

MACHAKOS COUNTY ASSEMBLY**OFFICIAL REPORT****Thursday, 17th September, 2015**

The House met at 2.38 p.m.

*[The Speaker (Mr. Mung'ata) in the Chair]***PRAYERS**

Hon. Speaker: Good afternoon Hon. Members, my apologies for the delay. Let us proceed, Clerk.

STATEMENTS**BUSINESS COMING BEFORE THE HOUSE IN THE FOLLOWING WEEK**

Hon. Wilson Kasimu: Thank you Mr. Speaker, Sir. I stand under Standing Order 41 (2a) where during a statement hour, a member of the business committee, designated by the committee for the purpose, shall every Thursday or last sitting day for not more than 10 minutes, present and lay on the table a statement informing the house of business coming before the House in the following week.

Mr. Speaker, Sir, the House Business committee met today, September 17th and balloted business for the following week as follows:

1. Tuesday afternoon the 22nd September 2015 – report of the finance and revenue collection committee on income and expenditure, 2013/2014 financial year.
2.
 - a. Wednesday morning 23rd September 2015 – motion on closure of a dumpsite in Matungulu West ward by Hon. Magdalene Ndawa.
 - b. Continuation of a motion to ban sand harvesting in Kivaa, Katangi, Ikombe, Wamunyu and Kola Wards by Hon. Peter Kyuli.
3. Wednesday afternoon 23rd September 2015-report of Culture and Tourism Committee on petition by MauMau war veterans.
4. Thursday afternoon 17th September 2015 – report of Transport, Roads and Public works committee on Designated Parking Places Bill, 2015. Thank you Mr. Speaker.

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MAVOLONI WATER PROJECT

Hon. Dominic Maitha: I stand for and on behalf of my able Chair, Hon. Ngunzi, responding to a statement sought by Hon. Stephen Muthuka, MCA Ndalani Ward on the position of the Mavoloni Water Project which was valued at Ksh. 2.7 Million.

Mr. Speaker, Sir, I stand under Standing Order number 41 (2c) to intervene to a statement sought by Stephen Muthuka on the 16th July 2015. Mr. Speaker, Sir, the said project was awarded to Power Soft International Limited together with Mananja water project and was valued at Ksh. 2.69 million.

In the past two financial years, that is the year 2013/2014, and the year 2014/2015, the same has remained as a pending Bill. Mr. Speaker, Sir, the contractor later embarked on the Mavoloni water project and due to delayed payments for the first project, the work has been pended.

The contractor's commitment is that if Mananja Water Project is paid, then he will take almost two weeks to complete the Mavoloni project work. Mr. Speaker, Sir, I therefore want to inform the concerned Hon Member that the project work collapsed due to delayed payment of the payment bill. Thank you Mr. Speaker, Sir.

KISIIKI MARKET SHEDS COST AND COMPLETION DATES

Hon. Gideon Kavuu: Thank you Mr. Speaker. I stand here on behalf of Hon. Sammy Nduva on a statement sought by Hon. Stephen Muthuka, MCA Ndalani Ward on status of Kisiiki market shed cost and completion date.

Mr. Speaker, Sir, on 16th July, 2015, Hon. Stephen Muthuka sought a statement on why Kisiiki market stalls had stalled for the last six months and also on the total cost of the project and the expected completion date. Mr. Speaker, Sir, the Department of Trade, economic planning and Industrialization gave the following response: -

1. The construction of Kisiiki market shed was awarded at a cost of Ksh. 4,872,478.79.
2. An interim payment certificate was raised and processed; the same is pending the payment.
3. Upon payment the contractor will complete the remaining works which includes; Installation of rain water harvesting tanks and paid work for the toilet.

Mr. Speaker, Sir, the department provided a photographic image of the project and the same has been availed to Hon. Muthuka. Thank you, Mr. Speaker. Mr. Speaker this is now the photographic image. Thank you, Mr. Speaker.

PAYMENT OF SALARIES OF CONTRACTED HEALTH STAFF

Hon. Stephen Muthuka: Thank you Mr. Speaker, Sir, and the rest of the House. Mr. Speaker, I stand here on behalf of the Chair, Health and Budget Services, Hon Sereka. The statement sought by Hon. Nduva, on the status of the payment salaries of contracted staff.

Mr. Speaker, Sir, the tradition of payment of salaries by the department involves the preparation of payment vouchers for contracted staff, which are then delivered to the Department of Finance and Revenue Collection for auditing and payment. Mr. Speaker, Sir, for the month of July 2015, the vouchers were delivered as usual for processing to the finance department and after going through them, they realized the number of the contracted staff had increased from the usual 77 to 103 employees.

Mr. Speaker, Sir, this resulted in the payment vouchers being returned to the department of Health, Environment and Emergency Services for clarification and explanation on the increase in numbers. The Chief Officer on the department of Health, Environment and Emergency Services attached a cover letter detailing the circumstances that led to the increase.

Mr. Speaker, Sir the Chief Officer of Labour and ICT referred the matter to the County Public Service Board where it is being handled. The current position is that the contracted staff have not been paid their July and August Salaries. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much.

APPORTIONMENT OF BUDGET TO COMMITTEES

Hon. Speaker: Let us hear a Member from the Speaker's panel because the response is written.

(Hon. Joseph Muli rose)

Hon. Speaker: Hon. Member, you are not from the Speaker's panel.

Hon. Joseph Muli: Thank you Mr. Speaker.

Hon. Jacqueline Nziva: Hon. Speaker and the entire House. Mr. Speaker, Sir, I wish to respond to a statement sought on 1st September, 2015 but Hon. Gideon Kavuu on the criteria used by the liaison committee in apportioning of committee budgets. The liaison committee is mandated under Standing Order number 191 (2b) to deliberate on and apportion the annual operating budget among the committees.

Mr. Speaker, Sir, the budget apportionment was done considering the committees mandate and an emergency fund kit was set aside to cater for committees which should exhaust their allocation before the end of the financial year. Committees which were placed in the non funding categories are also to be funded by the emergency fund kitty.

Mr. Speaker, Sir, committees which feel that they were under funded can appeal to the liaison committee through their respective chairperson. Thank you Mr. Speaker, Sir.

Hon. Speaker: Thank you, very much. Hon. Members, for the statements that have been presented and the answers that have been delivered, we will reserve one hour on Tuesday to interrogate them, so the answers may be circulated. We shall have one hour to interrogate the answers. Hon. Muthuka, I think that will be appropriate; prepare for Tuesday.

Hon. Maitha: Thank you Mr. Speaker. I had sought a number of statements which were to be brought today.

Hon. Speaker: Yes.

Hon. Maitha: But it is unfortunate that the clerk concerned did not forward the same to your office but with your indulgence I will seek the statements, which I have got documentation about, because it was in the statement. So I seek permission to proceed, Mr. Speaker.

Hon. Speaker: Proceed.

Hon. Maitha: First Mr. Speaker, I had sought a statement to know about why projects which were budgeted in the year 2013/2014, 2014/2015 up to date, almost 80 per cent of these projects have not been accomplished. In response Mr. Speaker, I have received a letter as I was going out from the county government of Machakos, Office of the Governor, regarding the status report on the county government development projects in my ward which is written by the Acting Director, Musembi Kioko from the special programs and projects, Mr. Speaker.

I wanted to seek a statement on the same but now the letter that I have is from the special projects and programs. I need to be guided, are the projects which we budgeted for under the special programs and projects? Moreover, Mr. Speaker, we have sought the same statements about those projects and the committee of Implementation was supposed to give us a report on—
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the same. So now we have asked them and now they have asked us, which is which, Mr. Speaker? I need guidance.

Secondly Mr. Speaker and the last statement that I want to seek, I am seeking a statement Mr. Speaker, from the Department of Education under the bursary fund kitty Mr. Speaker. I wanted to know why the bursary fund kitty was used to pay allowances to staff and other payments and cash imprest, Mr. Speaker under the cheque strictly for bursary funds.

Believe me Mr. Speaker; I've got a list of the cheques that were paid to staff under the department of education imprest under the cheque of bursary fund. So I seek a statement to know, why was the bursary fund used to pay imprests yet some of us never got our bursaries full. I beg to present this paper before you Mr. Speaker. Thank you, Mr. Speaker, Sir.

Hon. Speaker: Order, order, Hon. Dominic. The indulgence that you requested for statements you had asked for earlier in time and no responses had been given.

Hon. Maitha: Yes Mr. Speaker.

Hon. Speaker: You are not permitted to requisition for a fresh statement.

Hon. Maitha: Yes Mr. Speaker.

Hon. Speaker: I will urge that you prepare and do that procedurally and present it for next session.

Hon. Dominic: Much obliged Mr. Speaker, Sir.

Hon. Speaker: Thank you. The matter for the committee of implementation, that matter has been brought to my notice and we are having a meeting with the committee. I have been invited to sit in that committee on Tuesday and we shall comprehensively respond to that question. We can proceed, Clerk.

MOTION

CLOSURE OF MATUNGULU DUMP SITE

Hon. Ndawa: Thank you Mr. Speaker. Standing on Standing Order 227 on motion without notice Mr. Speaker, Sir, aware that there is a great concern on conservation of the environment in the county and ward at large; aware that an unmaintained dumpsite is a source of environmental pollution and health hazard to the people residing nearby; Mr. Speaker, Sir, aware that Matungulu West Ward in Matungulu sub county has a dangerous dumpsite poorly located at

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the center of a residential area; further aware the dumpsite is 100 meters from Muusini Primary School, 50 meters away from the residential neighborhood; aware that there is a stream of water running in between and the uncontrolled dumping of garbage is becoming a health hazard to the residents; Mr. Speaker, Sir, aware that the medical waste from Matungulu hospital is not burnt but is dumped there, a health threat to the youth, children, women and men attracted to collect recyclable waste hence posing a great health hazard to them; aware that there is a disease eruption around the neighborhood raising alarm for cholera outbreak in the area; Mr. Speaker, Sir, I wish to move the motion that this Hon. House discusses and approves that the dumpsite in Matungulu West Ward be closed for the sake of the health of my people.

Mr. Speaker, Sir, it has come to my attention that this dumpsite is causing a lot of alarm to school kids and some of them are even collecting waste like condoms and using them as balloons, Mr. Speaker. Others are putting water in those things and playing with them along the road, at their homesteads and as a parent, I am really touched and I really feel this should be acted upon with a lot of concern and with immediate effect. I call upon Hon. Muthuka to second this motion. Thank you, Mr. Speaker.

Hon. Muthuka: Thank you Mr. Speaker and the rest of the House. Mr. Speaker, I stand here to support this motion, bearing in mind that our health is a priority and having considered where the dumpsite is and also the vicinity to the nearby primary School: Muusini Primary School in Matungulu West, where the Principal actually is my real cousin and she has been complaining on how this dumpsite can be closed or be relocated.

I would urge this Hon. House that we take this very seriously and without wasting time, we should give a resolution that this dumpsite should be closed and then all that waste should be removed and maybe be taken to a different dumpsite or relocated somewhere whereby it does not pose danger to the health of our community. I wish to support this motion, wish to second it and urge all the members to support so that we can take care of our community's health. Thank you.

Hon. Speaker: Thank you very much. Hon. Kasimu, am I right? Is this the same motion in your statement for the business of the week to come?

Hon. Kasimu: Mr. Speaker, Sir, we had deliberated the same and balloted this motion of Hon. Magdalene Ndawa, Matungulu West ward, should be Wednesday next week but she has come back and I think it is a matter of emergency that needs your indulgence. Thank you, Mr. Speaker

Hon. Speaker. Maybe Hon. Ndawa you can demonstrate the emergency. What is this emergency that cannot wait for Wednesday?

Hon. Ndawa: Thank you Mr. Speaker. As you can read from my statement, I said there is disease eruption around the neighborhood, the rainy season is due actually, because I think sometimes back it drizzled and when it drizzled the whole place was very damp and some small insects were coming out of the dump site and the kids around the neighborhood, the parents, the school, everybody is complaining, Mr. Speaker.

If the rains start now, I can assure you my people will start dying immediately because cholera is already a threat in the area. Mr. Speaker I know for those who have been brought up in the countryside we rarely see what we call a balloon. Tala market has so many lodgings. Tala market---

POINT OF ORDER

Hon. Speaker: Let me take the point of order from Hon. Kavuu

Hon. Kavuu: Thank you Mr. Speaker. I support this motion but Mr. Speaker, in the morning we had a House Business Committee and we balloted that motion to be discussed next week and Mr. Speaker when I look at the mood of the House, members are not ready to discuss that motion because it was---

POINT OF ORDER

Hon. Speaker: You cannot have a point of order on another point of order.

Hon. Leonard Katela: Point of information.

Hon. Speaker: Rejected. Proceed, Hon. Kavuu.

Hon. Kavuu: Thank you Mr. Speaker. I would request if possible to be given time because we have been given some pictures to go through and then we discuss that motion next week. Thank you, Mr. Speaker.

Hon. Speaker. Let us now hear Hon. Chairperson.

POINT OF INFORMATION

Hon. Katela: Mr. Speaker, I am standing to inform Hon. Member, the immediate contributor, that the mover of the motion has indicated that it is a matter of emergency; life and death and as far as the pictures are concerned, we can see our young children feeding with dogs,

which is very deplorable and even if this is Machakos county where we place ourselves county number one, if this picture is captured by the press, I don't know we will be number what.

I don't know which number we will become: 120 and the Hon. Member is a grandfather. If I can say, please sometimes let us spare out time and hurry up or rush for emergencies like this one because next time you will hear that our people are dying and there is no medicine and we are spending a lot on ambulances and emergencies. So Hon. Speaker sir I request the House to discuss this and pass it without any delay. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. Hon. Ndawa you can proceed. Basically what I expect from you is that you explain to the House what kind of intervention you would want done since the motion will be debated on Wednesday.

Hon. Ndawa: Thank you Mr Speaker. My plea to this House is that the dumping site be closed with immediate effect and that there is no more dumping done into that dump site Mr. Speaker. Meanwhile we can look for alternatives; we can dump in Kangundo-Kathiani because we still have other sub counties with better dumping sites or even Ruai. There is also a big dump site for Nairobi in Ruai which is not far from this dump site. It is for the sake of my people.

If we continue, then more we are dumping the more the place is flooded and soon it is going to rain and when the rains start, this waste is going to be swept to those homes Mr. Speaker. So, I urge the Hon. House to support me in this; these are our people, they belong to Machakos County and when there is an outbreak and a serious one, Matungulu hospitals will even not be able to take in those patients because there are very small hospitals there.

So Mr. Speaker, my plea is the county government looks for another dump site. At the moment, this one has to be stopped and no more dumping. Thank you Mr. Speaker

Hon. Speaker: Thank you. Let us hear hon. Christine at the back

Hon. Christine Mutune: Thank you Mr. Speaker, Sir, and the house at large. My worry is only that, gone are the days when we used to tighten our belts when the car is in the ditch. So it is important to see and to look at this matter because we cannot wait for the outbreak to be there to control it. Thank you Mr. Speaker, Sir.

(Applause)

Hon. Speaker: Thank you. Yes Hon. Rachael

Hon. Rachael Nduku: Thank you Mr. Speaker, Sir. I support this motion because the health practitioners say that prevention is better than cure and when we give ourselves time to wait until Wednesday, we don't know what will happen between now and Wednesday. I would like to request this Hon. House to discuss this motion and pass it and the necessary action to be taken by the County Government. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. Yes Hon. Mutuku

Hon. Michael Mutuku: Thank you Mr. Speaker, Sir. Mr. Speaker, Sir, I wish to support the motion and I would like also to say that it is a reflection of not only Matungulu but also the other major market centers, including Athi River, Mlolongo and also Matuu.

Mr. Speaker, Sir, I think we have a directorate of solid waste management and could be they are either sleeping on the job, because much needs to be done. As much as we close the dumping sites, there is also need for a waste management solution within the county especially the major market centers.

So, Mr. Speaker, Sir, as we mitigate the problem, we are saying now at that dumping site, the same should apply to the other market centers including Athi River where we are experiencing the same problem. Thank you. I wish to rest my case there.

Hon. Speaker: Yes Hon. Kasoa

Minority Leader (Hon. Thomas Kasoa): Thank you Mr. Speaker. I stand to support this motion. Mr. Speaker, it is a pity that a dump site is just near a primary school. Mr. Speaker, we understand that we have a department in the County for waste management, so we call upon this department to move very fast and close this dump site and any other near any primary school or any other households in the county. Thank you, Mr. Speaker.

Hon. Speaker: Thank you.

Hon. Alex Kamitu: Thank you very much Mr. Speaker, Sir. I stand here to support the motion and make some comments because the same is happening within Tala town and to be very sincere to this House, the dump site that *Mheshimiwa* Ndawa or the mover of this motion is talking about is that most of the garbage are drawn from Tala town and this has been a big problem because not even Tala town, I am talking with the knowledge that I want to give to this House, that Kangundo town and Tala town, this is now where they are taking their garbage at Nguluni.

One of our *Mheshimiwa* who is the Deputy Leader of Majority is here was a former councilor of Kangundo-Tala town council and he can give us a picture of what happened because where

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Mheshimiwa Ndawa is talking about, this is a site that was bought by the former town council so he can also give us information about the history, but now the case in question now is the urgency to close that dump site.

So it is on that sincere note that a quick move should be done to prevent a situation because Mr. Speaker, Sir, we are going into the rainy season and if it is going to rain you can expect foul smell and whatnot that is going to come from that dump site. As I said, I have the same experience in my town in Tala where there is a dump site whereby all the garbage were being dumped there, and I wrote a letter and it was stopped although the previous garbage was not removed.

We have the same problem and I would also request from this House, if the committee for Health can move to that site, so that they can come here and give us the real picture of what is happening. The situation is bad; it is an area I know and as I said, it is an experience I have seen but I would also humbly request our Deputy Majority Leader if he can give us a plain picture because they bought that land, I don't know whether they took into consideration the proximity of the inhabitants and the like.

Otherwise I am not blaming him but I am sure he knows something about it because that is a government land that was bought. As I said, the case in question is to stop and immediately stop the garbage being dumped in that site. Otherwise thank, you, thank you very much Mr. Speaker.

Hon. Speaker: I will take a point of information.

POINT OF INFORMATION

Hon. Katela: Thank you Mr. Speaker, Sir, for giving me another chance. In fact my point of information is to shed more light on what Hon. Kamitu is saying. Seated next to me is the Deputy Majority Leader whom I understand was the planning chair, Kangundo Town Council and who has confided in me that he bought that land at Kshs. 7 million when he knew it was next to the town. So Hon. Kasimu Kamotho, can you shed more light on this. Thank you.

Hon. Speaker: Hon. Chairman, I don't know who gave you the permission to call on members to address the House. You are out of order Hon. Katela. Let us hear Hon. Alice

Hon. Alice Nzioka: Asante Bw. Spika kwa kunipa hii nafasi. Nimesimama kuunga mkono kwamba sisi kama bunge, haja yetu kubwa na utetezi ambao tunafanya, tunaangalia wananchi waliotuchagua wapate masomo, wapate afya bora na vitu vyote ambavyo tunawapa ziwe bora. Inaonekana wale ambao waliweka hilo pipa la taka kuwa taka iwe inamwagwa mahali karibu na shule, hawana nia njema kwa vizazi ambavyo vinakuja.

Shule inatengeza viongozi wa kesho, mawaziri wa kesho, ilhali mtu amepeleka taka karibu na shule. Bw. Spika mwaka 2012, Mlolongo, mahali ambapo walikuwa wakimwaga taka, kulitokea mwendawazimu mmoja na alitembea karibu na hiyo taka na sababu hana ufahamu mzuri, hana akili

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njema, alipitia na akapata mama ambaye aliavya mimba na kumtupa motto kwenye hiyo taka na akachukua huyo mtoto kumtafuna kabisa akamaliza. Kesho yake huyo mwendawazimu alikuwa amekufa.

Sasa kama ni mwendawazimu kama huyo, sisi kama bunge tunajua mtu akiwa mwendawazimu anaweza kula vitu vyote ambavyo anapata. Ilimdhuru mpaka tukapoteza mmoja wetu. Hata kama mtu ni mwenda wazimu, pia ni mtu na anahesabika kama mwananchi wa nchi yetu.

Wale ambao waliweka hizo taka ziwe zinatupwa hapo na hali ambayo tumeiona kwa karatasi ambayo tumepewa, hao ni watu wa kupelekwa kortini. Bwana Spika tungeuliza kama Bunge, utupaji wa taka usimamishwe mara moja sehemu ya Matungulu na watafute mahali pengine ambapo sio karibu na wananchi, sio karibu na soko, ili waenda watupe taka huko; na sisi kama tunawatetea wananchi na tunaona wakiumia, utetezi wetu hautabarikiwa pia na Mungu.

Bw. Spika tunaomba kama Bunge, hatua ichukuliwe sasa na kama sio sasa, ni sasa hivi ili hiyo taka itolewe na mazingira yawe mazuri. Asante Bw. Spika

Hon. Speaker: Asante sana. Maybe before we hear the chairperson, Hon. Kasimu, I think you carry some important history of this particular dump site.

(Applause)

Tell us something. Kindly tell us something. Is it a gazetted dumpsite or what?

Hon. Wilson Kasimu: Thank you Mr. Speaker, Sir. Yes, I am a former councilor in the town council of Kangundo and yes I was chairman for town planning, Tala and Kangundo town council. Mr. Speaker, Sir, before we came up with the dump site in Kangundo as councilors, we consulted the NEMA people who we gave time to go and do their own research in the area that is Nguluni or Koma location.

They gave us a go ahead to put up a dumping site and we held a public participation or the public was also involved in realizing a place we could put up a dump site. Mr. Speaker, sir, I consulted widely with my neighbor for Matungulu West, Hon. Ndawa and that is why when this motion was brought in the House Business committee for balloting, I requested that we wait until Wednesday next week for the Members of County Assembly from Matungulu to meet the sub-county administrator and also to meet the minister involved of Decentralized Units who also happens to come from Matungulu and then we come up with a solution for our people because these are our own people.

We had a lot of things to deliberate in that meeting so if the Chief Whip can elaborate on this, he will say we have talked widely and consulted widely with the minister and the sub-county administrator and that is why we had pushed for next week on Wednesday but for now I cannot tell

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why Hon. Ndawa ignored all my advice and went ahead and brought it today when we had consulted widely to bring it next week on Wednesday for us to come up with a permanent solution. Mr. Speaker, sir, I have nothing else to comment on this matter. Thank you, Mr. Speaker

Hon. Speaker: Yes, I don't know why you did not take the advice by your counterpart. Proceed

Hon. Ndawa: Mr. Speaker, sometimes I am very surprised by the actions and the way we handle things in this Assembly. These are not just my people; I am 100 per cent sure this Hon. Member, Hon. Kasimu must have relatives in Nguluni. This is not about discussion; it is an emergency and I am aware this land was sold to the council in the former regime.

The councilors of that time, Mr. Speaker, knew very well it was not fit for a dump site because if 50 meters away from the dump site we have homesteads Mr. Speaker, you cannot tell me these people have settled there within one year. They were there before. That is their ancestral land. 100 meters from the dump site is a school which has been there for so many years.

Mr. Speaker, I am really sorry but the councilors acted as greedy brokers and sold the land. They bought the land for Kshs. 7 million; it is not worth that much, Mr. Speaker. Out of greed, my people are suffering. As a parent I am very bitter.

I want to demonstrate to you what I have seen Muusini Primary School standard one pupils doing out of that dump site. What they collected, and that is why I wanted to explain, some of these Hon. Members may not have been brought up in villages where kids do not see balloons. They see condoms and believe these are balloons. Mr. Speaker, this is what I saw and this is what I want to show you. Mr. Speaker, what I am holding in my hand is a condom filled with water and this is how they were doing it.

(Swinging the condom up and down)

I am a parent and I would not love to see my son holding this, thinking it is a balloon. Where are we? Don't we have a heart, Hon. Members? Don't we feel for these kids? Shame on those greedy councilors who did that! Mr. Speaker, I am very bitter. It is an emergency, it is an emergency, it is an emergency.

Hon. Speaker: Thank you. I think the point is home. Yes, Hon. Nzeki.

Hon Oliver Nzeki: Thank you Mr. Speaker. I am surprised that Hon. Ndawa got those items from that dump site and I really pity and join her in pitying the people of Matungulu. Mr.

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Speaker, I wanted to say I have been to that place; I have visited that place. I was invited by Hon. Ndawa to go and see how the situation is. The situation is pathetic and you can believe that kids are playing with those items. So Mr. Speaker, I want to say that I went there and saw rats moving there and they have fleas. I don't know whether you understand what I mean: In Kikamba they are "ngala".

If the kids are in class you find them scratching themselves because the fleas are moving round in the classes and the rats are even getting into the classes. The dead dogs are there too. So Mr. Speaker, Sir, I urge this Hon. House to take first steps and either the minister of environment to go and dispose the land and buy another dump site.

Hon. Speaker: Thank you. Let us hear Hon. Veronica

Hon. Veronica Mbithe: Thank you Mr. Speaker, and the House at large. I stand here to support the motion and actually say that I propose that because it is a matter of emergency Mr. Speaker, that we should not move it to next Wednesday but just give a go ahead that this dumping site be closed with immediate effect.

Mr. Speaker, Sir, if this county has its voters and citizens at heart, it is a matter of mobilizing all the tractors, all the bull dozers to go and remove the trash from that dumping site and move it to a place where there is no habitation because I believe that this county has got more land other than that one that was bought by the former councilor other than blaming them because they did what was within their capacity at that time.

I believe Mr. Speaker, Sir, at this juncture we should not watch and postpone things when they are going wrong. This is the House that is supposed to make decisions on behalf of the citizens of Machakos county. Thank you Mr. Speaker, Sir.

Hon. Speaker: Thank you.

Hon. Joseph Kalunde: Mr. Speaker, Sir, I stand to support the motion because the mover of this motion did mention that this is an emergency and looking at the mood of the House, almost 99 per cent of the members are supporting this motion. There is no point of discussing or saying that it can be moved to Wednesday next week. Mr. Speaker, it is an emergency so put the question and we see what the results will be. Thank you, Mr. Speaker.

(Applause)

Hon. Speaker: Thank you.

Hon. Joseph Muli: Thank you Mr. Speaker. I stand to support this motion and first let me applaud the mover of the motion for much research which she has done. Mr. Speaker, in fact every member here is touched if this is the reality of the matter on the ground. Mr. Speaker, even how the Hon. Member has expressed the issue as you relate it from the pictures which she managed to capture, this is very serious.

You can't imagine; even me for the first time I did not believe myself. I thought it was exaggeration but as the members who have witnessed from the area, this is very pathetic. In fact somebody cannot believe this is in Machakos where we always believe it is the first in cleanliness and we have e-waste project department, we also have decentralized units which is supposed to deal with affairs.

Without much ado Mr. Speaker, this is not an issue of waiting; this is an action which should be taken seriously because time for the rainy season is approaching and firm action should be taken very seriously. Thank you and I totally support the motion.

Hon. Speaker: Thank you. The chair is of the view that the House is on a common point that the dump site be stopped and the chair is of the view that, that can happen but pending a report from a committee so that we can make an informed decision. I don't know, maybe we can hear contributions on those lines.

Hon. Maitha: Mr. Speaker, the motion before us is a clear indicator of the failure of the institutions and the departments that we have in this county. Mr. Speaker to start with, I believe Matungulu has got a sub county administrator; it has a department that is vested with the powers and granted with financing by this Hon. House to control the same.

Mr. Speaker, this is a failure of the highest order. Irrespective of whether this dump site is ten meters from the school, cleanliness should be exercised. Meaning what? Somebody has failed in his or her work. I really pity the member; the kind of exhibits she has brought before this House. Mr. Speaker, the big question is, yes we will support her, the motion will go through as immediately as possible, but how effective is this process going to be expedited?

Because we will pass the motion today, tomorrow she will call the departments concerned, we don't have tractors, we don't have graders, we don't have equipment, we don't have personnel, then that is what we need to be discussing about because remember Mr. Speaker, we passed a motion the other day to ban sand harvesting in Ndalani and actually right now it is at peak.

A report was tabled before this House regarding the same situation in Kyumbi west; it is still there if you go there today Mr. Speaker. The big question is, for how long will this County Assembly continue passing resolutions and no one seems to take action? Indeed I believe before the Hon. Member brought this motion, she must have had wider consultations with the person responsible in the sub county in terms of waste management.

Well, we will close the dump site today. Hon Kamitu has said much of the waste is coming from Tala. So whatever will be collected from Tala starting tomorrow, where will it be disposed? Whatever is coming from other regions, where is it going to be disposed? We are closing and creating a menace elsewhere.

We should say with immediate effect, that dump site should be properly managed as they source for another dump site to start preparing for another dumping. If they can clear first immediately Mr. Speaker, and then the Hon. Member in conjunction with the other fellow members sits down and identifies a place and they unanimously say this is the place that we can get, even that parcel can be disposed. And it will even be good for us to know, if it was bought for Ksh. 7 million, then what is the cost at the current rate?

That should not be a subject matter but what we should be asking ourselves is, yes it will be closed tomorrow; where is the waste going to be disposed? Do we have the machinery to dispose? And if we close it, do we have an alternative area for disposal? And how effective is it going to be? That is what we should be asking.

So what we should over emphasize about this motion is, let the dump site be closed and action should be taken within 24 hours after this resolution because we might pass the motion and then someone says we do not have the equipment. I support the motion because this menace is everywhere. It is not only in Matungulu, you go to Mlolongo, the entire Mavoko, it is in a total mess.

So if that can be a starting phase to clear the mess in the entire county, then so be it but most importantly is the soonest implementation of that resolution of this House. Thank you Mr. Speaker, Sir.

Hon. Speaker: So in a sentence you are supporting the motion?

Hon Maitha: I have not objected the motion; that is what the mover may be thinking. I am not. When it was brought in the House Business committee she thought we were objecting but I said, let it be balloted on Tuesday not knowing.....that is not a subject matter, Mr. Speaker.

I am supporting the motion but I am saying this House should follow and ensure, between today and tomorrow after the resolution is passed, something has been done. We don't want to come next week and she tells us that nothing has been done. It will have been effortless because even picking this 'stuff' must have cost her a lot of guts to go and pick it.

So it will be a great disappointment to her and to the electorates because I believe she must have promised the electorates that 'I am going in the Assembly I will stop it and something will have been done.

Next week if not effected, it will be a great disgrace and disappointment to the electorates because she made that promise. Thank you, Mr. Speaker.

Hon. Speaker: Thank you.

Hon. Felix Ngui: Thank you Mr. Speaker, Sir. Hon Ndawa reminds me of my early ages when we used to play with such kind of balloons (*laughs*). This is not a new thing to some of us because when we were young, we used to collect them and fill them with water and play with them.

Nevertheless Mr. Speaker, I am standing in support of the motion and as you have stated, the motion has been brought as an emergency and the health of our children, our mothers and our parents at home who are at Matungulu cannot be put on hold; we say that we form a committee to come and report back to this House on the necessary action to be taken.

Mr. Speaker, now that this dump site is a health hazard that is exposing our people on the ground to diseases and other health hazards Mr. Speaker, I am in support that we pass today that this dump site be closed, let the CEC for Environment take the necessary action. It is not our business to know where they are going to dump the waste from Tala or Kangundo.

I want to understand that the ministry has got structures; it has got money. We budgeted for it; if it is about dumping, we have so many public lands within. The ministry last year bought another land worth Kshs. 10 million in Masinga; it can even go and dump there, Mr. Speaker. Let them look for a suitable dump site that will not have any effects to our electorates who we represent in this Assembly, Mr. Speaker.

So Mr. Speaker, I am in support that we pass this motion and a letter be written to this ministry of environment to stop dumping in Matungulu with immediate effect and whatever has been dumped there to be cleared immediately. Thank you Mr. Speaker, Sir.

Hon. Speaker: Hon. Members, let us conclude this matter. I think we have picked
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direction and I will proceed to put the question that those in support that this dump site be closed for the sake of the health of the people of Matungulu West.

(Question put and agreed)

With the directions that this motion will further be mentioned on Wednesday for further directions. In the meantime, the Clerk will issue directives quickly. Thank you.

ADJOURNMENT

Hon. Speaker: That appears to be about all for the day. Then the house adjourns until next week.

The House rose at 3.36 p.m.