

**MACHAKOS COUNTY ASSEMBLY****OFFICIAL REPORT****Wednesday, 17<sup>th</sup> September, 2014**

The House met at 2.33 p.m.

*[The Deputy Speaker (Mr. Nganga) in the Chair]***PRAYERS****BILL***Second Reading***MACHAKOS COUNTY SAND HARVESTING BILL 2014**

**Hon. Muli:** Mr. Speaker, Sir, this is the chairman for agriculture, environment and natural resources. Mr. Speaker, this is the report for Machakos County Sand Harvesting Bill, 2014.

**Preamble**

Mr. Speaker, Sir, the Machakos County Sand Harvesting Bill 2014 was committed to the committee of agriculture environment and natural resources after the first reading in the house as per the Standing Order No. 120(1), which states that, 'a Bill having been read on first time, shall stand committed to the relevant sectoral committee without question put.' Mr. Speaker, Sir, according to the Standing Order No. r 120(4), 'the chairperson of the sectoral committee to which a Bill is committed or a member designated for that purpose by the committee shall present the committee report to the house within 20 calendar days of such committal and on upon such presentation, or if the committee report is not presented when it becomes due, the Bill shall be ordered to be read a second time on such a day as the house business committee shall, in consultation with the member or with the committee in charge of the bill appoint.'

Mr. Speaker, Sir, in line with the provisions of the constitution, I hereby represent to this hon. house, the committee report on the Machakos county committee Sand Harvesting Bill 2014, which the committee on agriculture, environment and natural resources, discussed and made recommendations to the assembly for considerations. Mr. Speaker, Sir, the agriculture, environment and natural resources committee currently constitutes and comprises of the following hon. members:

1. Hon Joseph Musyoka - chairman
2. Hon Philip Ndolo - vice chairman

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3. Hon Isaac Muinde - member
4. Hon Gideon Kavuu
5. Hon Kyalo Kyuli
6. Hon Charles Mutisya
7. Hon Wilson Kasimu
8. Hon Felix Ngui
9. Hon Nathaniel Nganga
10. Hon Geoffrey Munyao
11. Hon John Sila
12. Hon Henry Ngunzi
13. Hon Joseph Itumo
14. Hon Joshua Mwonga
15. Hon Alex Kamitu
16. Hon Raphael Mutuku
17. Hon Vivian Nduku
18. Hon Nina Mutiso
19. Hon Veronica Mbithe
20. Hon JacquelineMunyao
21. Hon Catherine Nguluku
22. Hon Jacinta Luka

Mr. Speaker, Sir, the agriculture, environment and natural resources committee has been extensively involved in the various sittings, to discuss the Machakos Sand Harvesting Bill 2014.

Mr. Speaker, Sir, in line with article 6 191(1) b of the constitution, the committee also invited the participation of public, as per standing order number 121(3), which states that, the committee to which a bill is committed shall facilitate a public participation and shall take into account the views and recommendations of the public when the committee makes its report to the house. The committee held public hearings in eight sub counties namely: Masinga, Yatta, Mwala, Kathiani, Mavoko, Kangundo, Matungulu and Machakos Town.

### **Committees views on the bill**

Mr. Speaker, Sir, the committee members resolved that the structure for managing sand to be set in three levels that is from the ward levels to sub county level and county level. Members also requested to have a person with disability to be included in the bill and riparian resources management associations in the bill be replaced with sand harvesting associations and an overall committee to be established at the county level to oversee the activity.

In addition, Mr. Speaker, Sir, the members rejected the appointing of the representatives of the sand dealers by executive committee member and proposed the ward committee to be appointed by the sand dealers and quarry association.

Further, Mr. Speaker, members suggested that, Machakos County could monopolize on the selling of the sand by having a central point of the sale. They said this can be achieved by allocating a distinct site where interested buyers will be purchasing the sand from. Members were of the view that the only registered sand associations should have their own lorries harvesting sand from the site and taking it to the distinct place.

In addition, members discouraged sand harvesting activities from taking place in areas where riparian groups had not been registered and where communities had disagreed.

Finally Mr. Speaker, Sir, members proposed hours of the sand harvesting and transporting under part three, clause 2(1), to change from 6 p.m. to 9 a.m. and to read from 6 p.m. to 7 a.m. and clause 1(1) b, time to change from 8 p.m. to 9 a.m. and to read 8 p.m. to 7 a.m.

### **Public views on the bill**

Mr. Speaker, Sir, the draft bill was reviewed by the members of the public and the following issues were raised:-

On chairmanship of the county sand harvesting and management committee, Mr. Speaker, the public proposed that the chairperson to the committee to be the Chief Officer of the environment and the committee to be supervised by the County Executive in charge of the environment, in order to enhance sustainable sand harvesting and also enhance sustainable development.

In addition, Mr. Speaker, the public raised issues of technical advice on construction of sand dams and proposed that the riparian sand management associations be replaced with sand harvesting associations. We should seek technical advice from relevant water department and the design construction of the dam and the advice of the Water Act 2002.

Further, Mr. Speaker, Sir, the public had concern on the legality of the riparian resource management associations and they recommended that the county assembly to consult resource management authority, that is WARMA, on whether the above associations create conflicts with water users associations and WARMA in the conservation of the water resources as per the provisions of the Water Act 2002 and to also agree with whether the associations will be under the jurisdiction of the respective WARMA.

Mr. Speaker, Sir, on members of the committee, the public proposed the members of committee to constitute an odd in addition to ease decision-making processes at time of voting.

The public also proposed for the management committee at sub-county level, where each ward will be represented and suggested that the committee be chaired by one of the sand dealers and not one of the chief officers.

Finally, they proposed that after the revenue is collected, the amount given to the community be increased from 10 per cent to 20 per cent. In addition, the public suggested that the riparian associations should have their lorries to harvest from the site and take it to the distinct places where buyers can buy from, in order to curb the pollution of rivers through oil leaking and if possible rivers be rehabilitated fast.

Mr. Speaker, Sir, the public also proposed, grading, packing and value addition to be taking place from the time and price be set for different grades of sand.

Further, Mr. Speaker, the public resolved that the roads connected to the sand harvesting site be improved so that lorries do not trespass on peoples land. Further, Mr. Speaker, Sir, the public came in consensus on issues of timeline of sand harvesting and proposed that the sand harvesting time be reviewed from 9 a.m. to 8 a.m. and also from 6 a.m. to 6 p.m. Mr. Speaker, members also said, the bill should discourage under the age children of 18 years from participation and exercise of sand harvesting.

Finally, Mr. Speaker, Sir, the public proposed that the community members over 18 years be given the opportunity of loading the sand and the bill to provides insurance for the loaders and compensation in case of an accident.

Thank you, Mr. Speaker, Sir. This was prepared by Sarah Mwanja, Senior Clerk Assistant and confirmed by the chairman. Thank you, Mr. Speaker. I propose the Majority Leader to second me.

**Majority Leader (Hon. Mwonga):** Thank you Mr. Speaker. I stand to second the second reading of the bill. Thank you.

**Hon. Deputy Speaker:** Members, I now invite today to the matter before us, the report as it has been tabled so I invite contributions in support and against or remarks for areas that you find need amendments within the report. So members who are willing to contribute or who have concerns are invited to make their contributions. Any member? Yes hon. Geoffrey.

**Hon. Munyao:** Mr. Speaker, Sir. First of all is to congratulate the committee of Agriculture for good job they have done. But, Mr. Speaker, in this document, there are some few things I would like to oppose, like time limits. Mr. Speaker, Sir, as you know, Kenya is developing to be a 24-hour economy and also, we are looking at Vision 2030 where we are looking to work 24 hours. I don't see the point of working between 6 a.m. to 6 p.m. with our lorries, yet we have introduced and we have invested a lot in security in Machakos County so as our people to work 24 hours.

Secondly, Mr. Speaker, as you realize that the department of decentralized units has a lot of workers. Those workers can be deployed to work day and night. Thank you, Mr. Speaker, Sir.

**Hon. Deputy Speaker:** Yes Hon. Kiilu.

**Majority Leader (Hon. Mwonga):** Thank you Mr. Speaker, Sir. First and foremost, I would like to start by supporting the bill as it is, Mr. Speaker. Mr. Speaker, I have a wealth of experience in this issue of sand harvesting.

Mr. Speaker, I think I am very well placed, to speak on issues of timeline and Mr. Speaker, I would like to urge my colleagues that we stick to 6 a.m. to 6 p.m. Mr. Speaker allow me to give reasons to this. Mr. Speaker, I know we may be having some members in our

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assembly who have interest in the sand activity business but for prosperity and harmony for this exercise, we should stick to the time given in the bill that is 6 a.m. to 6 p.m. Mr. Speaker, if you ask the transporters and sand dealers about the timeline, they will say no.

And, Mr. Speaker, the reason they will say no, is because they are not fully involved in the issue of sand harvesting exercise, down there where we have the sand harvesting exercise. Mr. Speaker, the people who do the loading and collecting of the sand into heaps for the lorries to come for that sand, are our brothers and young brothers. Mr. Speaker, these are people who have families and they will need time to be with their families especially at night, Mr. Speaker.

Mr. Speaker, as I said earlier, I have a wealth of experience in this activity. Mr. Speaker, I was senior sand loader for seven good years, Mr. Speaker and I know what it entails for you to be a sand loader. You will miss time to be with your family at night if this one is allowed or if it is changed, Mr. Speaker.

That is why I am begging the hon. members that 'let us forget about our own selfish interests and about the selfish interests of transporter of sand and look at the welfare of our little brothers and sisters down there.' Mr. Speaker, I have seen many families break up because of this sand harvesting exercise. I am not against it. Mr. Speaker, I represent a ward where sand harvesting activity leads in the whole county and Mr. Speaker, I am not ashamed to urge my members that we stick to the timeline.

And the other issue, I want to talk about, Mr. Speaker, it is the issue of insurance. Mr. Speaker, about two weeks ago, I lost two sand loaders in my ward. And Mr. Speaker, these loaders were not even in these burial associations and were not members and I had to contribute some money. The Executive had to help in burying of these sand loaders, Mr. Speaker. I am supporting this bill Mr. Speaker because it is bringing in about insurance to the sand loaders.

Mr. Speaker, with that, I want to urge these members that we support this bill as it is Mr. Speaker. Thank you Sir.

**Hon. Deputy Speaker:** Yes hon. Manyolo

**Hon. Manyolo:** Thank you Mr. Speaker, Sir, and the house at large. Hon members, I am here to support this bill because it is essential to our people. One thing we know, sand harvesting had brought negative image to our county. We had problems of sand and for now I can boast myself and say that we are achieving our goals. That is within satisfaction of community because sand was being bought at cheap price, throw away price. Seeing a lorry of around 37 tones being sold at Ksh. 800 but I know by now, our people will benefit because we will have so many bodies which will benefit and will chip in assistance to our community. So, I am here to support the bill totally. Thank you, Mr. Speaker, Sir.

**Hon. Deputy Speaker:** Yes Hon. Itumo.

**Hon. Itumo:** Thank you Mr. Speaker, first for catching your eye. Mr. Speaker, Sir, I stand here first to support this essential bill. Mr. Speaker, you find that place where I come from,

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Kangundo it is the second leading sand harvest area. Mr. Speaker, Sir, let me say that I would be even more happier if we talked about packaging this essential, I don't know whether I am going to call it our cash cow but let me call it our gold because you find that, when it comes in term of purchasing cement, you find that cement is packed in 50 kg packages.

I would like to say that, in this hon. house, as time goes on we will come with an idea of how we can add value by packing this essential commodity because I know with time, we do not want us to lose resources by cheap prices. So, Mr. Speaker, if I had all powers and I still have powers, because I am a member of county assembly who represents people of Kangundo, I would go on and say, 'let us discuss about packaging this essential commodity, in even 20kg packet, so that we may add value because I know this is where our future lies.'

So, Mr. Speaker it is time to support this very important bill. Mr. Speaker, Sir, I would go on and ask members to continue and contribute positively to this bill and lets pass this bill in unison. Thank you, Mr. Speaker.

**Hon. Speaker:** Hon. Mutuku.

**Hon. R. Mutuku:** Thank you, Mr. Speaker, Sir. Mr. Speaker, Sir, I rise to support the report that has been tabled by the committee in agriculture, environment and natural resources. Mr. Speaker, Sir, the reason why I am supporting this bill is because this bill will bring harmony in the sand harvesting exercise. Mr. Speaker, Sir, I have witnessed in the previous, situations where most of the people could have wrangles during the sand harvesting in the rivers, some of them could kill their own brothers because we did not have any legislation.

Mr. Speaker, Sir, if the house today passes this bill, I want to believe it will bring harmony in the exercise and also give guidelines on what is supposed to be done. Mr. Speaker, Sir, I also want to support the issue of retaining the time frame, that is, sand be harvested from 6 a.m. to 6 p.m. The reason behind this is we have witnessed in the previous, people engage themselves in theft, they travel with this lorries overnight to other places.

We have also seen our brothers with their health deteriorating because of the cold in the rivers and it could be a wise decision if we restrict the time so that they work from 6 a.m. to 6 p.m. then they relax, they join their families and they engage in other economic activities. Mr. Speaker, Sir, I support the bill. Thank you, Mr. Speaker, Sir.

**Hon. Deputy Speaker:** Hon. Nzioki.

**Hon. Nzioki:** Thank you Mr. Speaker. Mr. Speaker, I stand to support this bill. First and foremost, Mr. Speaker, this bill will bring sanity in sand harvesting fraternity. Mr. Speaker, there are so many bad things happening at the moment because there are no regulations to guide sand harvesting. And for example, Mr. Speaker, when we talk about time, I would urge members we stick to 6 a.m. to 6 p.m. time. Mr Speaker, most of the wrong things that happen in sand harvesting sites are done at night. Mr. Speaker, there are women who take tea to sell to those

boys down there in the rivers. First month, they sell tea, the second month they sell other things. Mr. Speaker, I would suggest that we stick to that time.

**Hon. Deputy Speaker:** Yes, hon. Kiilu. Hon. Member for Matuu, you are out of order.

**Majority Leader (Hon. Mwonga):** Mr. Speaker. It is just a humble request that the hon. member for Muthesya, who I have a lot of respect for, can he substantiate what he means by other things because, when I used to be one of the sand loaders, we used not to know of those other things. Can he say what this other things are, Mr. Speaker?

**Hon. Deputy Speaker:** Hon. Peter Nzioki, what do you mean by other things?

**Hon. Nzioki:** Thank you Mr. Speaker for protecting me. When I say other things, I said tea and there is food and there is also marijuana, Mr. Speaker, where they sell these things. So Mr. Speaker those are some of the things I was talking about. Mr. Speaker, I need your protection.

**Hon. Deputy Speaker:** Hon. Member for Matuu, the second time you are out of order, the third time we will throw you out of the house.

**Hon. Nzioki:** Thank you Mr. Speaker for your protection. Mr Speaker when we also talk of the age limit, most of our young people, particularly those school-going, the moment they get muscles, when they are in standard three, they go to the sand harvesting. Mr. Speaker, some of the places like where the hon. chairman of agriculture comes from, there are hardly any form four leavers. They have all gone to the sand harvesting areas and I am a witness to that. Mr. Speaker, it brings sanity to this area when these children are protected from going to the sand harvesting sites.

Mr. Speaker, the bill also talks about value addition, in the sense that, it is like we throw away the commodity to the builders. Mr. Speaker, we get very little but the sand transporters get a lot of money from this commodity. Mr. Speaker, it also speaks about insurance, we need insurance for these people. They are people who earn very little and if they are protected, they will earn more and their welfare will be protected. Thank you, Mr. Speaker, I support the bill.

**Hon. Deputy Speaker:** Hon member for Kibauni.

**Hon. Ngunzi:** Mr. Speaker sir, thank you. I want to begin by supporting the bill, except for one particular part. The second to the last page, paragraph one, where we talking of the proposal by the public for a management committee at sub county level, where each ward will be represented and suggested that the committee be chaired by one of the sand dealers.

I do not know who the sand dealers are because I do not see where the meaning of a sand dealer is given because we could talk of a sand dealer and I thought those to be in the sub county management committee should be members. One member from the sand harvesting association

and not a sand dealer. I will go back to my work but I do not see the meaning of a sand dealer as explained there, Mr. Speaker.

**Hon. Deputy Speaker:** yes. Chairman you can respond to that.

**Majority Leader (Hon. Mwonga):** Thank you Mr. Speaker for giving me this chance to inform hon. Ngunzi that these were the suggestions which we got from the public but after we went to the committee, we nullified them,. Now the committee is supposed to be chaired by only the Executive. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Hon. Kamitu.

**Hon. Kamitu:** Thank you, Mr. Speaker, Sir. Mr. Speaker, Sir, I stand to support the bill and I am supporting the bill on about three issues. One thing, the bill is going to exercise the regulation in regard to prevention of soil erosion and as per the bill, we have been given some designated areas so it means, within the regulations and within the river beds, we shall be able to conserve the environment.

This is by ensuring that, if a river bed has been washed away, we shall be able to build gabions as a way of environmental conservation in regard to soil erosion. So I stand strongly to support the bill. Thank you, Mr. Speaker, Sir.

**Hon. Deputy Speaker:** Yes Hon. Munyao.

**Hon. Munyao:** Thank you Mr. Speaker, Sir, once again. Mr. Speaker, Sir, I think most of these hon. members have travelled all over the world and have seen how other countries are working. Mr. Speaker, Sir, when we went to Singapore, I think you bear me witness, those people of Singapore were working 24 hours. When we went to Dubai, they were working 24 hours. In Kenya, when you visit some counties like Nairobi, Mombasa and Kisumu, they are working 24 hours and when we come to Machakos, I wonder how we are going to work for 12 hours, Mr. Speaker.

Mr. Speaker, if we are competing with other counties, we have to add time in working hours. I think even in our bars close at 11 p.m., I wonder why these hon. members are saying to harvest sand will be taking from 6 a.m. to 6 p.m. So, Mr. Speaker, Sir, because of economic factor, we have to work as a 24 hour economy. Thank you, Mr. Speaker, Sir. Also, Vision 2030. Thank you.

**Hon. Deputy Speaker:** Yes Hon. Katela.

**Hon. Katela:** Thank you, Mr. Speaker, Sir. I am in support of the bill. I also have some issues with timing and I want to support Mheshimiwa Munyao on the timing. Most of these



people who own these vehicles are running them on loans and there is no way we can have our business men subjected to time factor when they want to service their bank loans.

Even you can remember yesterday when we were away with our Governor, he said that we are soon starting our city and we should build, in fact, not 24 but 46 hours economy, 24/7. How will we manage to build Machakos city in five years if we are limiting business people to work with time? In fact this is a word of wisdom from me. You are chasing away our investors because most of these people like Pasha Transporters transport their things at night. If there is no cement in a hardware, they have to go for it at night at Portland, fill their vehicles and transport at night so that whoever wants to buy in the morning can find it in the morning.

And I am sorry and I have to say it. I think the mover of the bill is a colleague in that business and he knows, he even leaves there at 3 in the evening and goes to Masinga to fill a vehicle with sand and then he transports it at 2 p.m. My friend, why are you killing your business? This is just a five-year term business. Where will you go back when you finish this? He is an expert in that.

**Hon. Deputy Speaker:** Hon .....what is your point of order

**Majority Leader (Hon. Mwonga):** Mr. Speaker the problem we have here is that we have interested parties, Mr. Speaker. Mr. Speaker, we cannot make laws that will suit the members of this assembly but we are making laws to suit the whole county and all those who live in the county. Mr. Speaker, let us not be held hostage by a few members who have interest in sand harvesting activities. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Hon. Ngunzi.

**Hon. Ngunzi:** Mr. Speaker, Sir, what we looking for in this bill that will soon become an act is order and sanity in this business. We cannot have order when activities take place at night. Those interested parties want it at night because they know they can play a few tricks when nobody sees. Let us have order and sanity in the sand business and forget about those members who want their interests taken care of. Thank you.

**Hon. Deputy Speaker:** Hon. Muli.

**Hon. Muli:** Thank you Mr. Speaker for allowing me this time also to contribute and please, I may request you, because I can measure the mood of the hon. members, that we can dissolve the house and go to the committee or the full house and this issue of the time Mr. Speaker, we can discuss it there extensively. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Order, members. With that request from the chair, the committee therefore will dissolve to the committee of the whole house where you consider the matters therein, clause by clause, where you can make amendments, deletions and additions as you proceed. Thank you.

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*(The Bill was read a Second Time and committed to a Committee of the whole House today by leave of the House)*

### **COMMITTEE OF THE WHOLE HOUSE**

*(Order for Committee read)*

*[Mr. Speaker left the Chair]*

### **IN THE COMMITTEE**

*[Mr. Chairman (Hon. Muli) took the Chair]*

### **MACHAKOS COUNTY SAND HARVESTING BILL 2014**

**Mr. Chairman:** Yes Hon. Members, I humbly request, let us start the committee of the whole house. We go through the amendments which we made during the committee. Thank you, hon. members. Welcome.

*(Clauses 3, 4, 10, 12, 15, 16, 17, 20, 21, 23, 30, 35 agreed to)*

*(Clauses 2, 13, 14, 19, 22, 24, 25, 26, 27, 28, 29, 34, 36 as amended agreed to)*

### **New clauses**

*(Question, that the new clauses 2, 5(2), 8, 15, 25, 29, 32, 34, 36 be read a Second Time, put and agreed to)*

### **Clause 2**

*'Designated area' means any area designated as a sand harvesting area pursuant to the section.*

*'Government' means the government of Machakos County.*

*'Riparian land' means a person who owns or occupies which is adjacent to a river*

### **Clause 5(2)**

*In the performance of its function under this bill, the committee shall subject to any other law allow participation of the people who affected by its decision in making decision of those decisions.*

### **Clause 8(2)**

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*In considering an application for the designation of sand harvesting site under paragraph two, the committee shall give notice of the application to the community around the proposed sand harvesting site.*

*(3), where there is an objection to the designation of a site as a sand harvesting site, the committee shall consider and make a decision on such objection.*

*(4), in considering and deciding on an objection under paragraph three, the committee may convene a meeting of the community around the proposed sand harvesting site to seek their concurrence.*

**Clause 15(3)**

*Every license shall contain conditions for ensuring sustainable sand harvesting, including:*

- a) The requirement for sand harvesters to furnish the licensing officer with an environment impact assessment, relating to the site to which a license is sought.*
- b) The requirement for rehabilitation of site upon closure*
- c) Any other condition as may be prescribed by the executive committee member under this Act.*

**Clause 25(2)**

*A person who contravenes sub- section 1 commits an offence.*

**Clause 29(3)**

*Any person, who contravenes an order issued under this section, commits an offence.*

**Clause 32**

*Restructure to read:*

- 1) Even dispute is referred to the committee and the chairperson of the committee shall convene a meeting, between the complainant and the person complaint against to deliberate on the grievances and make appropriate resolution*
- 2) Any person who is aggrieved by the resolution of the committee under sub section one may within 14 days after from the date of resolution apply for judicial review in the high court*

**Clause 34(a)**

*Delete other quarrying activities.*

**Clause 36(2)**

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*The term and conditions of all classes of licenses issued under this Act, are loading requirements depending on tonnage, designation of sand sale yard, pricing per role based on tonnage, grading, packaging and value addition of sand, dispute resolution mechanism.*

*(Question, that the new clauses 2, 5(2), 6, 8, 15, 25, 29, 32, 34, 36 be read a Second Time, put and agreed to)*

*Question, that the new clauses 2, 6, 8, 15, 25, 29, 32, 34, 36 be added to the Bill, put and agreed to)*

### **Memorandum of objects and reasons**

**Mr. Chairman:** I propose that the memorandum of objects and reasons to be deleted. I now put the question that the memorandum of objects and reasons to be deleted.

*(Question put and agreed to)*

### **Clause 1**

*Delete 'and shall come into operation on such a date as the county Executive Committee Member by notice in the county gazette appoint.'*

**Mr. Chairman:** I propose the question that the new clause 1 be part of the bill as amended.

*(Question put and agreed to)*

*Long title, restructure to read 'a bill of Machakos county assembly to regulate sand harvesting and related activities and to ensure sustainable exploitation and utilization of sand to provide for equitable sharing of the accruing benefits and for connected purposes.'*

I propose the question that the long title to be part of the bill as amended.

*(Question put and agreed to)*

### **Cover page**

I propose the question that the cover page be part of the bill as amended.

*(Question put and agreed to)*

Hon. Members, I put the question which is that, the committee do report to the house in consideration of the bill, of the Sand Harvesting bill and its approval thereof with or without amendments. As many as of that opinion say ayes

*(Question put and agreed to)*

*(The House resumed)*

*[The Deputy Speaker in the Chair]*

**REPORT, CONSIDERATION OF REPORT AND THIRD READING  
MACHAKOS COUNTY SAND HARVESTING BILL 2014**

**Hon. Muli:** Hon. Speaker, I wish to report that the committee does report to the House its consideration to the Sand Harvesting Bill 2014 and its approval thereof with amendments. Thank you, Mr. Speaker.

**Hon. Ngunzi** seconded

*(Question proposed)*

*(Question put and agreed to)*

**Hon. Muli:** Thank you Mr. Speaker for granting me this opportunity to express my gratitude to hon. members who have supported this bill very well after hot debate.

Mr. Speaker, the passion which has been expressed by the hon. members on Sand Harvesting issue which has been destructive and unmanageable. Now, Mr. Speaker, now I am very happy. Proper implementation can be done. As the Chairman of the Agriculture, Environment and Natural Resources, I am very happy and I thank the hon. members for the support which they have done to pass this Bill. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Comments about the bill are invited for any member to comment on the bill before we put the question. Yes hon. Mwonga.

**Majority Leader (Hon. Mwonga):** Thank you, Mr. Speaker. As a seconder of this bill, I would like to take this opportunity to thank all members who have contributed to the bill and urge that, once the bill has been approved by this hon. house, the necessary steps should be hastened so that we have an act on sand harvesting which will bring sanity in the whole exercise of sand harvesting. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Any other member? Yes Hon. Musau.

**Hon. Kalunde:** Mr. Speaker, the sand bill has been discussed exhaustively and I believe that there is no hassle about it. We have passed it and the reading for the third time is welcome. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Any other member? Yes Hon. Nzioki.

**Hon. Nzioki:** Thank you Mr. Speaker. I take this opportunity to thank the members, for passing this bill and do say a lot of harm has been done to our area and particularly where sand harvesting is done. Economically, we have also lost human intellect and human resources to this sand harvesting activities. And Mr. Speaker, I thank every member because I come from areas where there is sand harvesting business for supporting this bill.

**Hon. Deputy Speaker:** There being no other issues, I now put the question which is that, the Machakos County sand harvesting bill 2014 be approved for the third reading

*(Question proposed)*

*(Question put and agreed to)*

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

## ADJOURNMENT

**Hon. Deputy Speaker:** There being no other business, the house adjourns until tomorrow 2.30pm. Enjoy your evening.

The House rose at 3.45 p.m.