

MACHAKOS COUNTY ASSEMBLY**OFFICIAL REPORT****Thursday, 12th November, 2015**

The House met at 2.42 p.m.

*[The Speaker (Mr. Mung'ata) in the Chair]***PRAYERS****Hon. Speaker:** Good afternoon, Hon. Members. Let us proceed.**COMMUNICATION FROM THE CHAIR**
MEMBERSHIP OF TWO AD-HOC COMMITTEES**Hon. Speaker:** Hon. Members, following the deliberations of yesterday, here follows the communication in regard to the membership of the two *ad-hoc* committees, the Special program committee on *El-Nino* rains:-

- Hon. Rachael Nduku.
- Hon. Collins Mbithi
- Hon. Christine Mutune
- Hon. Mutuku Mutua
- Hon. Felix Ngui
- Hon. Benson Kasyoka
- Hon. Renson Muthiani
- Hon. Anne Wairimu
- Hon. Joseph Itumo.

The committee on Revenue *ad-hoc*:-

- Hon. Cecilia Sereka
- Hon. Winston Kanui
- Hon. Joshua Mwonga
- Hon. Raphael Mutuku
- Hon. Nina Mbithe
- Hon. Francis Matheka
- Hon. Peter Nzioki
- Hon. Felix Ngui
- Hon. Alex Kamitu

Proceed.

PAPER LAID
EXTENT OF WATER POLLUTION IN RIVER ATHI

Hon. Speaker: Hon. Edrick Ngunzi, is he present?

Hon. Ngunzi: Mr. Speaker, I wish Mr. Speaker, I beg to lay the following paper on the floor of the House today, Thursday 12th November, 2015; report of Environment, Lands, Energy and Natural Resources on the extent of water pollution in River Athi and Komo areas. Thank you, Mr. Speaker.

(Hon. Ngunzi laid the report on the Table)

Hon. Speaker: Thank you, paper is laid, proceed.

NOTICE OF MOTION
EXTENT OF WATER POLLUTION IN RIVER ATHI

Hon. Speaker: Yes.

Hon. Ngunzi: Mr. Speaker, Sir, I wish to give notice of the following motion, that this Hon. House discusses and approves the report on Environment, Lands, Energy and Natural Resources on the extent of water pollution in River Athi and Komo areas. Thank you, Mr. Speaker.

Hon. Speaker: Thank you, the notice is issued. Proceed.

STATEMENT
BUSINESS FOR 17 TO 19 NOVEMBER, 2015

Hon. Speaker: Then proceed.

Hon. Maitha: Thank you, Mr. Speaker, Sir. I stand under Standing Order number 41 (2a), where during the statement hour, a member of the House Business Committee designated by the Committee for that purpose shall, every Thursday or at the last sitting day, for not more than 10 minutes, present and lay on the Table, as statement informing the House of the Business coming before the House in the following week.

Mr. Speaker, Sir, the House Business Committee met today, 12th November, 2015 and balloted business for the following week as follows:-

1. On Tuesday, afternoon, 17th November, 2015: report of Committee on selection and nomination of Members to committees, report on education and social welfare committee on petition by youth polytechnic instructors.

2. On Wednesday, morning session, on 18th November, 2015, we shall have Machakos County Omnibus Bill 2015, that is second ruling by the roads and Transport committee and we shall also have the Machakos County Omnibus Bill 2015, third reading by the same transport and roads committee.
3. On Wednesday, afternoon, that is on the 18th November, 2015, we shall have debate on projects implemented in 2013/14, 2014/15 and 2015/16 financial years.
4. On Thursday, afternoon, 19th November, 2015, Mr. Speaker, Sir, we shall have the report of Culture and Tourism Committee on KIKOSCA games. Thank you, Mr. Speaker, Sir.

Hon. Speaker: Thank you very much. Proceed clerk.

MOTION

EXTENT OF WATER POLLUTION IN RIVER ATHI

Hon. Ngunzi: Mr. Speaker, Sir, aware that the Committee on Environment, Lands, Energy and Natural Resources is mandated to address all matters regarding implementation of specific National Government Policies on Natural Resources and Environmental Conservation. Further, aware that Article 42 of the Constitution guarantees every person to the right to clean and healthy environment, noting that in section 3 of the Environmental Management and Co-ordination Act (EMCA) 1999, every person in Kenya has the duty to safeguard and enhance the environment.

Informed that pollution of River Athi was on the rise and has negatively impacted the downstream communities for whom the river is a lifeline, cognizant that, many global environmental changes occurring due to human activities such as urbanization, industrialization and certain land uses, threaten to poise the clean water needed for human health and wellbeing, I wish to move the motion that this House discusses and approves the report of Environment, Lands, Energy and Natural Resources on the extent of water pollution in Rover Athi and Komo areas. Mr. Speaker, at this juncture I will beg, after I am seconded, that we defer the discussion---

Hon. Speaker: You are out of order, Hon. Member. This is not the appropriate time. You cannot defer what is not even on the floor of the House.

Hon. Ngunzi: Okay. Can I ask Hon. Dominic Maitha, to second.

Hon. Maitha: Thank you, Mr. Speaker for guiding my able Chairperson. Mr. Speaker, I stand here to second the motion on the report before this Hon. House on the Committee of Environment, Land, Energy and Natural Resources, that this House discusses, approves and considers the recommendations that we have given, Mr. Speaker, as a Committee because we feel the report we have tabled before this House, is a report that needs to be given a lot of weight

by the House. The recommendations that we have forwarded to this House need to be taken with a lot of concern, Mr. Speaker, Sir, because one major challenge that is threatening and becoming a major disaster in our County is lack of environmental concern.

The authorities and the relevant bodies that are concerned with Environment, they seem to be asleep, Mr. Speaker, in one way or the other. The recommendations that we have given here, Mr. Speaker, if they are going to be considered and acted upon, Mr. Speaker, we shall have a safe and secure environment for our people because we need to protect our people and give them the best in terms of environmental matters. If we do not protect the environment, Mr. Speaker, then we will be doing injustice to our people, we will be denying our people basic needs like clean water, clean health facilities, air, we will pollute everything and at the end of the day we will have a sick people, a sick nation, a sick County full of people who need to go to hospitals each and every other time.

So, I believe when we adopt this report, as it is and the recommendation and more recommendations that might be made by members, Mr. Speaker, we shall have done justice to our people. So, I stand to second this report and ask the Hon. Members present, to get this report as a serious matter and adopt its resolutions as per the recommendations to the Committee. Thank you, Mr. Speaker, Sir.

Hon. Speaker: Thank you. Yes the motion is properly before the House for debate. Now we can hear the mover.

Hon. Ngunzi: Mr. Speaker, I was worried that any further debate on the motion will be against an empty House. Most of my members are out, other committees and other members of the House, Mr. Speaker, as you understand, are supposed to travel to Mombasa and that is why we almost have an empty House and I would not have wanted to present my report to nobody. So, Mr. Speaker, with your leave, I beg to defer, until next week.

Hon. Speaker: Thank you. Any member with a copy of review? I think I am almost persuaded. Members will take an opportunity to go through the report which has just been circulated and the business of this day therefore, will be deferred until next week. I think the House Business Committee. May be, yes.

Hon. Maitha: It is a point of concern, Mr. Speaker. It is not regarding the report because you have already made a ruling but my concern was regarding the *ad-hoc* committees that you have just mentioned and Mr. Speaker, I seem to be an interested party and especially in the committee that is investigating the issue of revenue. Mr. Speaker, as you understand the other day we passed the Finance Bill and the report which was tabled before this House is that, 35 per cent more than 35 per cent of the total revenue collected, comes from the quarries.

I have almost 99 per cent of all the quarries in my ward and I believe, Mr. Speaker, there will be a lot of injustice to my people, if a committee will be sent to investigate issues of revenue

in my absence, I need also to be incorporated in the same Committee because there are pertinent issues that even the Committee itself needs to see, I explain to them so that when they bring recommendations and resolutions to this House, Mr. Speaker, that they can be in tandem with the issues that are being faced by my people and issue that the quarries are also facing that, if implemented, Mr. Speaker, can really propel the revenue collection of this County to almost 50 per cent from the area that I represent. Thank you, Mr. Speaker and I hope you are going to consider my request. Thank you, Mr. Speaker, Sir.

Hon. Speaker: Thank you. I did not want to rule you out of order because you were out of order. There are better ways of dealing with those concerns. Hon. Dominic, you are now of age, you know how to deal with those concerns and if you are not sure how, approach my office. Could we hear, yes.

Hon. Kitheka: Thank you, Mr. Speaker. We request to have the reports for this committee.

Hon. Speaker: Yes, the reports have been circulated. Please circulate the reports

Hon. Kitheka: Okay, thank you.

Hon. Speaker: Yes, thank you. Yes, Hon. Deputy Majority Leader, you are here. We need to hear, you were supposed to be given a quick address by the Majority Leader on some issues that were raised yesterday.

Hon. Kasimu: Mr. Speaker, Sir, the office of the Majority Leader is requesting to be given more time about yesterday's issue and will be here on Tuesday, if you allow that, Mr. Speaker.

ADJOURNMENT

Hon. Speaker: Okay. Thank you, then in the absence of any further business, then the House adjourns until its next sitting. Thank you.

The House rose at 2.56 p.m.