

**REPUBLIC OF KENYA**  
**MACHAKOS COUNTY ASSEMBLY**  
**OFFICIAL REPORT**

**Wednesday, 17<sup>th</sup> November, 2021**

**Special Sitting**

*(Convened via Gazette Notice No. 12319 (Vol. CXXIII – No. 230)  
Issued on 12<sup>th</sup> November, 2021)*

The House met at Vocational Training and Youth  
Centre, Athi River Ward at 11.35 a.m.

*[The Speaker (Hon. (Mrs.) Mwangangi) in the Chair]*

**PRAYERS**

**COMMUNICATIONS FROM THE CHAIR**  
**WELCOME TO THE SITTING**

**Hon. Speaker:** Under this order Hon. Members, I have the following communication to make. Hon. Members of the County Assembly of Machakos, Ladies and gentlemen; I welcome you all to this sitting, which is the eighth forum of Bunge Mashinani program that the County Assembly of Machakos started in 2018.

This Bunge Mashinani of today has been organized to help the members of the public appreciate the importance of the National values and Principles of Governance as outlined in Article 10 of the Constitution and the principles and objects of Devolution that are set out in Article 174 of the Constitution.

Hon. Members, Article 196(1) of the Constitution requires that, a County Assembly conducts its business in an open manner, and hold its sittings and those of its committees, in public and facilitate public participation in the involvement in the legislative and other businesses of the assembly and its committees. In this light, the County Assembly of Machakos resolved to hold Bunge Mashinani forums in each Sub-County, and this is the eighth of such forum.

The first one was held in Yatta Sub-County at Kithimani Ward on 17<sup>th</sup> October, 2018, the second one was held in Masinga Sub-County at Ndithini Ward on 15<sup>th</sup> May, 2019, the third one was held in Mwala Sub-County at Kibauni Ward on 4<sup>th</sup> December, 2019. The fourth one was held in Matungulu Sub-County at Kyeleni Ward on 29<sup>th</sup> September, 2020, the fifth one was held

in Machakos Sub-County at Kola Ward on 23<sup>rd</sup> June, 2021. The sixth one was held in Kangundo Sub - County at Kangundo Central Ward on 18<sup>th</sup> August, 2021 the seventh one was held in Kathiani Sub- County at Kathiani Central Ward on 19<sup>th</sup> October, 2021. This is the eighth one which is being held in Mavoko sub-county at these grounds of the polytechnic.

#### CONVENING OF THE SITTING

Hon. Members, on the convening of this sitting, it was done vide Gazette Notice No. 12319 (Vol. CXXIII – No. 230) issued on 12<sup>th</sup> November, 2021. The Gazette Notice partly reads; “NOTICE is given to all members of the County Assembly of Machakos and the general public that pursuant to Articles 10(2)(a), 174 and 196 of the Constitution as read with sections 87, 91(g), 98 (1) and 99 of the County Governments Act 2012 and the Assembly Standing Order. 22 to 30 of the Assembly Standing Orders; the County Assembly of Machakos shall hold its sittings of the 17<sup>th</sup> November, 2021 at Athi River Vocational Youth Training Centre, Athi River Ward, Mavoko Sub- County, Machakos County.

During the said sittings, the Assembly shall conduct its regular business in plenary sittings as per the County Assembly of Machakos Calendar (Regular Sessions) for the fifth Session, 2021. The matters to be transacted during the said sitting shall be as may be determined according to Standing Order 151(5)(d),(e) and (f) of the County Assembly of Machakos Standing Orders.

Accordingly, Hon. Members, I notify all Members of the County Assembly of Machakos and the general public that the first sitting of the Assembly on the said date shall commence at 10.00 a.m. and the second sitting at 2.30 p.m. owing to circumstances Hon. M members that we are sitting outside of our usual plenary sittings, the changes will occur as we continue on the timings of the sittings.

#### OBJECTIVES OF THE SITTING

The objectives of holding sittings Hon. members in the wards is to ensure that the Assembly reaches as many members as possible of the public who are not able to travel to Machakos where the center of the Assembly is located, and this is in line with the objects of devolution where the Assembly is required to take its services closest to the people. And so, the public will have an opportunity to see how the business of the Assembly is conducted and also be able to understand the role of their Member of County Assembly in the County.

This forum will also accord the members of the public an opportunity to share with the Members of the Assembly after this sitting takes its adjourned so that they are able to understand what it is that the assembly needs to undertake on their behalf. That of course is not any formal sitting, the members of the County Assembly are present and the members of the public are present, when the business of the assembly is finalized, interaction is allowable at a social level. Through this forum it is expected that more business in form of Bills, Petitions, Statements and Motions will be forwarded through the interactions with the public.

#### CONDUCTING THE BUSINESS UNDER COVID-19 PUBLIC HEALTH PROTOCOLS

The pandemic, that is Covid-19 is still well with us and we know when it started, we are aware of the public health protocols that have been put in place to make sure that the pandemic does not continue spreading amongst the population of Kenya. And the Assembly has not been left behind in this and it has made every other time repeated request that in its sitting every member of the Assembly, every staff and the guests must observe the following protocols.

- (i) Washing of hands/sanitizing and screening of temperature
- (ii) Wearing of mask at all the time
- (iii) Keeping physical/social distance of at least 1.5 meters while within this area and again avoiding overcrowding, shaking hands or hugging.
- (iv) Keep to your chair; don't exchange chairs or grab someone's chair when they stand up.
- (v) The Serjeant-at-Arms and the law enforcement officers are present to ensure these guidelines are followed.

#### SUBMISSION OF REGULATIONS

Hon. Members, under Article 183(2) of the Constitution the County Executive is required to prepare proposed legislation for consideration by the Assembly. In addition, Article 185(1) of the Constitution, it is required that the Legislative Authority of the County is vested in the County Assembly; that is this institution.

Hon. Members, further, Section 110(1) of the Public Finance Management Act, 2012 it is required that a County Executive Committee may, with the approval of the County Assembly, establish an emergency fund for the County Government and the fund shall consist of money from time to time appropriated by the County Assembly to the fund by an appropriation law.

Pursuant to these provisions Hon. members, the County Assembly is in receipt of the following regulations from the County Executive Committee Member for Finance and Economic Planning:

- i) The Machakos County Emergency Fund Regulations, 2020 dated 9<sup>th</sup> August, 2021. Members you know we have been talking about these regulations and more so informed by the emergence of the Covid-19 pandemic as well as the locust invasion that had come before the Covid-19 pandemic.
- ii) The Machakos County Executive Staff Car and Mortgage Fund Regulations, 2021 dated 25<sup>th</sup> August, 2021.

These regulations Hon. Members, are accordingly committed to the Committee on Delegated Legislation for scrutiny and submission to the Assembly for approval within a period of 30 days.

#### REPORTS OF THE AUDITOR GENERAL

Hon. Members, this is on the oversight part that is played by the county assembly and I want to point out that; under Article 229(4) (b) of the Constitution it is required that, within six months after the end of each financial year, the Auditor-General shall audit and report, in respect of that financial year, on accounts of all funds and authorities of the National and County Governments.

Hon. Members, in addition, Article 229(5) of the Constitution it is required that, the Auditor-General may audit and report on the accounts of any entity that is funded from public

funds. Further, Article 229(7) of the Constitution it is provided that, the Audit reports shall be submitted to Parliament or the relevant County Assembly.

Pursuant to these provisions of the Constitution, the Assembly has received the following reports from the Office of the Auditor General (OAG) on various dates:

- i) Report of the Auditor General on Matungulu Kangundo Water and Sewerage Company Limited for the year ended 30 June, 2019 received on 8<sup>th</sup> October, 2021;
- ii) Report of the Auditor General on Machakos County Bursary Fund for the Year ended 30 June, 2019 received on 1<sup>st</sup> November, 2021.

Hon. Members, so that the Assembly can play its oversight role, these reports are committed to the Public Accounts and Investments Committee for scrutiny and submission of reports to the Assembly for approval. The Committee should report to the House within a period of thirty days from the date of this Communication. Hon. Members, I have in mind that under Article 229(8) of the Constitution of Kenya, the committee may have even up to 90 days but we don't have to wait for that long.

#### ONGOING CONTRUCTION OF WARD OFFICES

The Assembly started construction of Ward offices in 2019 following plans that were passed in 2018 and as of date Hon. Members, 21 offices are completed including the office for the Athi River ward. The Assembly has however learnt with a lot of concern that some of the Ward offices and in particular the ward office in Athi River had been vandalized even before commissioning. We have done that commissioning this morning and this is a setback Hon. member and in particular also the public that is in this sitting is a setback on the efforts of the Assembly to serve the public as is required under the devolution objects.

Therefore, it is my plea as well as the plea of the whole assembly that whatever property that is put up for the use of the, public be taken care of and in particular by the same public; remember it is money that has been spent and this money is from your taxes and it is important that nobody is allowed to vandalize a property of the public, it is property that belongs to the public, that belongs to you and me. Let us take care of it.

#### WELCOME OF VISITNG DELEGATIONS

Hon. Members, finally I am aware that in our mixed we have guest who have come to be with us today, I have not been given a list of the guest who are present by the table office unless Dominic do you have the list? Alright we welcome every person who has attended todays sitting on invitation of the Gazette Notice and appreciate the public that has found time to come and watch the work of the assembly. Thank you, Hon. Members.

#### NOTICE OF MOTION

##### COMPLETION OF THE PROPOSED ATHI RIVER LEVEL IV HOSPITAL

**Hon. Speaker:** Hon. Members, under this order we have one business by Hon. Kisini.

**Hon. Kisini:** Thank you, Madam Speaker.

Hon. Speaker, that aware that Article 43(a) of the Constitution of Kenya, 2010 stipulates that "every Person has the right to the highest attainable standard of

health, which includes the right to health care services, including reproductive health care;”

Aware that Article 174(f) of the same Constitution provides that one of the objects of devolution of Government is to promote social and economic development and the provision of proximate, easily accessible services throughout Kenya;

Noting that in Mavoko Sub-County there are incomplete hospitals and one being the proposed Athi River Level 4 hospital which was started by the Mavoko CDF and later handed over to the County Government of Machakos after devolution of matters pertaining health care pursuant to the Fourth Schedule of the Constitution of Kenya;

Further aware that Mavoko Sub-County has got the highest population among the Sub Counties in Machakos County accounting to 22.7 per cent of the County population according to KNBS, 2019 yet it has no public health facility of a Level 4 status;

Aware that if the proposed Athi River Level 4 hospital is completed, it will serve residents of Syokimau, Athi River, Kinanie and parts of Muthwani Ward hence decongesting referrals made to Machakos Level V Hospital;

Hon. Speaker, I wish to give notice of motion that the County Government of Machakos fast tracks the completion of the proposed Athi River Level IV hospital to provide the highest attainable standards of quality health care which is dynamic, affordable, accessible, equitable, acceptable, sustainable, efficient and effective to the residents of Athi River ward and the larger Mavoko Sub-County.

Thank you, Madam Speaker.

**COMMUNICATION FROM THE CHAIR**  
ACKNOWLEDGEMENT OF  
PRESENCE OF MACHAKOS COUNTY COMMISSIONER

**Hon. Speaker:** Thank you, Hon. Kisini. Hon. Members as we proceed with our sitting allow me to appreciate on your behalf the presence of the Machakos County Commissioner Mr. John Odengo. We appreciate Bw. Commissioner your presence with us and it is in the true spirit and letter of the constitution that there is supposed to be collaboration and inter dependence between the National and the County Government in the service to the people. Thank you and feel at home in Machakos County Assembly.

**STATEMENT**  
BUSINESS FOR THE HOUSE FROM 17<sup>TH</sup> TO 30<sup>TH</sup> NOVEMBER, 2021

**Hon. Speaker:** Hon. Members, under this Order we have two businesses and the first business by Hon. Majority Leader Mark Muendo.

**Hon. Mitaa:** Point of order.

**Hon. Speaker:** Point of order from Hon. Mitaa, the Chief Whip.

**Hon. Mitaa:** Hon. Speaker, im standing under Standing Order 27.

**Hon. Speaker:** Proceed.

**PROCEDURAL MOTION**  
EXTENSION OF SITTING TIME

**Hon. Mitaa:** Thank you, Hon. Speaker.

Hon. Speaker, that aware that Standing Order 27(2) provides that the Speaker shall interrupt business at 12.30 p.m. for the morning sitting;

Aware that Standing Order 27(3) provides that the House may resolve to extend its sitting time;

Aware that Standing Order 27(4) requires motion to extend sitting time to be moved at least 30 minutes before the time appointed of adjournment;

Hon. Speaker, I beg to move the motion that the house resolves to extend its sitting time until the business before us is completed.

Thank you, Hon. Speaker and I wish to request Hon. Alice Nzioka to second.

**Hon. Speaker:** Thank you, Hon. Mitaa. Hon. Alice Nzioka.

**Hon. (Ms.) Nzioka:** I second the motion.

*(Question proposed)*

**Hon. Speaker:** Hon. Members, this is a procedural motion and we may not go into the nitty gritty of the debate, do we have any member who would oppose the proposal.

*(Question put and agreed to)*

*(The House resumed business as per the Order Paper)*

We can now proceed to Order No. 7. I am informed that all businesses under Order No. 7 are supposed to be transacted by the Hon. Majority Leader Hon. Mark Muendo.

**Hon. Muendo:** Thank you, Madam Speaker. Hon. Speaker, the House Business Committee met on Monday, 15<sup>th</sup> November, 2021 to prioritize business for the House pursuant to the provisions of Standing Order 151(5). The Committee balloted business as follows:

Wednesday, 17<sup>th</sup> November, 2021

*Morning at 10.00 a.m*

- a. Procedural Motion that notwithstanding the provisions of Standing Order 116, the House resolves to shorten the time for introduction of the two Bills in the House as follows:
  - i. The Machakos County Climate Change (Amendment) Bill, 2021 from fourteen days (14) days to six (6) days; and

- ii. The Machakos County South Eastern Kenya Economic Bloc Bill, 2021 from fourteen days (14) to five (5) days.
- b. The Machakos County Climate Change (Amendment) Bill, 2021; First Reading.
- c. The Machakos County Southern Eastern Kenya Economic Bloc Bill, 2021; First Reading.
- d. Motion that motion that the County Government of Machakos fast tracks the completion of the proposed Athi-river level 4 hospital to provide the highest attainable standards of quality health care which is dynamic, affordable, accessible, equitable, acceptable, sustainable, efficient and effective to the residents of Athi-river ward and the larger Mavoko Sub-County by Hon. Robert Kisini: MCA, Athi River.
- e. Statement on what measures the County Government of Machakos has put in place to ensure industries and companies in Mavoko Sub-County carry out best practices in respect to Corporate Social Responsibility (CSR) for the benefit of the residents of Sub-County.
- f. Motion that notwithstanding the resolutions of the Assembly made on 10<sup>th</sup> March, 2021 (Approval of Assembly Calendar) and 26<sup>th</sup> May, 2021 (Alteration of Assembly Calendar); and pursuant to Standing Order 25(4), the Assembly resolves to further alter its Calendar (Regular Sessions) for the Fifth Session, 2021 in respect to part III, to adjourn the Assembly on 17<sup>th</sup> November, 2021 and resume its regular sittings on Tuesday, 30<sup>th</sup> November, 2021 and that the Assembly Calendar (Regular Sessions) for the Fifth Session be altered accordingly by Hon. Mark Muendo: Majority Leader.

Tuesday, 30<sup>th</sup> November, 2021  
*Morning at 10.00 a.m.*

Report of Finance and Revenue Collection Committee on the Financial Statements of the Machakos County Government (Executive) for FY 2019/2020 by Hon. Stephen Mwanthi, Chairperson, Finance and Revenue Collection Committee.

*Afternoon at 2.30 p.m.*

The Machakos County Environmental Management Bill, 2021; Second Reading by Hon. Robert Kisini, Chairperson, Environment, Energy, Lands and Natural Resources.

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you, Hon. Mark Muendo. Yes, Hon. Mark Muendo there is a second Statement.

**STATEMENT SOUGHT**  
**MEASURES TO ENSURE INDUSTRIES AND COMPANIES IN MAVOKO**

SUB-COUNTY CARRY OUT BEST PRACTICES IN RESPECT  
TO CORPORATE SOCIAL RESPONSIBILITY (CSR)

**Hon. Muendo:** Thank you once again, Hon. Speaker.

Hon. Speaker, Article 42 of the Constitution of Kenya, 2010 states that Every person has the right to a clean and healthy environment, which includes the right—

a. To have the environment protected for the benefit of present and future generations through legislative and other measures, particularly those contemplated in Article 69; and

b. To have obligations relating to the environment fulfilled under Article 70;

Noting that there has been a rapid growth in the number of industries and companies in Mavoko Sub-County consequently having major negative environmental effects including air pollution, which may cause respiratory diseases to the residents considering the pandemic virus already in existence;

Hon. Speaker, pursuant to Standing Order 41(2) (c), I wish to seek a statement from the Chairperson, Justice and Legal affairs Committee on what measures the County Government of Machakos has put in place to ensure industries and companies in Mavoko Sub-County carry out best practices in respect to Corporate Social Responsibility (CSR) for the benefit of the residents of the Sub-County.

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you, Hon. Majority leader. Hon. Members on the first statement and as is our tradition we would ordinarily make comments before we commit to the relevant committee, the question that is being sought. There is nothing in the first statement being the issue of the House business. There is a second Statement that is sought by the Hon. Majority leader and this is touching on environmental issues and I think it is only proper that we have members make a few comments as is the tradition so that then the Statement can be referred to the relevant committee. Any Member who wishes to comment? Hon. Mitaa.

**Hon. Mitaa:** Thank you, Hon. Speaker, for the opportunity and Madam speaker with your permission I will seek your indulgence to allow me to mix Kiswahili and English.

**Hon. Speaker:** Proceed, Hon. Member, because we agreed that despite the provisions in our Standing Orders when in situations like Bunge Mashinani you need to communicate also to the public that is present in the sitting, so you can proceed Hon. Member.

**Hon. Mitaa:** Asante Bi. Spika kwa nafasi na naomba nimregeshee the *Majority Leader* Mark Muendo shukrani kwa kuleta swali mbele ya Bunge ili tuweze kuipitisha kwa kamati ya *Justice and Legal Affairs Committee* ndio iweze kushugulikiwa. Bi. Spika, eneo la Mavoko ni ile tunaita *industrialized zone*. *Madam Speaker*, iko kampuni mingi ambazo zinafanya kazi kutoka eneo hii na kutokana na hio kumekuwa na madhara ya mazingira. Bi. Spika, langu nikuomba serikali ya Machakos jukumu moja ya serikali ya Machakos ni kuhakikisha wenyeji wa Machakos wanaishi zile sehemu mazingira iko sawa. Langu ni kuomba zile kampuni zinafanya kazi eneo hii ya Athi River ziko njia tofauti wanaweza kusaidia wananchi wa hii area ndio na wao pia waweze kufurahia kuwa karibu na hizo kampuni Bi. Spika.



Mambo ni mengi yanaweza fanyika wanaweza, wanaweza kujitolea wahakikishe mahali wanafanyia kazi kama ni mazingira wanaangalia sio kuharibu. Wakati mmoja tumetembea Mavoko kwa sababu mto Athi ulikuwa umeharibiwa na yale maji yalikuwa yanapita mto Athi yalikuwa yana madhara mengi sana sikwa binadamu lakini kwa mifugo na mimea. Wenyeji hapa Athi River wengine ni wakulima wanatumia hayo maji kunyunyizia zile vitu wanapanda kwa mashamba, wengine pia hio maji wanatumia manyumbani mwao, wengine pia wanatumia hio maji mto uko na samaki unapata pia wanaenda huko kutafuta lishe ya samaki na unapoweka *chemical*, tunapozieleza kwa mito hayo madhara yanaenda kwa binadamu na tumekuwa na *cases* mingi za maugonjwa yale yanatokana na madhara hayo.

Jambo lingine ningeomba hizo kampuni serikali izingatie pia wanaweza somesha watoto katika hii eneo, wanaweza chagua wale watoto wako na *interest* katika maneno ya mazingira na hao watoto wakisomeshwa watarudi pia labda wengine warudi hapa waajiriwe na hizo kampuni ama serikali ndio pia hao waendeleze kuchunga maneno ya mazingira. Bi. Spika, jambo lingine kampuni zinaweza shughulikia ni kuchimba visima, *boreholes* ndio maji ile inapatikana na ile inatumika na wananchi ikue pia ni maji safi. Pia kuna upanzi wa miti Bi. Spika wanaweza shughulikia washikane na wananchi kutoka hili eneo wapande miti msimu kama huu hii eneo letu huwa ni lamvua na Bi. Spika ukiangalia hakuna dalili ya mvua na hii imetokana na madhara tumefanya kwa *environment*.

Kwa hivyo kama wanawezashikana wapande miti kupitia vijana wanaweza kutengeneza vikundi za vijana na hao vijana wapatiwe hio kazi ya kupanda miti, kukusanya takataka, watakuwa wamesaidia na hata sisi kama wenyeji wa Machakos tutakuwa tumefurahia kuwa na hio nafasi ya kuwa na hizo kampuni zikifanya kazi kutoka eneo letu la Machakos. Bi Spika, naombo nifike hapo na nishukuru tena Majority Leader kwa hili swali ameleta. Asanti Bi. Speaker.

**Hon. Speaker:** Okay. Sshukurani Mheshimiwa Mitaa. Mheshimiwa Alice Nzioka,

**Hon. (Ms.) Nzioka:** Asante Bi. Spika, nashukuru kwa hii nafasi. Nakushukuru sana kwa huu mtindo ulioanzisha wakati ulichaguliwa kama Spika wa bunge letu wakuleta bunge nyumbani. Bi. Spika wengi hawabahatika kufika katika bunge letu Machakos ili kuona viongozi wao wanafanya kazi gani. Lakini sababu ya huu mtindo ambao ulianzisha sasa wakulima wanajua mheshimiwa walio mchagua ile kazi anafanya.

Pili, niwashukuru wananchi wa wodi ya Athi River kwa kumchagua mheshimiwa Kisini sababu amekuwa msaada kwetu katika bunge la Machakos. Mheshimiwa Kisini wakati alikuja bunge alipewa kuwa mwenyekiti wa kamati ya mazingira, mashamba na ni kamati ambayo iko na kazi mingi na hasa ina miradi mingi ambayo inashughuliwa katika wadi ya Athi River. Bi. Spika, nachukua nafasi hii ili kuchangia taarifa ambayo imeletwa na Mheshimiwa Mark Muendo kuhusu usaidizi ama viwanda ambavyo tunavyo katika mji wa Athi River vinapaswa kufanya nini kwa wananchi wa Athiriver.

Bi. Spika kama vile ambavyo unajua, mji wa Thika na Athi River ni miji ambayo kiviwanda imepatiwa kipao mbele. Bi. Spika, ukianza kuhesabu zile viwanda ambazo ziko sehemu kama ya Mavoko, utakuta ni viwanda zaidi ya mia moja. Bi. Spika, hizo viwanda zinaleta rasilimali katika mji wa Athi River na pia zinaleta uharibifu. Sisi kama kaunti na kama bunge tunaomba kwamba viwanda vilete biashara pia kwa watu wa Mavoko. Bi. Spika sehemu nyingi ambazo zina viwanda Mavoko ilikuwa ni sehemu ambayo watu ambao hawajabahatika

kimaisha walikuwa wanaishi na utashangaa sana utapata kiwanda kinaletwa na mtu anahamishwa, mtu, watoto, jamii wanahamishwa kupelekwa mahali ambapo mtu hajui.

Mimi ni ombi langu ningeliza kwamba kama kiwanda kitaletwa, wale watu ambao wamefukuzwa kwa hilo shamba, hiyo kiwanda, uongozi wa kiwanda ushughulikie sana maisha ya watu ambao wamefutwa. Pili, Bi. Spika kiwanda kikiletwa ni sheria sio ombi kwamba wale watu ambao wako karibu na sehemu ambayo kiwanda kipo washughulikiwe masilai yao yaangaliwe ili wakae vizuri. Bi. Spika kwa ruhusa yako nakumbuka kama sio mwaka huu ni mwisho wa mwaka uliopita, ulitupa nafasi kama kamati ya mazingira tukaja katika mto wa Athi. Ilikuwa ni mshangao mkubwa tulikuta maji yamewekwa kemikali ndani, samaki waliokuweco ndani walikuwa wamekufa; Bi. Spika ni swali kwamba ukiona samaki wamefuka, na watu je? Mto wa Athi umeteremka karibu kaunti yote. Umepitia Athi River, utaupata Kabaa, Katangi na kuteremka.

Bi. Spika ni ombi la bunge la Machakos kwamba wenye viwanda waangalie mazingira sana na pia wanapaswa kama ni maji ama uchafu ambao unatoka katika viwanda waelekeze maji mahali ambapo panapaswa. Sisi kama bunge Bi. Spika nimekuuliza, wakati mmoja tutatembea katika hizo viwanda tuone uelekezaji wa maji ama maji machafu mahali unaenda. Nimshukuru kiongozi wa walio wengi kwa hio taarifa ambayo ameleta ili ishughulikiwe. Asante Bi. Spika.

**Hon. Speaker:** Shukurani Bi. Alice. Mheshimiwa Maitha unataka kusema jambo? *Proceed please.*

**Hon. Maitha:** Asante, Madam Speaker. Kwanza nataka nikupongeze kwa kutuleta hapa Athi River tuungane na watu wetu ili waone vile bunge mashinani inafanywa. Nimpongeze Mheshimiwa Mark Muendo kwa kuuliza hii *statement* kwa maana hapa Athi River ukiingia utapata kuna viwanda vingi sana na ukichunguza sana huenda hakuna hata kitu chochote kimefaidi watu wa hapa Mavoko ama Machakos kwa jumla.

Tuseme ya kwamba, ni lazima kama wale walion nena wameongea mbele yangu ya kwamba kiwanda kikiwekwa mahali, kwanza kikifanya kazi yake ishughulikie wale watu wako kwa hio *area* ili kama ni kazi *some of them be employed in that factory so that they can also benefit. You find that we have so many of them but when you get there they are importing people from afar to come and work in that factory which is not good for our people.*

*I congratulate you Hon. Muendo for bringing that Statement and we shall ventilate on it and make sure that the people of Machakos and those of this Sub-County benefit from the many factories which are in this sub-county. Thank you, Hon. Speaker.*

**Hon. Speaker:** Thank you, Hon. Maitha. Hon. Members, just allow me to commit this because we have other business so that we can continue. Mheshimiwa Deputy Chief Whip, you are burning to say something?

**Hon. P.J. Mutiso:** Yes.

**Hon. Speaker:** Okay, proceed.

**Hon. P.J. Mutiso:** Madam Speaker, sitaki kurudia yaliyosemwa. Yangu nataka kusema kwamba ni muhimu tujue ya kwamba, wenye hizo viwanda ni lazima waangalie mambo mengi. Kwa mfano Athi River na Kinanie ni area moja; lile inaniuma sana ni kwamba tunaona

wale watu wanalipua mawe pande ile, wagongaji wa mawe sijui kama wana utaalamu vizuri kwa maana na ninashukuru County Commissioner kwa maana yuko hapa. Ukienda pale unaona manyumba za watu ziko na nyufa, zilikuwa zimejengwa vizuri lakini mawe pande ile imeharibu manyumba ya wenyewe.

Kwa hivyo hio maeneo ni lazima wale ambao wanafanya hio mambo waangalie ama waende wasome wawe na utaalamu ya kupiga mawe kwa maana watu mali yao imeharibika na sijui kama serikali itawalipa. Na mimi nitajitolea, nitaenda kortini kwanza nisimame ndio hio mambo iweze kufanyika kwa maana mali ya wenyewe imeharibiwa na ni lazima walipwe. Asante, Bi. Spika.

**Hon. Speaker:** Shukrani Mheshimiwa Mutiso. Mheshimiwa Angela you had your hand up as well? For a brief comment.

**Hon. (Ms.) Munyasya:** Thank you, Hon. Speaker. I just wanted to add a little bit about environment and how it has affected our people. Where I come from Madam Speaker in Mbiuni, the farmers are not able to export their products because the water they use to irrigate their products is contaminated. Through Hon. Kisini's Committee, we came and investigated many factories around Athi River about contamination of the river; the matter is still under investigation and has not been concluded.

So, I would like Athi River residents to note that it is their business to also help the government and the county to check on who is contaminating the rivers and also to take care of their environment because this environment affects them directly and they cannot wait until the County Assembly takes action. Madam Speaker, I urge residents of Athiriver and Machakos at large to know that it is our responsibility, collectively, to ensure that our environment is taken care of. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Munyasya. Hon. Members, the Statement is committed to the Justice and Legal Affairs committee and it is to address the matter and file a report on the response before the house on or before the 7th day of December, 2021. Hon. Members, you notice that this statement is coming at a time only when next week the County Governments are holding the devolution conference in Makeni and the theme is about climate change from which we are all suffering not only here in Machakos but in the whole of Kenya and the World at large,

So Hon. Members in the words of the Constitution, Articles 69 the government that is you, you are part of the government; you have a duty to ensure that the environment is taken care of and the same way the public and that constitutes the operators of the industries also have a duty to assist the state in taking care of the environment. It is all about taking care of Mother Nature so that Mother Nature takes care of all of us and that is why we have to take the issue of environment very serious wherever we are. Thank you, Hon. Members.

### COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM ATHI RIVER GOSPEL MINISTRIES  
ALLIANCE AND MAVOKO PASTORS WELFARE GROUP

**Hon. Speaker:** As we proceed to that next business Hon. Members, allow me and you will allow as we go on to appreciate the presence of the following servants of the Lord, Pastor Nichodemus Muli of Integrity Worship Centre, Pastor Rev. Zachs Onguko of Vision Restoration

Sanctuary, Pastor Rev. Daniel Mutua of God is Able Church; the three being Leaders of Athi River Gospel Ministries Alliance and Mavoko Pastors Welfare Group. Thank you very much members of the church leadership for being with us here. We have Hon. Angela going to procecute the business under Order No. 8.

### PROCEDURAL MOTION

#### SHORTENING THE PERIOD OF INTRODUCTION OF BILLS IN THE HOUSE

**Hon. Angela:** Thank you, Hon. Speaker.

Hon. Speaker, that aware that Standing Order No. 116 provides that, no Bill shall be introduced in the House unless such Bill together with the memorandum of objects and reasons has been published in the County Gazette and the Kenya Gazette and unless, in the case of a County Revenue Fund Bill, an Appropriation Bill or a Supplementary Appropriation Bill, a period of seven days and in the case of any other Bills a period of fourteen days, beginning in each case from the day of such publication, or such shorter period as the House may resolve with respect to the Bill, has ended;

Aware that two Bills namely the Machakos County Climate Change (Amendment) Bill, 2021 and the Machakos County South Eastern Kenya Economic Bloc Bill, 2021 were published in the Kenya Gazette Supplement on 11<sup>th</sup> and 12<sup>th</sup> November, 2021 and they will be ready for introduction in the House on 25<sup>th</sup> and 26<sup>th</sup> November, 2021 respectively;

Aware that the House will not be sitting at that time and both Bills need to be considered by the House urgently before the long recess of 8<sup>th</sup> December, 2021;

Hon. Speaker, I wish to move the Motion that notwithstanding the provisions of Standing Order 116, the House resolves to shorten the time for introduction of the two Bills in the House as follows:

- (i) The Machakos County Climate Change (Amendment) Bill, 2021 from fourteen days (14) days to six (6) days; and
- (ii) The Machakos County South Eastern Kenya Economic Bloc Bill, 2021 from fourteen days to five days.

Hon. Speaker I would like to call upon Hon. Mwikali to second.

**Hon. Speaker:** Thank you. Hon. Mwikali.

**Hon. (Ms.) Mwikali:** I beg to second the motion. Thank you.

**Hon. Speaker:** Thank you, Hon. Member. Hon. Members, again this is a procedural motion and you will allow me to propose the question so that we can make a decision on the proposed business in the motion.

*(Question proposed)*

Hon. Members, I would wish to know whether there is any member who would have any contrary opinion on the issue of the proposed motion.

*(Question put and agreed to)*

Hon. Members, the issue of Bills needs no further emphasis noting that the climate Climate Change (Amendment) Bill 2021 is what is going to enable this county benefit from the climate change fund that is availed by the World Bank and as we are talking, Members of the Environment Committee excluding the Chairman who is the host MCA and one other member that I can note from the plenary are sitting where they are fast tracking the finalization of this bill so that this County does not loose on the funding which is over Ksh. 1 billion to address climate change.

So so it is understandable Hon. Members that you are actually seeking a shortening of the procedural process of finalizing that Bill so county can access those funds and of course it is the position of the Assembly that the funds should be used only for the purposes that is intended that is addressing climate change in this County.

The second Bill Hon. Members, which you have shortened the procedural period is about setting up an economic bloc for the region that is comprised of Machakos, Kitui and Makeni Counties. This is another area where this region is lagging behind because other regions in Kenya have set up the econoc blocs and from that they are benefiting so that the people in those areas are getting more benefits than the people in the South Eastern area. So for that reason again, it good you have shortened the period of processing the Bill so that we can have in place that law that is going to see the South Eastern Economic Bloc (SEKEB) in operation. Thank you.

## **BILLS**

### *First Readings*

THE MACHAKOS COUNTY CLIMATE CHANGE (AMENDMENT) BILL, 2021  
KENYA GAZETTE SUPPLEMENT NO. 14 (MACHAKOS COUNTY BILLS NO. 6

THE MACHAKOS COUNTY SOUTH EASTERN KENYA ECONOMIC BLOC BILL, 2021  
KENYA GAZETTE SUPPLEMENT NO. 15 (MACHAKOS COUNTY BILLS NO. 7

*(Orders for First Readings read - Read the First Time and  
ordered to be referred to the relevant Committees)*

## **MOTIONS**

COMPLETION OF THE PROPOSED ATHI RIVER LEVEL IV HOSPITAL

**Hon. Speaker:** Hon. Members, the business under this order is to be transacted by Hon. Robert Kisini.

**Hon. Kisini:**

Hon. Speaker, that aware that Article 43(a) of the Constitution of Kenya, 2010 stipulates that “every Person has the right to the highest attainable Standard of Health, which includes the right to health care services, including reproductive health care”;

Aware that Article 174(f) of the same Constitution provides that one of the objects of devolution of Government is to promote social and economic

development and the provision of proximate, easily accessible services throughout Kenya;

Noting that in Mavoko Sub-County there are incomplete hospitals and one being the proposed Athi- River Level 4 hospital which was started by the Mavoko CDF and later handed over to the County Government of Machakos after devolution of matters pertaining health care pursuant to the fourth schedule of the Constitution of Kenya;

Further aware that Mavoko Sub-County has got the highest population among the Sub Counties in Machakos County accounting to 22.7 per cent of the County population according to KNBS, 2019 yet it has no public health facility of a Level 4 status;

Aware that if the proposed Athi- River Level 4 hospital is completed, it will serve residents of Syokimau, Athi River, Kinanie and parts of Muthwani Ward hence decongesting referrals made to Machakos Level 5 Hospital;

Hon. Speaker, I wish to move the motion that the County Government of Machakos fast tracks the completion of the proposed Athi-river level 4 hospital to provide the highest attainable standards of quality health care which is dynamic, affordable, accessible, equitable, acceptable, sustainable, efficient and effective to the residents of Athi River ward and the larger Mavoko Sub-County.

Madam Speaker, I want to call upon the Majority Leader who is also a colleague of the larger Mavoko Sub-County and is aware of the problems of this hospital to second my motion.

**Hon. Muendo** seconded.

**Hon. Speaker:** Thank you very much Hon. Majority Leader; you have seconded in a manner that reserves your opportunity to comment on the motion.

*(Question proposed)*

Hon. Members, I invite you to debate the motion; Hon. Majority Leader Mark Muendo.

**Hon. Muendo:** Thank you, Hon. Speaker. Let me start by congratulating you and your office for introducing in our Assembly this Bunge Mashinani. As I was seated, I could see the members of the public appreciating; that is showing leadership and innovation. Let me also congratulate the area Hon. Member who is my neighbour, Hon. Kisini and congratulate the people of Athi River for electing a man with vision, a humble man and I hope everybody knows he is humble and a good representative of the people when we are in the House.

Hon. Speaker, *naomba nitumie lugha ambayo inashinda wengi lakini mimi ukiona, niko na sura ya Mombasa sitapotea sana. Nichukue nafasi hii kwanza niseme shukrani kwako kwa uongozi umeonyesha bunge ya Machakos. Na mimi naongea kama Leader of Majority ambaye niko kwa ofisi na nasimamia walio wengi bunge ya Machakos.*

*Bi. Spika, kuleta Bunge mashinani kumesaidia wengi wetu ambao wataitisha viti. Kwanza wamesoma, wakifika kule kama King 'ang'i atakujā nyumbani, kukija mtu mwengine atakuwa anajua debate inaendeshwa namna gani. Wengi wanafikiria debate ni kubishana, lakini debate iko na mipangilio ukiingia kwa bunge. Niseme Bi. Spika, uongozi wako umeonyesha dhahiri wewe uko kwa roho za watu, Wakenya na wananchi. Keep it up na uendelee.*

*Pia nirudishe shukrani kwa watu wa Athi River kwa kuchagua Mheshimiwa Robert Kisini ambaye kule bunge ako na kazi nyingi na yeye hufanya hio kazi. Kwa hivyo watu wa Athi River hamkukosea wakati mlienda kwa ballot na bado Madam Speaker, Kisini hajasema ame retire kwa hivyo watu wa Athi River vile sisi tunaona ni kiongozi mwema na nyinyi mutaangalia muone vile mtamfanyia.*

*Bi. Spika, hii mambo ya hospitali, niko conversant na Athi River kwa sababu watu wa Kinanie wanakuja hii Level IV na hata hii Level IV inatakiwa ifike kiwango ya Level V kwa sababu health care inaambatana na population. Mavoko Sub-County ndio iko na watu wengi Madam Speaker na ni uongozi ambao tunahitaji katika level IV kutoka kwa county government ya Machakos.*

*Nimesimama pia nieleze wananchi ya kwamba, Mheshimiwa hana hela ya kutumia kivyake, angekuwa nayo kama CDF, tungekuwa tunaongea kama hii Level IV imeisha. Vilevile, sisi kazi yeti ni tatu; kuangalia na kulinda ile mali yenu ambayo inakusanywa na county government. Ya pili ni hii tunafanya bungeni kama ya kulete statements kama ile nimeleta na motion kama hii imeletwa na Mheshimiwa wenu na ile ingine ni participation kwenu locally tukifanya maneno lakini sisi kama wabunge inafika mwisho wakati tunapeana budget.*

*Kwa hivyo musilize Mheshimiwa kwa nini Level IV haijaisha; ulizeni county government kwa sababu kazi yetu ni kuwapatia pesa amabazo Mheshimiwa wenu alifanya na sisi tuliwapa budget na hakuna yenye tumewanyima.*

*Bi. Spika, population ya Mlolongo, Athi River na Kinanie; kukiwa na government ambayo inafaa; tunahitaji kuwa na hospitali kubwa Mlolongo Level IV ama Level V, na hii pia ipandishwe iwe Level V kwa sababu hii hospitali ya Athi River inaserve mpaka Muthwani na Kitengela. Na hatuna mpaka kwa sababu wananchi wa Kitengela ni wananchi wa Kenya na unajua Mavoko ni cosmopolitan iko na watu wengi.*

*Hii hospitali ya Athi River, kwa sababu nimesema niko conversant na area hii, kwa sababu Bi Spika hujui nilikuwa hapa nikiwa elected councillor nikiwa 24 years na mimi ndio nilikuwa mdogo kwa hii municipal ya Machakos na nilikuwa narepresent ward ilikuwa inaitwa Stoni Athi na ndio nasema hio hospitali wakati CDF walianzisha kulikuwa na shida. Niseme CDF ilifanyafanya kazi mzuri lakini sasa docket imekuja kwa county government sisi tunataka kusema kwa sababu wakati umeenda na Madam Speaker unajua mimi ni mtetezi wa watu, ile serikali itakayokuja, naomba waangalie hio hospitali ya Athi River na pia tuanzishe ingine Mlolongo. Mnajua masiku imeenda; tumebakisha miezi saba na miezi saba sioni hii hospitali ikikuja lakini naomba wananchi muanglie viongozi ambao wanaweza tengeneza hio hospitali ifike kiwango cha Level IV.*

*Madam Speaker nikimalizia, nataka kusema hii hospitali na sio hii pekee, health care kila county ambayo haiangalii wananchi wake kwa health, inakuwa ni total failure for a country or county. County ya Machakos, hospitali generally ni kama hii ya Mavoko, kwangu Kyumbi niko na moja, Itimboni ilianzishwa 2013 na hata wa leo haijawekwa roof. Na najua kunazo nyingi za aina hio. Kwa hivyo Madam Speaker, mahospitali ni ya muhimu na tunaomba government ya Machakos hio miezi imebaki kama wanaweza, wa concentrate kwa mahospitali na hata ni afadhali wawache other projects. Thank you, Madam Speaker.*

**Hon. Speaker:** Thank you, Hon. Majority Leader. Hon. Mutiso.

**Hon. P.J. Mutiso:** Asante Bi. Spika kwa kunipa nafasi niweze kuchangia kwa *motion* ambayo iko mbele yetu. Namshukuru mwakilishi wa eneo hili la Athi River, kwa kuleta taarifa hii ambayo ni mwafaka kwa mwananchi na kwa kaunti ya Machakos. Bi Spika, nilikuwa nafikiri kuna Level IV eneo hili lakini nimeshangaa kuambiwa hakuna; sababu hii ni sehemu moja ya *municipality* ambayo inafaa iwe na hospitali kubwa na si *dispensaries* ama hizi zingine. Kwa maana ni eneo iko na watu wengi, kuna industries na makampuni kubwa ambazo wafanyikazi wake ni wengi, na wanafaa waangaliwe sana. Lakini sitashtuka sana Bi. Spika kwa sababu mimi kama mwakilishi wa Machakos Central, hatuna hospitali ila tu Level V na hio ni *referral* inaletwa watu wote.

Kwa hivyo watu wa Machakos hakuna faida wanapata; wakipata shida ya ugonjwa wanaenda Kiima Kimwe ama Mutituni na ni mbali. Kwa hivyo nauliza na sio kuuliza, nasema kwamba ni lazima hizo eneo ziangaliwe kwa sababu ni eneo zinatoa pesa nyingi kwa Kaunti ya Machakos. Kuna Mlolongo, Athi River, Machakos Town na zingine ambazo pesa zile zinapatikana uko ni nyingi. Kwa hivyo watu wa eneo hio wanapaswa waangaliwe.

Na pia wakati wa kugawa pesa naomba kama itawezekana, na si kuomba ni ukweli, wawe wanaangalia maeneo ambayo iko na watu wengi, wawe wanaweza kuongezea fedha kidogo kwa sababu kama kune eneo iko na population ya 50,000 *people* kwa mfano, huwezi linganisha na 500,000 ambayo ni idadi kubwa na inatakikana iwe na pesa mingi zaidi ndio iweze kufanya kazi muhimu kwa watu wake.

Kwa hivyo Bi. Spika nasema serikali ya Machakos iangalie haya maneno kwa sababu hawa wananchi inafikia mahali wanaona sisi kama MCAs hatufanyi kazi lakini tunafanya kazi. Tunapeana *budget* kwanza na *projects* ambazo zinapaswa kufanywa na ikifikia hapo ni kufuatilia. Kama hapa tunafuatilia sasa. Ndio maana unasikia Mheshimiwa Kisini akisema iangaliwe kuwe na *Level IV*. Kwa hivyo anafuatilia sasa vile kazi yake inafanywa, kwa maana amepeana *budget* na *projects* zinafaa kufanywa. Na najua madiwani wote wa Machakos wamewahi kufanya hivyo, kwa hivyo ni mambo mengi ambayo serikali inafaa iangalie ifanye kwa haraka. Kama Gavana wetu alituhidi kutakuwa na maji safi, kutakua na matibabu na mambo mengine; kwa hivyo afanye hii kazi na tunaona sasa ako mwisho wa *ku-exit* aende kwa kiti ingine ama mambo mengine.

Bi, Spika najua ya kwamba, maana tunaona vile mambo iko, mvua ikiwa karibu miti uanza kutoa matawi ingine ambayo ni *green* na tunajua ya kwamba mambo naona itakuwa mzuri. Tukifika pale hii maneno, na Mungu tu ndiye anafanya; uangalie maneno iwe safi, kuwe na *equality* sio ati kuangalia pande moj. Hata Mungu anaangalia wafanyi dhambi, *pastors* na wengine, wote anawapa mvua kiasi moja na wote anawapa baraka. Lakini nashangaa kuona viongozi saa zingine wananyima kumfanyia kiongozi mwingine kazi wakisahau kwamba mwananchi ndiye aliwapigia kura.

Sote tulipigiwa kura na wananchi na awakubagua. Kwa hivyo wakifika pale waangalie hio maneno na unajua wale watu watakuwa na wao watafaidika sana. Na tunaomba Mwenyezi Mungu aangalie hio maneno. Na niitisha maombi; kwani ni vibaya kusema tuombewe, kwa hivyo Bi spika nasema government ya Machakos lazima ifanye kazi ile inafaa. Kwa hivyo ni asante Mheshimiwa Kisini kwa kuleta hii taarifa. Asante.

**Hon. Speaker:** Thank you, Hon. Mutiso. Hon. Rozina.

**Hon. (Ms.) Kanini:** Asante Bi Spika. Mwanzo nataka kumshukuru Mheshimiwa Kisini kwa kuleta hii *motion* kwa bunge na nataka kumhakikishia ya *chamber* yeye ananijua vizuri na



mimi ni mkaaji wa Athi River; tutasukumana tusukume hii motion mpaka watu wa Athi River wafanyiwe hii kazi. Bi. Spika tukianza kuongea eneo za Machakos sina haya nikisema eneo ya Athi River ndio inafaa mwanzo kabisa ipewe huduma kwa sababu tukiangalia *revenue collection* Athi River ndio inatoa ushuru nyingi kwa Kaunti ya Machakos.

Kwa hivyo ata kama sio hospitali, mnafaa mtengenezewe barabara zikuwe nzuri, ziwe na lami, *drainage systems* zenye ni mbaya mtengenezewe na sio kuomba, ni lazima kwa sababu mnatoa ushuru. Niko na furaha nikisema watu wa Athi River ni lazima na ni *priority* yenu mfanyiwe kazi kwa sababu mnatoa *tax* na ni nyinyi mko *number one* katika kaunti ya Machakos. Asante Bi. Spika, maoni yangu ile ingine imeongewa na Mheshimiwa Mrefu.

**Hon. Speaker:** Mheshimiwa Mrefu ni nani? Rudi Mheshimiwa Rozina. Hatuna Mheshimiwa Mrefu kwa *record* hapa

**Hon. (Ms.) Kanini:** Asante, Bi. Spika. *I withdraw the word Mheshimiwa Mrefu and I substitute with Mheshimiwa Mutiso.*

**Hon. Speaker:** Shukrani. Mheshimiwa Kituku.

**Hon. Kituku:** Thank you, Madam Speaker. Jina langu ni Patrick Kituku MCA wa Ndithini ambayo ndio wodi iko mwisho wa Machakos. Kwa hivyo watu wa Athi River msistaajabu uzito ambao mnauona hapa; niko kwa mpaka.

*(Laughter)*

Madam Speaker, nataka kuunga mkono mjadala ambao umeletwa na Mheshimiwa Kisini wa Athi River, kwamba hii Level IV Hospital iweze kumaliziwa na iwekwe zile vifaa zinafaa. Mimi ni mheshimiwa wa Kamati ya afya na kuna wakati tulitembelea ile *facility* tunayo hapa karibu na tuliona wale wanaohitaji matibabu pale ni wengi zaidi na watu wanajazana kabisa unapata ata kutibiwa---

**Hon. Speaker:** Mheshimiwa Kituku, weka uzito pia kwa sauti.

**Hon. Kituku:** Kabisa. Ata *speaker* ikitaka kupasuka ipasuke.

**Hon. Speaker:** Ndio, endelea.

**Hon. Kituku:** Bi. Spika, tuliona kwamba hio hospitali imejazana sana na ndivyo tuliona tukiwa na mheshimiwa hapa kuwe na level 4 hospital na tunashukuru kwanza kwa sababu it was *gazetted* na tunaomba serikali ya Machakos upande wa *Executive*, ipambane sana ihakikishe kwamba hio hospitali inatumika. Sisi wote tunajua Mlolongo na Athi River ndio ile jiji ambao wengi tunakuja kutembea sana sana hata sisi uenda tukimaliza hapa haturudi kwanza manyumbani; tuko humu humu. Kwa hivyo watu wengi wanahitaji matibabu, sisi wote wakaaji wa Machakos kwa sababu Athi River *is one of the oldest towns in Machakos* na inahitaji iwe na sehemu nzuri sana ya afya hili wananchi waweze kushughulikiwa.

Mheshimiwa Spika tumejaribu sana upande wa bunge ndio wakaaji wapate kaze inayostahili ya kiwango chao kwa sababu kila sehemu hasa *area* ya Athi River wanatoa kodi

kwa wingi sana kama waheshimiwa wengine wamesema lakini kuna mambo mengine tunaona bado hayajitiliwa mkazo sana. Wasitutie shaka sisi kama waheshimiwa maana sisi tunawatetea lakini kuna upande wa serikali mmoja ambao umelalia kazi kidogo. Mahali wako waamke kwa sababu ukitembea mitaani hasa hasa huku *Slaughter* na hizo side utapata kuna taka kwa wingi sana.

Kwa hivyo tunapoendelea na kupigia mswada debe upite ninaomba serikali iweze kuangalia mazingira vile yalivyo ya hii *area* ya Athi River na taka ziondolewe kukuwe kusafi Asante Bi Spika.

**Hon. Speaker:** Asante Mheshimiwa Kituku. Mheshimiwa Constance Mbula.

**Hon. (Ms.) C. Nzioki:** Thank you, Bi. Spika---

**Hon. Speaker:** Hon. Constance, a moment; there is a prayer that is going on.

*(The House went silent)*

Proceed, Hon. Constance Mbula.

**Hon. (Ms.) C. Nzioki:** Thank you, Madam Speaker. I was wondering how the Hon. Member came up with this motion and I tried to ask because it is quite overdue. When I tried to ask, people said this Hon. Member who is a church leader at some stage or as per now and I thought he has his people at heart because Mavoko and Athi River, I have people living here and there is a lot of problems when it comes to health. I want to say health is life. If you have no good health you are not living and we need hospitals, medicine and we need everybody looking healthy.

Madam Speaker, you can support me when I say when we as women give birth, that child is about to die before five years and that is because of poor health, poor hospitals and inadequate staff. It is the high time even in Machakos County as a whole we need to take care of our people. How many people afford insurance for their health care, very very few. I have been walking in this area because of other interests and I have seen people suffer.

There is a very small hospital here which admits people in a street here in Athi River and if you don't have money, you are bound to die there. I have a friend who goes there almost every other two weeks and you need to see a doctor but to see that doctor, you will not come from that street because most of them we may call them quack doctors because you find people wearing white jackets and they call themselves doctors because the population is very high here and everyone want to go where they can get treated.

I hear people say level IV and level V; why can't we have level V? Now we are debating on Level V to be upgraded, the population here is too high. If we cannot have Level V then, can we have a big building where many people can be accommodated and doctors can come and take care of our people. Madam Speaker, it is the high time we look at our people because we are here and we call ourselves leaders and the people we lead are suffering. So we need to know what happens, you go to hospital and you are told there is no medicine yet you are given a paper 'go to such a place and you will get this medication.' Madam Speaker, let us ask ourselves, that small quack place; how do they get those medicines and a big hospital has none; something needs to be checked there.

Hon. Kisini, this is very good; you have thought about your people and I think they need you even tomorrow and another tomorrow. So work hard, get those things done and I am sure the government can do what you are asking now. It is just a matter of time and the government can stand for everything and if we cannot stand by the government to help us, who will help us. So we need those facilities and we need people to get well to be of good health; we do not want our children dying at birth because we need that population. Who will give you *kuras* for tomorrow if all children are born and die because of lack of health care. It is the high time we open our eyes and get those things done. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you. Hon. Mutinda and Hon. Alice then the mover of the motion to prepare to reply.

**Hon. Mutinda:** Asante Bi. Spika. Wacha nichukue nafasi hii nishukuru Mheshimiwa wa eneo hii, Hon. Kisini kwa hii mjadala na niseme ni wakati *Executive* yetu inapaswa kuchukua maneno ya hii hospitali kwa nguvu. Ukiona eneo ya Athi River na Mavoko *generally*, ni eneo imekuwa na watu wengi kwa muda mfupi sana na hii maneno ya hospitali na *handing over* kutoka kwa CDF to County government imechukua muda. Nakumbuka uko kwetu Wamunyu, kuna zingine bado ukienda kuuliza unaambiwa bado *they have not been handed over to the County Government* na ni miaka karibu 10 tangu hii maneno ya ugatuzi. Kwa hivyo nataka kusema, hizi hospitali zote; *dispensaries, Level III, Level IV*, zichukuliwe na simalizwe hasa hii ya hapa Athi River.

Athi River kuna watu wengi, soko zinaendelea kuwa mingi na pia hii *Level IV* ikimalizwa kuna haja ya kutafuta ni njia gani tutapata *Level V* kwa sababu kuna hii barabara kuu ya Mombasa road na hii ingine ya kuenda Namanga na pia hospitali aina mipaka kwa sababu serikali inahudumia watu wote. Utapata wakati itaisha wacha wale wameandikwa hapa pia wale wa Kitengela na wengine watakuja na watapewa matibabu. Kwa hivyo tunapasa kuangalia mbele na kuona kwamba hawa watu watahitaji wawe wakihudumiwa na population ni kubwa. Naomba hii *Assembly* kuona kwamba *Executive* yetu imeweka mipango ya kumalizia hii hospitali na watuwa Athi River na Mavoko kwa jumla wapate huduma.

Pia niseme kuna hii maneno ya *Universal Helth Care*; kama hatuna mahospitali na tuko na hizo kadi, hata ukibeba unaibeba bure kwa sababu hautasaidiwa kwa hivyo hospitali zimalizwe na ziwekwe dawa. Tunapo ongea sasamahospitali mengi yetu haina dawa na watu wanalia hawana pesa kwa sababu kuna hii changamoto ya Corona. Kwa hivyo watu wetu tuone wamesaidika na pia tusaidia wale CHVs Madam Speaker, ndio waweze kuenda kufanya ile kazi ya *preventive* ndio wale watu wanahitaji matibabu wawe sio wengi vile na tuweze kuwa na watu wako na afya na eneo letu itaenda mbele. Madam Speaker, ni vizuri kwa hii hoja na niseme umefanya vizuri kutupea nafasi kukuja kwa wananchi ndio waone ile kazi tunafanya *to showcase why County Assemblies should exist in this times of devolution*.

Asante Bi. Spika nakoma hapo.na tuone ya kwamba *Executive* yetu imefanya ile inaweza. Nakumbuka niliambiwa na mtu mwingine; ni nini hii inafanya watu wetu tuwe tunaambiwa tuende tupigwe picha nje lakini serikali yenyewe haiwezi piga X-rays na unajua vile hii mambo ya bodaboda inatuchanga? Watu wanapata accident, wanakuwa wapigwe picha elfu sita ama saba na hawana pesa, kwa hivyo tuangalie tuona ya kwamba *our hospitals are equipped* na watu wetu wamesaidika. Asante Bi. Spika.

**Hon. Speaker:** Thank you, Hon. Mutinda. Hon. Alice.

**Hon. (Ms.) Nzioka:** Bi. Spika, nashukuru kwa kunipa nafasi. Nimesimama hapa kupigia upato mswada ambao umesema kama kaunti yetu tuweke pesa hili kuinua kiwango cha hospitali ya Athi River ifikie kiwango cha nne.

Mimi maoni yangu ni kwamba hospitali ya Athi River ingewekwa kiwango cha tano. Bi. Spika nataka kukujulisha, mimi ni mkaazi wa Athi River nimesoma hapa, nimeishi Athi River, kwa hivyo historia ya Athi River najua sana. Bi. Spika, nikwambie sehemu ya Athi River katika kila kiwango inakuja daraja ya kwanza katika kaunti yetu ya Machakos. Ukianza kuangalia ukusanyaji wa kodi Athi River namba moja. Namba ya pili; idadi ya watu amba wako Athi River katika kautni yetu inakuja kiwango namba moja. Kila jambo ambalo liko Athi River ni namba moja.

Kwa hivyo mtu ambaye katika m,ashindano anakuja kila wakati namba moja anapaswa kuangaliwa kabisa. Kiwango cha Athi River ni namba moja na vitu za Athi River ziwe namba moja pia. Bi. Spika, kifungu cha katiba kifungu cha 43 kinasema kwamba mtu wa Kenya, mwananinchi wa Kenya anapaswa apate elimu, apate matibabu ya afya na apate maji na sio maji tu apate maji safi. Mimi nimesimama hapa kusema kwamba serikali kuu ya Machakos sababu sisi kama bunge tunapatiana bajeti ili kuona kwamba huduma ambazo zinatakiwa watu wa Machakos wfanyiwe wanafanyiwa.

Bi.Spika unajuakwamba kaitika bajeti yetu kila wakati tunapatia afya kipao mbele. Tunapatia sehemu ya maji kipa umbele ni kwanini tunafanya hivyo? Ni kwasababu hapo kuna huduma ambazo zinapata watu wa Athi River watu wa Machakos, Masinga na kwingineko. Bi. Spika sehemu ya Athi river iko katika barabara mbili kuu. Barabara ya Mombasa na ya Namanga. Bi. Spika, utashangaa kwamba ajali yoyote ikipatikana katika barabara ya Mombasa, kitambo mtu aokolewe apate huduma Bi. Spika anapoteza maisha maana mahali karibu huyo mtu atapata huduma ni Kenyatta ama Machakos.

Kuna hospitali iko hapa Athi River inaitwa Shalom na ni hospitali ya mwenyewe na kumekuwa shida. Mimi niliokoa watu ambao walipata ajali Ktumbi na nilileta aliyekuwa amegongwa likuwa na bodaboda kufika daktari akaniuliza unamjua huyu mtu? Nikamwambia simjui. 'Basi nataka utafute jamii yake ndio wasimamie nimitibu.' Nikamwambia 'mtibu na kama hawatapatikana mimi nitasimamia.' Sasa ukipeleka mtu yeyote hospitali ya shalom ni lazima kwanza watu wao wawe karibu. Lakini serikali inapaswa kupatia wananchi huduma. Tukiwa na hospitali ya kiwango cha tano kama mtu amepata ajali kama mtu ni mgonjwa atatibiwa katika hiyo hospitali.

Na jukumu letu kama viongozi nikuangalia watu unao ongoza wana afya nzuri, wanakunywa maji masafi na wanapata huduma zote zile kwa sababu wao ndio wanatafuta viongozi. Bi. Spika, sisi kama bunge tutashikana mkono pamoja na wewe tuone kwamba hio hospitali imepandishwa kiwango cha tano. Bi. Spika, nikimalizia kuna shida moja aswa sisi kina mama. Ukiwa Athi River unasema mimi ni mama mja mzito zikifikia nyakati za kupata mtotio sijui nitasaidika aje. Maana wengine sababu ya ufukara, sababu ya umaskini unapata mtu hana fedha za kuweka bajeti yake kutoka mwezi wa kwanza mpaka mwezi wa tisa ndio apate mtoto lakini kukiwa na hospitali mhali pa kujifungua mama hatakuwa na shida.

Na unajua Bi. Spika tukipoteza mama mmoja nchi yetu ya Kenya tumepoteza jamii. Kwa hivyo Bi. Spika namshukuru mheshimiwa Kisini kwa huo mswada ameleta na naju8a sababu sisi kama bunge sisi tunakazi ya kuangalia kutengeza sheria kuwakilisha wananchi na pia kuangalia na kuchunguza kazi ambayo tumepena imefanyika najua bunge yetu katika bunge tuna kamati

tekelezi itachukua pia kuangalia kwamba yale mambo tumeongea hapa leo yanatekezewa. Asante sana, Bi. Spika.

**Hon. Speaker:** Thank you, Hon. Alice. Hon. Mwikali, I saw your hand up.

**Hon. (Ms.) Mwikali:** Asante, Bi. Spika. Isipokuwa umetupa ruhusa ya kuzungumza lugha ambayo wengi wetu wanawezaelewa nakuidhamini naomba nichanganye tu kidongo kwa kuwa hii kiswahili saa ingine ni nzito sana *especially* kwa mama kama mimi.

**Hon. Speaker:** *Mheshimiwa Mwikali, now you are going to more dangerous areas. This is a cosmopolitan place. Karibu nishaelewa ni lugha gani ingine unataka kuongea; ongea kwa kiswahili ata ikiwa ni ile ya kuomba maji.*

**Hon. (Ms.) Mwikali:** Asanti Bi. Spika. I am well-guided na wacha nichukue nafasi hii kwa kuwa umetueleza ya kwamba hii ni *cosmopolitan and most of them* wako na TV kwa nyumba zao. Kama mama kiongozi, na kama mkaazi wa Machakos na kama MCA kwa bunge lako, nikupongeze sana kwa dhati kwa kuwa leo asubuhi Kenya yote ilikuangalia. Tulikuangalia na *with a lot of pride because it is very hard to see a lady who is so well-educated very beautiful*. Sasa hii kiswahili Madam Speaker, inanipa shida lakini wacha ning'ang'ane tu. Kuona binti wetu, binti mrembo, binti ambaye anastahili, yule unajua wazee wetu wa zamani wlikua wakitka kuuza msichana wanauza yule ambaye sio *beautiful* lakini wewe ulitupatia heshima sana asubuhi ya leo na ndio nimesema nitakua wamwisho kusema pongezi sana, Madam Speaker.

Wengi wao ambao wamekutazama asubuhi wakasikia ile kiingereza uliongea pale walifurahia yakwamba Machakos kuna msichana wa machakos amabaye anaweza zungumza *very good english who is not badly educated but very well educated* yule amesoma vitabu nyingi nzuri ambao Machakos anaweza ku *produce*. Heshima zetu kwko Madam Spika.

Mimi niseme hivi naishi mbali sana na Mavoko na naelewa kwamba Mavoko ni *metropolitan center. Mavoko is our pride* na hivi sasa napongeza Mheshimiwa Kisini kwa kuleta huu mswada mbao amelea leo. Ni aibu sana kuongea about Level IV *hospital in such a big town* mahali ambapo watu wanalipa husuru kamili, mahali ambapo watu wanahitajika kuwa ata mtu akipata shida kidongo anakimbizwa huko. Sisi tukiwa huko reserve tunafikiri Mavoko wako na *the best hospital* kwanza tukiamua kwenda hospitali tunafikiri we should go to Mavoko. Pole sana Mavoko.

Lakini tunauliza sasa *seriously government ya Machakos I think you should be very much ashamed*. Serikali ya Machakos tunawapatia *budget*, tunawapati vitu ambavyo zinastahilisha nyinyi kufanya kazi, *all the resources but look at this, what we are supposed to be saying here. We are not supposed to be alking about Level IV in Mavoko*. Tunaitajika kuongea juu ya *Level V. Level IV* ziko uko kwetu uko chini lakini hapa wacha tuongee maneno ya level five na wacha turudishe heshima ya Machakos County.

Kwa hivyo mimi naunga wote Waheshimiwa ambao wameongea juu ya huu mswada na nasema yakwamba sitawachwa nyuma kwakuwa pia mimi ni mama. Naomba ya kwamba tupitisho huu mswada *seriously*; tukue na hio hospitali, ikue *Level IV and very immediately* ikue *Level V. Therefore, I support we have a hospital that is dynamic, that is affordable, accesible, equitable, sustainable, effecient and effective to the residents of Mavoko sub-county*. Thank you, Bi. Spika. Asante.

**Hon. Speaker:** Shukran Mheshimiwa Mwikali. The mover of the motion reply.

**Hon. Kisini:** Asante sana, Madam Speaker, kwa kunipatia huu wakati kwanza ni *respond* kwa huu mswada. Nakurudishia shukurani kubwa sana kwanza kabisa kwa kuonelea yakwamba *out of the greater Mavoko* yaani sehemu ya Mavoko sub-county ukaonelea ya kwamba Bunge Mashinani utaleta hapa Athi River. Ni shukurani kubwa sana. Natakaa pili nishukuru wabunge wenzangu kwa kuchangia katika hii *motion* yangu na kuona ile shida ambayo iko hapa ambao iko na watu wa Athi River. Ya tatu ni shukuru *County Commissioner* ambao wamekuja hapa kuonyesha ya kwamba *administration* yote iko hapa.

*Pastors* wale walikuja hapa, watu wa Athi River ambao wote wako hapa na wako na hio kilio na tuko na kilio kubwa sana Bi. Spika sababu umesikia ya kwamba hiyo miaka yote, miaka kumi na tano ambao hio hospitali imejengwa na ikawachwa na CDF nataka kushukuru sana watu wa CDF ambao wakati waliulizwa kupitiakwa Mheshimiwa *to transfer* hio hospitali itoke kwao na ikuje kwa *county government* walikubali hio bila kikwazo.

Ya pili, Madam Speaker, nataka nikueleze tu kwa wao watu ambao *population* ama idadi ya watu umesikia wa Athi River ambao wako na hio kilio. Ile hospitali tuko nayo hapa ni *health center* ambao hatuwezi *access mortuary*, hakuna *mortuary* hapa watu wa Athi River wanateseka sana Madam Speaker, hatuwezi *access* kama watu wanatka kufanyiwa scan hatuna hio. wakitaka kuwa na *wards* za kulala hawawezi kulala hapa.

Hakuna *laboratory tests* ambao wanafanyiwa hapa au *emergency units* na umesikia tuko *surrounded* na barabara mbili ambazo ni *busy* sana Mombasa road na Namanga Road. Nasansana hapakunakua na *accidents* sana. Pia hatuna *theater; no operation* inawezafanywa hapa kwa hiyo miaka yote na pia tunauliza *cancer treatment center* ambao unasikia idadi ya watu wa Athi River ni wengi sana na ambao hawana mapato. Kile ambacho kiko hapa ni *surrounded by private hospitals and to afford that private hospital* ni ngumu sana.

Naomba Waheshimiwa wenzangu tafathali huu mswada nimeleta ama hii *motion* nimeleta hapa tafathali, manajua yakwamba *budget* kubwa ya *county* inaenda kwa *health* na Athi River yote *as a whole* ndio inachangia pesa mingi na mnasikia ile shida iko hapa. Naomba tu mpitische huu mswada ndio ela itengwe na hiyo hospitali ijengwe yote iletwe hio *Level IV status* tuache kuwa na shida ya *health center* ambayo ni ya miaka ya 19 turudi.

Shida ingine Madam Speaker ni kwamba hii kiwanja ambayo imetengwa ilikuwa ni 23 *acres* na ikatolewa kidogo kama *acre* tatu ambayo ina *host* hii *youth center* ambayo ina *host polytechnic* kukabaki kama 19 *acres* ile nyengine ikakuliwa na njia. Haikuwekwa kwa hii *motion* lakini nataka kukujulisha Madam Speaker, yakwamba *there is a lot of encroachment*. Watu wameingilia hii shamba. *As much as* tunataka kuangalia mambo ya kujengewa hospitali tunataka tuone hio 19 *acres* ambayo ilipita wakati wa mheshimiwa ama Councilor King'ang'i imeingililiwa na kumekuwa na *encroachment*.

Hon. Mark Muendo; *sorry* nilikua na *refer* hio miaka ya zamani kuonyesha yakwamba alikua but Hon. Mark Muendo. Tunataka irudi and be fenced sababu imeingiliwa, sababu tunasikia ata kuna *titles*. *As much as we also want* hospitali ijengwe na kutengwe pesa, *we also want to reclaim our 19 acres for this hospital* ndio tupate hivyo vitu vyote ambavyo nimesema. Hawa watu wote wa Athi River wako na kilio kubwa wanasema hakuna shamba yao inaweza enda mahali. Wanasema *nobody will take an inch of their land. They want to reclaim back their land. They want the County Government to allocate funds and construct a full hospital of the status of Level IV. Madam Speaker*, hio ndio kilio cha watu wa Athi River. Thank you very much.

**Hon. Speaker:** Thank you, Hon. Kisini.

*(Question put and agreed to)*

Hon. Members you have passed a very critical motion and particularly when you are sitting in the Bunge Mashinani among the people of Athi River and it is expected that the County Executive that has the mandate and duty of implementing resolutions of the Assembly will take up this matter seriously and hear the cry of the people of Athi River and the resolution that has just been passed to be implemented.

**COMMUNICATION FROM THE CHAIR**  
PRESENCE OF REPRESENTATIVE FROM ACK  
ST. PAUL CHURCH ATHI RIVER

I am informed that we also have among us Reverend Michael Muema Sammy of the ACK St Paul Church in Athi River. Welcome and thank you Reverend Michael.

ALTERATION OF THE CALENDAR OF THE ASSEMBLY TO  
ENABLE MEMBERS ATTEND THE 7TH DEVOLUTION CONFERENCE

**Hon. Speaker:** Hon. Members, I have information that this Order is going to be transacted by the Hon. Moses Mitaa, the Chief Majority Whip.

**Hon. Mitaa:** Thank you, Hon. Speaker.

Hon. Speaker, that aware that pursuant to Standing Order 25(1), the Assembly approved an Assembly calendar on 10<sup>th</sup> March, 2021 and amended it 26<sup>th</sup> May 2021;

Aware that the calendar provides for the sittings and recess for the House;  
Further aware that Standing Order 25(4) provides that the Assembly may, by resolution alter its calendar or adjournment date;

Aware that the Seventh Annual Devolution Conference for Counties was initially scheduled to be held in Makueni County from 23<sup>rd</sup> to 29<sup>th</sup> August, 2021 and later postponed due to Presidential directive on restriction of public gatherings as a way of reducing the spread of Covid-19.

Acknowledging that currently there is a downward trend on the infection of Covid-19 and the conference is now scheduled to take place on 22<sup>nd</sup> to 26<sup>th</sup> November, 2021 and the theme is Multi-Level Governance for Climate Action;

Noting that the conference will assess the gains and challenges of devolution since 2013 and aware that different Counties will show case their achievements;

Aware that the Hon. Members need to attend the conference and learn from their peers on these achievements and what they can best propose for implementation in the County;

Hon. Speaker, I wish to move the motion that notwithstanding the resolutions of the Assembly made on 10<sup>th</sup> March, 2021 (Approval of Assembly Calendar) and

26<sup>th</sup> May, 2021 (Alteration of Assembly Calendar) and pursuant to Standing Order 25(4), the Assembly resolves to further alter its Calendar (Regular Sessions) for the Fifth Session, 2021 in respect to Part III, to adjourn the Assembly on 17<sup>th</sup> November, 2021 and resume its regular sittings on Tuesday, 30<sup>th</sup> November, 2021 and that the Assembly Calendar (Regular Sessions) for the Fifth Session be altered accordingly.

Thank you, Hon. Speaker, and I wish to request Hon. Constance Mbula to second my motion.

**Hon. Speaker:** Thank you, Hon. Mitaa. Hon. Constance Mbula.

**Hon. (Ms.) C. Nzioki:** Thank you, Madam Speaker. I stand to second the motion. Thank you.

**Hon. Speaker:** Thank you.

*(Question proposed)*

Hon. Members, I invite you to debate the Motion on alteration of the calendar. There is something I am just typing on the proposed question. Hon. Members I will proceed to put the question.

*(Question put and agreed to)*

Hon. Members, you have altered the calendar of the Assembly to enable the Members and staff to attend to that devolution conference. Hon. Members, as we approach the end of this Bunge Mashinani sitting, I wish to thank all of you Members who have taken part in the today's process as well as thanking the Members of public and again the leaders who are sitting here with us and who have been with us since mourning; both the leaders from the National Government and the leaders of the churches and the other leaders.

I just want to point out that we have a number of our Members who at the moment as I indicated are attending to the climate change act that is being amended to enable the county access the funds that have been given by the World Bank to assist in addressing the climate change in this County.

I am informed that there are other Members that have gone to attend to another business of the Assembly to do with youth on invitation of the National Government under the ministry of youth and cultural services. I appreciate Members, the leadership of this institution that has allowed us in corporation that is expected by the constitution between the levels of government and between institutions so that we were able to hold our sitting today in this field that is owned by the vocational training Mavoko or the polytechnic and our gratitude goes to the leadership, the teachers, the students and the parents of the institution.

Not to mention that education in TIVETs is the function of the County Government and it is important that even as we are here Hon. Members, we also note what it is that we need to agitate for this particular institution when you sit in the sittings of the Assembly so that the executive can do what is necessary to facilitate proper training in this institution.



## ADJOURNMENT

**Hon. Speaker:** So, Hon. Members and members of the public, I will call the sitting to an end and I know somebody has whispered to me that the public is expectant of an address outside of this sitting but I just want to point out and clarify that what we have here is pure Assembly business. If there is any other business that any member of the public or any Member of the Assembly is interested in is for another forum not this particular one and so the sitting of this Assembly is adjourned. It is going to commence on the 30th day of September, 2021 at 10.00 a.m. Have a good afternoon.

The House rose at 1.40 p.m.