

## MACHAKOS COUNTY ASSEMBLY

### OFFICIAL REPORT

Thursday, 31<sup>st</sup> July, 2014

The House met at 2.56 p.m.

*[The Speaker (Mr. Munga 'ta) in the Chair]*

### PRAYERS

### COMMUNICATION FROM THE CHAIR CONDUCT OF MEMBERS

**Hon. Speaker:** Good afternoon hon. Members. Let us proceed, Clerk. Yes hon. members, emanating from some events that happened this week, particularly a group of members that stormed my office yesterday and used derogatory language and following the conduct of some specific members of this County Assembly within the chamber, I do hereby make the following communication.

Hon. Members, it has come to my attention that some hon. members are conducting themselves in a disorderly manner in contravention of the law as well as the County Assembly's powers and privileges. Cases of members taking documents from the library without following the right procedures have been reported to the office. Moreover, members have been using derogatory language towards members of staff, going to the extent of conducting themselves in a manner that does not fit their hon. status.

Pursuant to Article 196 subsection 3 of the Constitution of Kenya, Parliamentary legislation providing for the Powers and Privileges and communities of the County Assemblies, their committees and members. Furthermore, section 17 of the County Governments Act, states that the national law, regulating the powers and privileges of parliament shall with the necessary modifications, apply to County Assemblies.

In the absence of a substantive Machakos County Assembly Powers and Privileges Act, the National Assembly's Act prevails because it is the National regime prevailing. Section 23 of the National Assembly Powers and Privileges Act, stipulates clearly that any person who assaults, interferes with, molests, resists or obstructs an officer of the Assembly while in the execution of his duty, shall be guilty of an offence and liable of conviction before a subordinate court of the first class.

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Hon. members, it is important for in spite of Privileges and Immunities of the County Assembly, in order to protect our integrity, authority and independence but let us not go to the extent of engaging in offensive and criminal behavior in the name of defending our Powers and Privileges and the Chair will be forced to invoke the necessary laws and regulations to curb such indiscipline.

Additionally, hon. members, I have noted with concern that some members are making technical appearances during plenary sessions and committee meetings just to sign the attendance register. Note that, subsequent to this communication such conduct shall be deemed to be disorderly and shall be dealt with in accordance with the rules pertaining to disorderly conduct.

Further, yesterday, it was noted with concern, that a hon. member of this house, namely Justus Katumo Mutweia cancelled the name of the Speaker from the register within this chamber and I take that as exceptionally disorderly conduct and accordingly, suspend that member for the next three days. If that member is in the house, he should be escorted off the chamber.

Hon. Katumo Mutweia, you have been named, you are suspended. Let me hear the point of information.

**Hon. (Ms.) Ndawa:** It will only be fair if you named a member who was present. Hon. Katumo was not present yesterday and I can assure you, I saw the name of the Speaker cancelled in that list and I found the register with Hon. Raphael. I saw it when I signed it here.

**Hon. Speaker:** Hon. Member you can only speak to the chair.

**Hon. (Ms.) Ndawa:** So Hon Speaker that can be really unfair, because this hon member was not present in the plenary yesterday.

**Hon. Speaker:** Hon. Katumo, kindly, wait for me in my chambers. We shall verify that. Let us proceed, Clerk.

#### **PAPER LAID** **EDUCATIONAL TRIP TO TURKEY**

**Hon. (Ms.) V. Mbithe:** Thank you Mr. Speaker, Sir, and the house at large. Pursuant to the Standing Order No. 190 section 5, I wish to lay on the floor of the house a report of the County Assembly Members educational trip to Turkey. Thank you Mr. Speaker, Sir.

**Hon. Speaker:** Thank you. Proceed.

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**NOTICE OF MOTION**  
**EDUCATIONAL TRIP TO TURKEY**

**Hon. (Ms.) V. Mbithe:** Mr. Speaker, Sir, I beg to give notice of the following motion. That this hon. house discusses and approves the County Assembly members report on educational trip to Turkey as laid on the floor of the house today on the 31st July, 2014. Thank you Mr. Speaker, Sir.

**MOTION**  
**EDUCATIONAL TRIP TO TURKEY**

**Hon. (Ms.) V. Mbithe:** Thank you Mr. Speaker. Mr. Speaker, Sir, aware that the members of this Assembly visited Turkey on a benchmarking tour as from 8th to 14th December, 2013, aware that Turkey has advanced transport, textile and town planning technologies and practices which if implemented can be of great importance to our county and the nation at large, Mr. Speaker, Sir, aware that most of our county roads are in poor state and aware that our county will develop faster with better road networks, the trip to Turkey was an eye opener to the hon. members.

Finally, aware that our county has a lot of untapped resources which could be tapped with better means of transport, I wish to move the motion that this hon house considers and approves the report on educational trip to Turkey as presented by the members who visited Turkey. Thank you Mr. Speaker, Sir. I beg to have the motion seconded by Hon. Rachel. Thank you Mr Speaker, Sir.

**Hon. (Ms.) R. Nduku:** Thank you Mr. Speaker, Sir. I stand here to second the motion on the trip to Turkey. Thank you, Mr. Speaker.

**Hon. Speaker:** Thank you, you can proceed to the next motion. Hon. Veronica, you can proceed with you motion.

**Hon. (Ms.) V. Mbithe:** Thank you, Mr. Speaker.

**PREAMBLE**

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Mr. Speaker, several Members of the County Assembly visited Turkey on a benchmarking mission from 7<sup>th</sup> to 14<sup>th</sup> December 2013. Mr. Speaker the following members attended the tour:

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1.	Hon Bernard Mung'ata	Speaker
2.	Hon Joshua Mwonga	Leader of Majority
3.	Hon Thomas Kasoa	Leader of Minority
4.	Hon Alex Kamitu	Minority Whip
5.	Hon Timothy Kilonzo	Majority Whip
6.	Hon Nathaniel Nganga Reuben	Deputy Speaker
7.	Hon Caleb Mule	Member CASB
8.	Hon Anne Wairimu Musyoki	Member
9.	Hon Catherine Nguluki	”
10.	Hon Brigid Kitili	”
11.	Hon Alice Nzyoka	”
12.	Hon Christine Mutune	”
13.	Hon Penina Kaluki	”
14.	Hon Samson M Kimanzi	”
15.	Hon Benedetta Mueni	”
16.	Hon Nina Mbithe	”
17.	Hon Veronica Mbithe	”
18.	Hon Magdalene Ndawa	”
19.	Hon Cecilia Sereka	”
20.	Hon Rachael Ndambuki	”
21.	Hon Jacinta Luka	”
22.	Hon Justus Katumo	”
23.	Hon Bibiana Nduku	”
24.	Hon Jacqueline N Munyao	”
25.	Hon Amina Mutio	”
26.	Hon Mary Ndinda	”
27.	Hon Phoebe Mawa	”
28.	Hon Ruth Ndumi	”
29.	Hon Margret Ndalana	”

## **OFFICERS**

30. Mbiuki F.G

Clerk to County Assembly

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| 31. | Peter Mbatha    | Director of Finance      |
| 32. | Evelyn Kimote   | Senior Clerk Assistant   |
| 33. | Luiza Kamau     | Assistant Hansard Editor |
| 34. | Christine Matee | Environment Officer      |

Mr. Speaker, the tour was very educative and the knowledge acquired will assist in formulating policies which will improve our County. In a nutshell, the team was able to learn how Turkey a newly-industrialized country has managed to be among the most developed countries within a very short time.

Mr. Speaker, Sir, the country is among the world's leading producers of agricultural products, textiles, transportation, equipment, home appliances and consumer electronics. Mr. Speaker, Sir, Turkey is well known for its vibrant textile industry. We all know that some of our local entrepreneur's source of textile clothing is Turkey which they then sell to us locally at high prices due to the shipping costs and other related costs.

During our tour of the country, we met with different players in the industry who expressed their willingness to set a shop in our country, a matter that will benefit the electorates in Machakos directly through job creation and quality products. It will also be beneficial to the entrepreneurs who would not have to travel all the way to Turkey for their high quality products.

Mr. Speaker, Sir, during our tour, members were amazed at the enhanced Turkey road network. The use of high speed trains commonly referred to as subways, within the urban centers greatly reduces traffic in the cities. We need to set up such structures to enhance economic growth as very many hours are lost in traffic.

Mr. Speaker, Sir, it was clear to the members that there was no litter in Turkey and litter bins were placed in strategic areas for use. We realize, Mr. Speaker, that our community needed sensitization in order to keep environment clean.

On the area of planning, members noted that Turkish urban centers were well planned hence members felt that there was need to formulate policies that will lead to proper planning of our urban centers.

Members noted that, Turkey is located in very dry area, with most of the food stuffs being imported yet the country was more developed than our country. Members felt that, with proper utilization of the available resources and taking advantage of our suitable climatic conditions, the county could become one of the most industrialized in the country.

Mr. Speaker, Sir, the team which visited Turkey also learnt that tourism is one of the most dynamic and fast developing sectors in the country. Members noted that although the Turkish tourism industry is not as diverse as the Kenyan industry, the Turkish government has properly preserved the sites they have, which have contributed billions of dollars in revenue for Turkey.

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The team visited the Blue Mosque, famous for its six minarets and the wonderful internal decoration located in Istanbul, as well as the impressive Hagia Sophia, now a museum. The building was the largest Basilica in the Christian world for almost 1000 years, Mr. Speaker, Sir. These are some of the most famous tourist sites in Turkey and are proof on how preservation of cultural heritage sites can contribute to improving revenue streams for our county and other counties in Kenya.

Mr. Speaker, Sir, our country is blessed with a vibrant tourism sector which needs to be exploited to increase revenue for the country. Apart from sites such as famous Masinga Dam, and the Kaloleni Mua Hills, the wood carving sector as well as the weaving sector, tourism needs to be funded to improve our county's economy as they will enhance tourist arrivals and the general economic growth for our county.

The same was echoed by the public when the fiscal strategy paper was presented to them early this year. Mr. Speaker, Sir, the recommendations set above will be beneficial to our County as they will enhance the overall economic growth. Thank you Mr. Speaker, Sir.

**Hon. Speaker:** Thank you very much.

**Hon. (Ms.) V. Mbithe:** I therefore ask hon. Ndinda to come and second the report. Thank you Mr. Speaker, Sir.

**Hon. (Ms.) Ndinda:** Thank you Mr. Speaker, Sir. I therefore second the report. Just the way it has been reported is exactly what we witnessed. Thank you.

**Hon. Speaker:** Thank you very much. I ask proposers of the report to make their contributions. Those who propose, those who support the report. Those who oppose the report?

**Hon. Nduva:** Thank you Mr. Speaker, Sir. I am the chairman of Planning Trade, Tourism and Cooperatives. Mr. Speaker, Sir, I am not standing to oppose, Mr. Speaker, Sir. I am standing here to support the report as it has been represented by hon. Veronica. Mr. Speaker, Sir, the trip to Turkey was of great importance, as the areas which have been mentioned here are of importance and because members who visited Turkey have in their minds, is what should be shared amongst the members of this county assembly so that Mr. Speaker, Sir, we should also fight and look the way forward to bring our county to the standards the country of Turkey is.

Mr. Speaker, Sir, I won't forget to mention that, the areas mentioned there are crucial areas as far as the committee of Planning Trade, Tourism and Cooperatives is concerned. Because Mr. Speaker Sir, the issue of planning has been mentioned here, the issue of tourism, so I urge, Mr. Speaker, through your chair, next time the committee of planning will not miss a

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chance to visit Turkey so that we can come out with the modalities on how to put things as the way they are in Turkey. Thank you Mr. Speaker Sir, I support the report.

**Hon. Speaker:** Thank you any other person. Yes Hon. Kamitu.

**Hon. Kamitu:** Thank you Mr. Speaker Sir. I was one among the members who went, who visited Turkey and I am proud to say, that Mr. Speaker Sir, what we saw in Turkey, if it is implemented here in our country that will be advancement. It will be a development so in regard to what was mentioned by Mheshimiwa Veronica, in regard to the road network, we saw that their roads were very good in prevention or reducing traffic jams.

We also saw their railway network was excellent, their textile industries and more so the infrastructure within both town because they visited Istanbul and Ankara. I stand to support and recommend that next time, it is a humble request that the committee for planning and trade should go there, because we were also officially invited by our Ambassador who is based in Ankara so that proper arrangements could now be made. The committee for Trade will go there and have a very good bench mark for the same. Thank you very much Mr. Speaker, Sir.

**Hon. Speaker:** Thank you, any other.

**Hon. Itumo:** Mr. Speaker, Sir, what is in this report, even though I did not go to Turkey, it is quite important to enhance our county because I can see that it consists of very many things that can make this county be developed to the standards of Turkey. Mr. Speaker, Sir, next time, I also urge you to see to it that my Committee of Justice and Legal Affairs attends such tours.

Mr. Speaker Sir, I would like to urge this hon. house to support this document so that it may be adopted because it is quite an important document that may shed light in future as far as developments are concerned. Thank you, Mr. Speaker.

**Hon. Speaker:** Thank you, yes chair budget.

**Hon. Muinde:** Thank you Mr. Speaker. I was not lucky to be part of the delegation that went to Turkey Mr. Speaker, but listening and reading the report, it is important for us to draw lessons from this trip and try to improve our own county. Mr. Speaker, I would want to say that the good road network and the industries, like the textile industries, as witnessed by the members who went there, must have been a product of proper planning. Mr. Speaker, it is not about another delegation going to Turkey but it is about this County learning from what the delegation that went to Turkey learnt.

Mr. Speaker, we have a County Integrated Development Plan, which was hurriedly constructed when this County began. I would suggest that this is the time we revisited our CIDP

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and now try to see from the experiences that we have had in Turkey and elsewhere, now that craft our own and try to make policies and even tailor our budgets to ensure that now from the lessons that we have learnt, we are able to put something on the ground other than just having our teams go for a tour. Let this tours be truly educational and what we have learnt from this countries be put down and be implemented in our counties. So that we can truly be seen, not to be international travelers but people who go out there to benchmark and bring home what they have learnt. Thank you, Mr. Speaker. With that I support the report.

**Hon. Speaker:** Thank you. Any other contribution? Yes Hon. Rachel.

**Hon. (Ms.) R. Nduku:** Thank you Mr. Speaker Sir. I am one of the Members who visited Turkey and there is a paragraph which I just want to put emphasis on. Some of the areas in Turkey were placed in strategic areas. This paragraph has caught my eyes, because in my ward, it is the ward which has the most garbage bins all over and I am wondering whether the implementers of the projects in our county will be able to see our report. What we saw there, because even if the bins were put in strategic areas in Turkey, they were not only in strategic areas but they were dug underground.

Nobody could see the litter, but in our county, the bins are there but when they are filled up, nobody is caring. Nobody is taking care of that. So I would like the committee on environment to involve the ministry which is concerned to see what they can do about this. Thank you Mr. Speaker Sir, I support this report.

**Hon. Speaker:** Thank you very much, we expect the chair of this particular committee to forward this report to the relevant executive office and highlight on the areas of implementation.

**Hon. Manyolo:** Thank you Mr. Speaker, Sir. Mr. Speaker, Sir, having our members visit various places and coming up with ideas of what they have seen, it is true and the paper states clearly that we are not poor because we are poor, but what has lacked for us to be poor is proper utilization and management of issues. So Mr. Speaker, Sir, I support the document clearly stating relevant offices and authorities to come up with guidelines on how we are going to improve our Machakos County.

Masinga dam is there is a tourist circuit, we have the Kaloleni Mua Hills and we have also the Wamunyu carvings. We have so many key areas which can uplift the standards of Machakos. So with proper consultations, I understand those who were there will give us key guidelines on how we are going to achieve that. Thank you Mr. Speaker Sir, I stand to support.

**Hon. Speaker:** Thank you very much. Any other person? Then we can hear remarks from the mover of the motion.

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**Hon. (Ms.) V. Mbithe:** Thank you Mr. Speaker Sir, and the house at large. Indeed we went to Turkey and the last day as we were parking before coming back, everybody was saying that, they would arrange for their own personal tour to Turkey because there were very many interesting things that we saw there, especially in the textile industries.

Mr. Speaker, Sir, apart from the textile industry, we noticed that things there are in order, and that traffic, the railway systems, things were running smoothly in contrast to what happens in our county. You remember the incident when there was a sports tournament and there was jam that took many hours.

Mr. Speaker, Sir, we would want to hand this over to the transport committee to work it out with the ministry concerned so that our traffic in Machakos County, when we have such occasions, that we don't have hitches.

Mr. Speaker, Sir, a lot has been said about Turkey, and I know that you agree together with the members who visited Turkey that this report is true evidence of what we observed in Turkey. Therefore I would beg this house adopts and approves this document Mr. Speaker, Sir. Thank you Mr. Speaker, Sir.

**Hon. Speaker:** Thank you very much. Then I proceed to put the question that, those in favor of adoption of the report as laid

*(Question put and agreed to)*

**BILLS**  
**REPORT AND THIRD READING**  
**MACHAKOS COUNTY WATER BILL 2014**

**Hon. Muli:** Mr. Speaker Sir, I stand here to propose the Machakos County Assembly Water Bill 2014 be read the third time. Thank you, Mr. Speaker. I call upon Hon. Kasimu to second the Bill.

**Hon. Kasimu:** Thank you, Mr. Speaker. I stand to support the Machakos County Water Bill 2014 third reading. Thank you, Mr. Speaker.

**Hon. Speaker:** Thank you very much and I proceed to put the question.

*Question proposed)*

*(Question put and agreed to)*

*(The Bill was accordingly read the Third Time and passed)*

Then the mover of the motion, proceed with the Bill.

**Hon. Muli:** Mr. Speaker, Sir, I thank you and I congratulate the hon. members who have passed the Bill into law. The Bill is vital to our County. It will make the economy of our County to improve rapidly. We say water is life and without water, life cannot exist. Hon. members, if this regulations which we have already cited in this Bill are followed very clearly and which I believe it will be implemented, I am sure within the five years being in this seat in Machakos County, under the Agricultural issues and health issues will be improved. Hon. Members, let us say, being the chairman of Agriculture, congratulate you for the good work which you have done and also for the focus which makes Machakos County to be number one. Thank you Mr. Speaker, Sir.

**Hon. Speaker:** Then that marks the conclusion of the Bill, Machakos County Water Bill and the necessary steps will be taken in accordance with Standing Order No. 134 towards the same. Any further business please?

### **ADJOURNMENT**

**Hon. Speaker:** That is the business of the day, wish you a good afternoon.

The House rose at 3.34 p.m.