceed.

Hon. Mbithi: Thank you Mr. Speaker. Hon Anne stated that we are almost facing hunger and that the committee for agriculture should check out on this. Mr. Speaker, I want to point out to this House that yesterday we had a meeting with the committee for agriculture and like I stated earlier in my previous contribution, we went around the wards collecting data on the challenges we faced in this programme and next week we are going to write a report and table it to the

House with the challenges and recommendations so that in the near future, we won't be threatened by hunger. Mr. Speaker, I'm thinking of coming up with a strategy whereby I want to describe it as 'OMO'- Operation *Mwolyo* Out

Hon. Speaker: Thank you very much. Proceed

Hon. Mbithi: And this Operation *Mwolyo* Out will be brought up by the recommendations we will put out when we get the report for the Assembly. Mr. Speaker, just to contribute on the Collins description of his Excellency the Governor's speech, still in page two the fifth paragraph, 'Machakos roads are in a deplorable state, my government has purchased road making equipment.' And in the last paragraph Mr. Speaker, 'currently we are busy maintaining and fixing 40 roads, one per ward, using over Kshs 200 million' Mr. Speaker.

Mr. Speaker, if the government has already purchased road maintenance equipment, I think it will be good to we use those road maintenance equipment which have already been purchased by the government so that we save this Kshs 200 million and we fix it in other projects for the county. If the speech of the Governor is really practical, I think we should save this Kshs 200 million and we go on the ground with those machines that have already been bought and repair our roads, which to him and to me, the roads are in a deplorable state. In your remarks Mr. Speaker you said I am protected.

Hon. Speaker: There is a point of order.

Hon. Mbithi: But I was protected Mr. Speaker.

Hon. Ndeto: Thank you Mr. Speaker. I think that member should know that contractors are already on the ground, spending the Kshs. 200 million, which means 5 million per ward, so there is no way it can be reallocated to the Executive to use the tractors.

Hon. Speaker: My understanding may have been that this speech means now and in the future, not what happened yesterdayBut proceed, let the voice proceed.

Hon. Mbithi: Thank you Mr. Speaker. Mr. Speaker though the standing orders say that we should not mix languages, I want to say something in quotes '*usipoziba ufa, utajenga ukuta*'

Hon. Speaker: Just proceed

Hon. Mbithi: So Mr. Speaker, I think it is good we try to use these machines which have already cost the county other than continuing using this Kshs. 200 million and we will have saved a lot. Mr. Speaker, in his Excellency the Governor's speech, he has pointed out some roads.

Hon. Speaker: As you proceed, I want us perhaps to handle our debate this way. You are raising a very pertinent point, but direct that question or that issue to a particular chair of a committee, so that the issue is taken up as an agenda as normal proceedings begin.

Hon. Mbithi: Thank you Mr. Speaker, I think this issue is directed to the committee for roads headed by Chairman Hon Felix Ngui

Hon. Speaker: And that chair will be put on notice. Proceed. Don't be shy; even in areas where it concerns you, you also direct yourself.

Hon. Mbithi: Yes, as I point out Mr. Speaker, in the morning I went out to the ministry for Roads, because as Hon Ndeto is saying, the contractors are already on site. We have some, I don't know we will call them ignorant contractors or they really don't know what is happening on the ground. The contractor who is supposed to be at Lower Kaewa has not visited the site, and when I got to the Ministry Of Roads, he says there is a document which still has to be signed, and in the other wards, the contractors are already working with unsigned documents. So these are the kind of contractors I'm saying we need to kick out and use these machines to make our roads Mr. Speaker.

Hon. Speaker: Is that a point of order? Point of information? Let's hear, I will give you protection don't be scared.

Hon. (Ms.) R. Nduku: Thank you Mr. Speaker, Sir. I want to correct my Hon member when he says that the equipment which the government has bought should go to our wards to work there and keep aside the money which the government has set aside to do the same. The reason why I'm saying this Mr. Speaker is because this equipment when they are working in our wards, they cannot buy things like caravats, when we are making small bridges, when we are doing drips in our roads; so the graders, excavators and other equipment can do the work, but the money can also buy the other things which are required to make the roads better. So when my colleague says there is no need for us to have money for that, I think he is not in order. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. I'm sure the voice of Kaewa understands that and you should appreciate that information.

Hon. Mbithi: Thank you Mr. Speaker. Thank you for the information, only that I did not mean that we keep the money under cover. It will still be used in the same, same ministry.

(Laughter)

Mr. Speaker, in page three the first paragraph, 'our water programme is on course.' My local understanding is that something is already happening. We have representatives from each ward here. What is happening in Lower Kaewa? What is happening in Muthetheni? What is happening in Ndithini?

Hon. Speaker: Hon member you say that 'is on course.'

Hon. Mbithi: Is on course

Hon. Speaker: It may be happening in the boardroom

Hon. Mbithi: In the boardroom? That is why I said it is theoretically excellent and practically fair.

Hon. Speaker: Proceed

Hon. Mbithi: And we need things to be working on the ground. On the same paragraph, ‘our youth centers are under construction,’ Mr. Speaker. Which youth centers are under construction? His Excellency the governor should have pointed out, ‘we have this and this youth centre in Lower Kaewa, we have this and this youth centre in Muthetheni, which is under construction,’ but it is just a blanket of words and we want to see things happening on the ground, as they are happening on this paper.

Hon. Speaker: Hon Member...

Hon. Mbithi: Yes Mr. Speaker.

Hon. Speaker: I think construction may mean even with the draftsman.

Hon. Mbithi: It may mean, but it is not what it is meant to mean here Mr. Speaker. I understand.

Hon. Speaker: Okay proceed.

Hon. Mbithi: His Excellency the Governor, I respect him too much, he is very active Mr. Speaker. In his speech, he continues to say, ‘even our rural electrification programme is under construction and expanding rapidly.’ ‘Rural electrification.’ Mr. Speaker, if Kenya was a county, for example, we would not describe Nairobi as rural, if Kenya was County. Mr. Speaker, now that Machakos is a County, I don’t think we are going to describe Machakos town as rural. Rural are places like Lower Kaewa, like Mwala, which needs the expansion of this rural electrification Mr. Speaker.

I understand that we have the street lighting along Machakos-Makutano road, but Mr. Speaker I think the thing we need most urgently is lighting our rural homes, our rural markets, and this is what would best suit his Excellency the Governor’s speech of saying our rural electrification programme is expanding rapidly. If I woke up in the morning and found that my local market has a *Mulika Mwizi*. I would very much concur with this rural electrification programme expanding rapidly. So maybe Mr. Speaker, when his Excellency the Governor will be giving his next speech in this House, I will appreciate if he says, our rural electrification programme is expanding rapidly in Lower Kaewa, is expanding rapidly in Matungulu, I would describe this as an excellent work, practically and theoretically.

Mr. Speaker, going back to the security cars; when Hon Dominic Maitha stood up and said that security has not been devolved, to my own understanding he did not say that we did a

mistake to buy police cars. I think when Hon Katela said we need a system to check the operations of these vehicles, the only thing to my own understanding he was suggesting is that, we get a body in Machakos county which is directly responsible to manning the operations of these vehicles, with people who have zeal of work and passion to work for the people of Machakos County but not being guided by greed.

Mr. Speaker, Kenya had those buses called the Nyayo buses, and they collapsed because of poor management and the best thing we can do for our ambulances, for our police cars, is setting up a proper body for the management of the operations and checking records on daily basis to ensure that what we have for Machakos County is kept in good records and the operations are proper. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much for taking us through the speech and your attempt to define the speech. Thank you.

Hon. Matheka: Thank you Mr. Speaker sir and the entire House at large. Mr. Speaker sir, I would like to take a different path because we can stand here and talk of the Governor, talk of everything, but at the end of the day as I always say, it will narrow to this House. We are legislators, we are representers and we are overseers. And in the side of legislation it's where I'll dwell on Mr. Speaker sir. We have talked of the tractors and the seeds subsidy programme which falls directly under the committee of Agriculture and the ministry of Agriculture in the County Government.

We have talked of health, the ambulances, which fall directly under the Committee of Health and the Ministry of Health And Emergency Services in the County Government. We have talked of water, the tanks and electrification programme which is going on. That falls directly under the Ministry of Water and the committee of Agriculture, if I'm not wrong, and the chairman is here, the Voice. Mr. Speaker sir, we have talked of bursary programmes and the youth centers, which fall directly under the Ministry of Education in the county and Youth and Children, and the Committee of Education in the House. And we have talked of roads, which fall directly under the Ministry of Public Works and Transport in the county ministry and the Public and Transport committee in the House.

Mr. Speaker, Sir, we can talk much of the Governor as giving out programmes which are not working. But I won't blame the Governor; the Governor is the CEO of the County and he has his foot soldiers. The foot soldiers are the ministers and the chief officers and we also have some other foot soldiers because we have, the county government is made up of the Executive and the Legislative arm of it, which is the assembly. Mr. Speaker sir, I strongly believe in one thing; unless there is a policy to govern all these programmes, we are all going to fail and blame the Governor forever and ever.

Mr. Speaker, Sir, it is my humble request that all these programmes that have been rolled out, and I'm requesting through all the Chairs of the committees, please Hon members and

Chairs, go and sit down with the ministers responsible and the chief officers responsible for those dockets. As a House, through you Mr. Speaker sir, I will request we get the policy documents or the policy papers governing all those programmes and projects. If it is the tractors and the subsidies programme, we see what policy was used to roll it out. If there was no policy, Mr. Speaker, we shall talk in this House, time in time out and because there are some other people out there who have their own interest in the tractors, in the ambulances, in the police cars and in every project that is rolled out, we shall never go anywhere.

So Mr. Speaker, Sir, I am requesting this Hon. House and the Chairmen, can we please have a policy paper which was used to roll out these programmes so that we can have a clear picture indicating exactly what was supposed to be done and if anything went wrong, we can now call the ministers and the chief officers and we discuss what went wrong. If they cannot sort out the problem, then we can go to the Governor and tell him, 'Mr. Governor, this programme was meant for the good of the Machakos county people but your officer messed in such and such a place.

Hon. Speaker: Okay.

Hon. Maitha: Thank you, Mr. Speaker. The speaker who has just sat down I just want to say that Mr. Speaker, we sat here as an Assembly and deliberated on the issue of the chief officers. We agreed unanimously that these chief officers have not been brought to this Assembly for vetting so that we can ascertain them to do their jobs right. Mr. Speaker, for how long, as the member is saying that we need to call them, are we going to wait for these chief officers? Maybe they are under delivering because we have the wrong persons in those executive offices. We need those members brought here so that we can vet them, have the best such that when we call them to answer questions regarding the projects that his Excellency the Governor has raised, we know we are dealing with the right people. Thank you, Mr. Speaker.

Hon. Matheka: Thank you Mr. Speaker and the Hon member for the information but kindly Hon members, remember that I'm not the personnel officer for the county neither am I the chairman or the CEO of the County Public Service Board. What I know is that there are chief officers in office and they should give us a policy paper on what is happening on the ground because at the end of the day, somebody somewhere is answerable to what is happening on the ground; whether he is confirmed or not, he is in office. Mr. Speaker, Sir, to wind my speech, I just wanted to point out to my fellow Hon members and chairmen, please Hon members, starting with my nearest chairman and my chairman for Transport, we need the policy which was used to roll out those programmes, either from the Governor, from the chief officer or from the executive officers because, a paper, or a policy was used, to roll out this programme. Thank you Mr. Speaker, Sir.

Hon. Speaker: Thank you very much. I think practically in my view, what Hon. Matheka has said wraps up the entire debate. Unless there is anything particularly new, because every member who is rising up is repeating an issue or the other that has already been stated by a

member. It was my view that to the debate on the Governor's speech is practically concluded, unless we are of a different view. Are you saying something practically different which has never been said?

Hon. Kamitu: In addition to what Hon Matheka has said, Mr. Speaker sir you are very much aware about 1986 government sessional papers.

Hon. Speaker: Yes.

Hon. Kamitu: Kenyans are very good in writing sessional papers but they were very poor on the implementation part of it. So my humble request, if I may summarize Hon Matheka's contributions which are very important, is the chief officers or every ministry in regard to our county government should come up with sessional papers as a guideline to what we are going to implement on the ground. So we are saying, all the committees, the chairs of the committees in relationship to the ministries concerned, should have a wakeup call so that we may be seen to be doing things on the ground because Hon Speaker sir, we shall be irrelevant in to our wards if we are not going to implement what we are going to budget for. Thank you very much Mr. Speaker, sir.

Hon. Speaker: Thank you very much. In my view the speech of the Governor today is concluded and I would wish to say that the Liaison Committee should convene tomorrow, that is all the chairs, and the House Business Committee so that we can also ballot on the programme of the Assembly. So I urge that we should have a meeting tomorrow. I will advise the Deputy Speaker to meet the chairs, and then each chair who is here now can come up with agenda; what have we made from this debate? And then from there we will be able to space up on our business for the remaining term of the Assembly.

ADJOURNMENT

Hon. Speaker: And there being no other business, then the House adjourns. Thank you very much. Have a good afternoon.

The House rose at 3.50 p.m.