

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY
OFFICIAL REPORT

Wednesday, 22nd September, 2021

The House met at 2.47 p.m.

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

PRAYERS

MOTION

APPROVAL OF REPORT ON CONSIDERATION OF THE CONSTITUTIVE
AGREEMENT ON THE SOUTH EASTERN KENYA ECONOMIC BLOC (SEKEB)

Hon. Speaker: Hon. Members, under this Order, we have one business by Hon. Moffat Maitha.

Hon. Maitha:

Hon. Speaker, that aware that the Constitution of Kenya, 2010 brought into place 47 Counties in order to decentralize resources;

Aware that the formation of the Counties was based on various factors such as geographical features, urban centers, and community of interest, historical, economic and cultural ties;

Aware that with time, Counties bordering each other realized common interest in economic development and therefore resolved to pool their resources together;

Aware that Article 189(2) of the Constitution of Kenya, 2010 as read together with Section 6(3) of the County Governments Act, 2012 allows Counties to set up joint committees, joint authorities and enter into partnerships with any public or private organization in accordance with the provisions of any law relating to public or private partnerships for any work, service or function;

Acknowledging that the three Counties of lower Eastern Kenya namely Kitui, Machakos and Makueni constituted a draft agreement for the formation of a regional economic bloc known as the South Eastern Kenya Economic Bloc (SEKEB);

Further aware that, the Governors of Kitui, Machakos and Makueni executed the Constitutive Agreement for the formation of the South Eastern Kenya Economic Bloc (SEKEB) on the 18th day of May, 2019 and forwarded it to their respective County Assemblies for consideration;

Hon. Speaker, I wish to move the motion that this House discusses and approves the report of the Joint County Assemblies Committee on Consideration of the Constitutive Agreement on South Eastern Kenya Economic Bloc (SEKEB).

I do wish to request Hon. Kisini to second.

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

Hon. Kisini: Thank you, Madam Speaker. I do second.

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

Hon. Maitha: Thank you, Hon. Speaker. Report of the joint County Assemblies Committee on consideration of the constitutive agreement on the South Eastern Kenya Economic Bloc (SEKEB)

PREAMBLE

The Constitution of Kenya, 2010 brought into place 47 Counties in order to decentralize resources. The formation of the Counties was based on various factors such as geographical features, urban centres, and community of interest, historical, economic and cultural ties. With time, Counties bordering each other realized common interest in economic development and therefore resolved to pool their resources together.

Article 189(2) of the Constitution of Kenya, 2010 as read together with Section 6(3) of the County Governments Act, 2012 allows Counties to set up joint committees; joint authorities and enter into partnerships with any public or private organization in accordance with the provisions of any law relating to public or private partnerships for any work, service or function.

In reference to the above, the three Counties of Kitui, Machakos and Makueni constituted a draft agreement for formation of a regional economic bloc known as the South Eastern Kenya Economic Bloc (SEKEB).

The Governors of Kitui, Machakos and Makueni executed the Constitutive Agreement for the formation of the South Eastern Kenya Economic Bloc (SEKEB) on the 18th day of May, 2019 and forwarded it to their respective County Assemblies for consideration (Annex 1).

Establishment and Mandate of the Joint County Assemblies Committee

Section 14(5) and (6) of the County Governments states that:

5) A County Assembly may jointly with another county Assembly, establish committees consisting of members of both county assemblies.

6) If a county assembly establishes a joint committee with another county assembly, the election of members and regulation of the conduct of the business of the joint committee shall be as agreed between the two County Assemblies.

The Joint County Assemblies Committee was established vide a resolution of the three County Assembly Speakers on 11th November, 2019. (Annex 2). The Joint County Assemblies Committee consists of the following:

- i. Committee on Justice and Legal Affairs and Committee on Public Service and Administration, Kitui County Assembly;
- ii. Committee on Justice and Legal Affairs and Committee on Devolution and inter-governmental relations -Machakos County Assembly; and
- iii. Committee on Delegated County Legislation and Committee on Devolution and Public Service –Makueni County Assembly.

Hon. Speaker: Hon. Moffat Maitha, just as a guidance so that we are able to address this matter. This Paper, you laid it on the Table some time back and I notice that you have a summary. The report is relatively long and because the document has been availed to Members and so what we can do is we can go through the summary. Hon. Maitha I wanted you to lay the basis of that Joint Committee as you were doing and because you also did the preface, then now you can come to the summary which is even summarizing what is here. That way you will open the matter for debate. Is that in agreement members? So finalize on the Joint Committee of the three Assemblies and then now you come back to the summary.

Hon. Maitha:

The Joint County Assemblies Committee was tasked to consider the constitutive agreement on the South Eastern Kenya Economic Bloc (SEKEB), and come up with a legislation to operationalize it.

Joint Assemblies Committee Membership

The Joint Assemblies Committee membership comprises of the following members:

- | | |
|---------------------------------------|--------------|
| 1. Hon. Nelson K. Musyoka, MCA | -Chairperson |
| 2. Hon. Jeremiah Munguti, MCA | -Whip |
| 3. Hon. Alfred Nyamai Mutuku, MCA | -Member |
| 4. Hon. Jonathan M. Kimongo, MCA | “ |
| 5. Hon. Martina N. Kimilu, MCA | “ |
| 6. Hon. Moffat Maitha, MCA | “ |
| 7. Hon. Jane Nyawira, MCA | “ |
| 8. Hon. Johana Munyao, MCA | “ |
| 9. Hon. Jane Mutua, MCA | “ |
| 10. Hon. Eliud M. Ndinguri, MCA | “ |
| 11. Hon. Grace Sammy, MCA | “ |
| 12. Hon. Alfred Kituku Kalunde, MCA | “ |
| 13. Hon. Bernardette K. Mutisya, MCA | “ |
| 14. Hon. Dennis Wambua Masavu, MCA | ” |
| 15. Hon. Magdalene Mulwa, MCA | “ |
| 16. Hon. Francis King’oo Mutungi, MCA | “ |
| 17. Hon. Francis Mwanja Mulwa, MCA | “ |
| 18. Hon. Jackson Muema Mbalu, MCA | “ |
| 19. Hon. Janet Mwikali Kitung’a, MCA | “ |
| 20. Hon. Janet Ngina Wambua, MCA | “ |
| 21. Hon. Josphat N. Nzuki, MCA | “ |
| 22. Hon. Mercy Mutuku, MCA | “ |
| 23. Hon. Julius Tangai, MCA | “ |
| 24. Hon. Patrick Mbevi, MCA | “ |
| 25. Hon. Mariam N. Musyoka, MCA | “ |
| 26. Hon. Rosie Ndibo, MCA | “ |
| 27. Hon. Sharon M. Mutinda, MCA | “ |
| 28. Hon. Charity Mwangangi, MCA | “ |
| 29. Hon. Josephine K. Mutie, MCA | “ |
| 30. Hon. Philip Nguli, MCA | “ |
| 31. Hon. Musee Mati, MCA | “ |

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| 32. Hon. Deiys Mukala, MCA | “ |
| 33. Hon. Geoffrey Mwalimu, MCA | “ |
| 34. Hon. Dr. Grace Mutua, MCA | “ |
| 35. Hon. Stephen Musili, MCA | “ |
| 36. Hon. Peter M. Kilonzo, MCA | “ |
| 37. Hon. James Wangunze, MCA | “ |
| 38. Hon. Mary P. Ndumbu, MCA | “ |
| 39. Hon. Annastacia Mutunga, MCA | “ |
| 40. Hon. Johnson Kanandu, MCA | “ |
| 41. Hon. David Masaku, MCA | “ |
| 42. Hon. Stephen Katana, MCA | “ |
| 43. Hon. John Kisangau, MCA | “ |
| 44. Hon. Fredrick Nthuri, MCA | “ |
| 45. Hon. Justus Katumo, MCA | “ |
| 46. Hon. Abdirahman Ali, MCA | “ |
| 47. Hon. Daniel M. Kiilu, MCA | “ |
| 48. Hon. Francis Ngunga, MCA | “ |
| 49. Hon. Eric Musembi, MCA | “ |
| 50. Hon. Phoebe Koki, MCA | “ |
| 51. Hon. Benedette Mueni, MCA | “ |
| 52. Hon Alice Nzioka, MCA | “ |
| 53. Hon Robert Kisini, MCA | “ |
| 54. Hon. Francis Kalumu, MCA | “ |
| 55. Hon. Patrick Kituku, MCA | “ |
| 56. Hon. Cosmus Masesi, MCA | “ |
| 57. Hon. Stephen Mwanthi, MCA | “ |
| 58. Hon. Tariq Mulatya, MCA | “ |
| 59. Hon. Winfred Mutua, MCA | “ |
| 60. Hon. Dominic Ndambuki, MCA | “ |

3.0 LEARNING/RESEARCH VISITS

3.1 Learning Visits

The Joint Committee conducted learning visits with the Lake Region Economic Bloc (LREB), Jumuiya ya Kaunti za Pwani (JKP) and the State Department of Devolution on 8th to 10th January, 2020. The objective of the visits was to learn on the structure of administration, the legal framework and the procedure for funding the Economic Blocs.

Learning Visits/research

The Joint Committee conducted learning visits with the Lake Region Economic Blocs (LREB), Jumuiya ya Kaunti za Pwani (JKP) and the State Department of Devolution on 8th to 10th January, 2020. The objective of the visit was to learn on the structure of administration, the legal framework and the procedure for funding the Economic Blocs.

Structure of the Economic Blocs

Generally, the Joint Committee learnt that the established Economic Blocs had the Summit/Apex as the top-most organ comprising of the Member County Governors headed by a Chairperson elected amongst themselves. The tenure of the Chair of the summit was not defined.

The Council

Provided technical support to the summit in the implementation of programs, policies and projects. It Comprised of CECMs of Finance in the respective Member Counties and any other CECMs as and when necessary appointed by the Summit.

The Pillar Committees

Comprised of CECMs are in charge of every Department. Each pillar committee elected a chairperson from among themselves. It served as the technical committee where issues were discussed and relayed to the Council and the summit for approval.

The Secretariat

Was headed by the Chief Executive Officer (CEO) and who was responsible for coordinating all activities of the Economic Bloc.

Budgeting/Financing of the Economic Blocs

Notwithstanding the provisions of Section 146 of the Public Finance Management Act 2012, the joint Committee learnt that financing of Economic Blocs at the existing County Economic Blocs such as Lake Region Economic Bloc (LREB) and Jumuiya ya Kaunti za Pwani (JKP) included funds allocated by member Counties, donations, grants, gifts and loans. However, there existed no Regulation to guide on the process of budgeting and financing of County Economic Blocs by individual Counties.

Legal framework

Section 146 of the Public Finance Management Act, 2012 provides for the Parliament to approve Regulations prescribing financial relations with respect to joint infrastructure investments undertaken by counties. During the learning visit, the Committee established that parliament has not enacted the regulations for the County government joint infrastructure investment. The State Department of Devolution had developed a draft policy on the establishment of County Economic Blocs. The draft policy was awaiting cabinet approval.

Therefore, currently there is no regulatory framework to guide on the nature of instruments required for the establishment of CEB's. Further, there were no guidelines to provide norms and standards for the management of CEBs leading to application of various and sometimes inappropriate institutional structures. The organizational structure of existing operational economic blocs indicates a complex mix of committees and working groups which may become unsustainable.

Investments of the Economic Blocs

The Committee established that the existing County Economic BLOCs such as Lake Region Economic Bloc (LREB) and Jumuiya ya Kaunti za Pwani (JKP) cannot engage in joint investments directly since there is no established legal framework to guide on the same. The latter has been occasioned by the failure by the Intergovernmental Budget and Economic Council

(IBEC) to provide regulations as stipulated under Section 146(2) of the Public Finance Management Act, 2012 to guide County Governments' budget for joint investments.

Based on the scrutiny of the constitutive agreement and research visits, committee made the following recommendations:

1. While planning to implement joint programmes, SEKEB should conduct a feasibility study taking into consideration; shared resources, interests and benefits for the region.
2. A robust public participation should always be undertaken to sensitize residents of the member counties on the importance of having an economic bloc and the modalities for financing and managing the projects.
3. The Secretariat should be competitively sourced from each Member County. The Chief Executive Officer should be recruited on a six year contract to ensure continuity even after general elections.
4. Political interests by the Member County Governors in running of SEKEB should not feature in the objectives of the bloc especially in identification and implementation of projects.
5. The Summit should develop a Joint Venture Agreement that shall give the BLOC the authority to do projects jointly. Proceeds from the projects shall be shared equally among the Member Counties. Once developed, the Joint Venture Agreement has to be registered with the Registrar of Companies.
6. SEKEB should invest in financial institutions as shareholders since Counties are not allowed to carry out the day to day administration of a bloc. Dividends paid through the Counties from the said Institutions should be voted in as revenue by the member Counties.
7. The state Department on Devolution and ASALs should fast track the formulation of a regulatory framework that guide on the nature of instruments required for the establishment of County Economic Blocs and the role of County Assemblies in its establishment.
8. Guidelines should be developed to provide norms and standards for the management of County Economic Blocs leading to application of various institutional structures. Therefore, the Senate should be petitioned to approve regulations on the County government joint infrastructure investment as stipulated under Section 146 of the PFM Act, 2012.
9. There is need for increased collaboration between South Eastern Kenya Economic Bloc (SEKEB) and the State Department of Devolution, through various platforms among them sharing of the Joint Assemblies Committee Report, legislations relating to SEKEB activities and policy on formation of Regional blocs.
10. That the Joint County Assemblies should approve a joint legislation for operationalization of the constitutive agreement within one month after the adoption of this report.
11. Pursuant to the provisions of Article 196(1b) of the Constitution of Kenya, 2010 as read together with Section 87 of the County Governments Act, 2012, public participation must be taken into considering and approving the joint legislation.

Thank you, Hon. Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Maitha.

(Question proposed)

Hon. Members, the motion is now open for debate. I welcome you, Hon. Museku.

Hon. Museku: Thank you, Madam Speaker, for giving me this chance to contribute. First and foremost, I would like to thank the Chair of the Justice and Legal Affairs Committee and the entire team from the three counties who, through their joint committee, have interrogated this issue of economic bloc for our region and come out with the report which is before this House. I thank them because when they look at the report a lot of effort has been put into place and they have tried to go through most of the issues which affect the formation of economic blocs.

Madam Speaker, I would like to start by stating that what the report is telling us is right from the onset, there seems to be a lack of a legal frame work within which to operate the economic blocs. As the report states the state department of devolution had developed a draft policy on the establishment of County Economic Blocs and at this draft policy was awaiting Cabinet approval therefore there is currently no regulatory framework to guide on the nature of instruments required for the establishment of economic blocs.

It is therefore imperative that as we go ahead and seek to formalize on the formation of the South Eastern Kenya Economic Bloc that a legal framework needs to be established which can be able to guide the bloc of the three counties in as far as operationalization of the economic bloc is concerned. Looking at the report, you will find that what it says is that these economic blocs are actually vessels of guiding the blocs in how they are going to do joint activities but not directives on how they should be able to do their budgetary allocations.

I think as we go ahead and formulate or come out with the legal framework and the guidelines, it will be important to be able to clearly define what areas the South Eastern Kenya Economic Bloc is going to cover between the three counties and how it is going to ensure that there is inter linkages between the three counties in as far as what they have highlighted here; sharing of shared resources and planning together, having joint budgetary allocations for jointly identified projects which will benefit the tree counties within the economic bloc.

Those guidelines are key and therefore I am happy to note that one of the recommendations which have been made by the committee is that legislation for operationalization of the constitutive agreement be formulated within one month after the adoption of this report. Of course, with full public participation to ensure that as we go ahead and operationalize south eastern economic bloc as we go ahead and give a legal framework within which SEKEB is going to operate then the public is fully aware and fully involved in the process. Thank you very much, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Museku. I will give opportunity to every Member who wishes to contribute. Hon. Dominic, just a moment; Hon. Majority Whip Hon. Mitaa.

Hon. Mitaa: Thank you, Hon. Speaker, for the opportunity granted. Hon. Speaker, I first want to thank our Chairman Legal Committee Hon. Moffat Maitha and the entire committee. I

also want to thank the other Members from Kitui and Makueni for the initiative and the work they have done so far, Madam Speaker. I would also want to thank the offices of the Speakers for Machakos, Kitui and Makueni for enabling this joint committee undertake the mandate which is ahead of us in a smooth way.

Hon. Speaker, the future is economic blocs. History tells us whenever regions merge; they gain more power to undertake any mandate ahead of them. We have the United States of America which we can say it is a bloc; we have the European Union Madam Speaker. Locally we have COMESA, IGAD and now that our country is under counties, it is also a great initiative for counties for regions to merge and gain more power to bargain and see how they can develop the regions.

Hon. Speaker, one thing I would request your office and the offices of the other Speakers is that we do not limit ourselves on the three counties, Madam Speaker. It would be better if we can think of neighborhood counties like Kajiado, on the North we have Meru, Tharaka, Kiambu and see Madam Speaker, how we can enlarge our bargaining power because what we will gain from this economic block trade will become easy, taxes to our people will be minimized because there is so much duplication of taxation amongst our people. Our traders might be paying tax here, they pay in Kitui, Makueni and if we can come up with legal framework that if a trader pays a one off taxation this would improve on the ways of doing business to our people.

Largely, Madam Speaker, we have even donor funds and if we can approach a donor country with on goal in unison I believe it would be very easy to convince donor funds to reach to our people. So, Hon. Speaker, without taking much I wish to appreciate and I want to thank this Hon. House for being part of history in our region Hon. Speaker, because these three Assemblies are giving birth to an economic bloc which stands to the future of our people. Hon. Speaker, I beg to support the report. Thank you.

Hon. Speaker: I know about the Standing Orders; a member is never informed once they finish their submissions. Hon. Mitaa you raised a point that we addressed at the beginning. We approached Kajiado County to join this bloc, they were of a different opinion and they opted to team up with Narok and we also approached Embu and Embu and Meru are in the Central Kenya Economic Bloc but we said that the doors are wide open and as we go forward when you go to legislating on this issue you leave it open for other Members to join because there is strength in numbers as you say. We proceed. Hon. Dominic, sorry Hon. Dominic allow me please let me give it to Hon. Majority Leader and then I assure you I come to you after the Majority Leader.

Hon. Muendo: Thank you, Hon. Speaker. Let me also start by applauding this committee under the chairmanship of the senior Hon. Maitha for work well done. Also Madam Speaker, let me not forget this SEKEB started a bit earlier before even we were in the House and it actually went down now let me say Madam Speaker, we have Dr. Timothy Ndambuki the Bishop for ABC who revived SEKEB may God; give him long life.

Also, Madam Speaker, I will not forget thanking your office and also the office of the three Governors, three Speakers, for putting a lot of effort which I have seen to make this dream come true. Most of the blocs Madam Speaker, as you know they normally die even before they reach the floor of the House but this one of ours has come to this floor of this House; that means Machakos, Makueni and Kitui we are serious.

Hon. Speaker, as we are known as Akamba tribe us we do not have a lot of disagreements when we come to things which are helping our people. Madam Speaker, let me say the

Regulations if they can be done very fast then we can start as Assembly enjoying this economic bloc. Why do people come together to form a bloc? It is said that *umoja ni nguvu* so Madam Speaker, when we are the three counties coming together to form SEKEB the idea is very bright. Madam Speaker, you know for example, when we turn to our resources we do a lot of duplication of resources in these counties and they are not big they are actually joined together.

For example, if I give an example Madam Speaker, we have mango factory in Makueni which crashes about 3,000 tonnes in a day so it will crash the mangoes in Makueni for only three days and then it is shut down. Therefore, that means they do not have enough mangoes so Machakos we do not need to put up a mango factory. In SEKEB now we can take our mangoes to Makueni and then here in Machakos County we look for something else which is not in Makueni and then we have those joined ventures on using the facilities. Madam Speaker, this economic bloc is going to help us a lot and that is why I am saying the regulation we must speed up and get it to see SEKEB functioning.

Madam Speaker, we have rivers cutting across the three counties and those rivers when we form SEKEB and come as a block we can talk of putting one big dam instead of putting individual dams Miwongoni, another one elsewhere and another one elsewhere. We can have that shared facility, put our resources together, put a very big dam for our people to irrigate our farms and this will be easily done because the contribution from Makueni, Kitui and Machakos when we put the resources together they will come up with a major dam which can sustain water throughout the year.

Madam Speaker, the other benefit of these blocs is when you come to business. Madam Speaker, we know Makueni is not far because the meat we consume for example in Machakos most of it is coming from Makueni but you find the taxation is too high. The business person operating from Makueni bringing the carcass from Makueni to Machakos pays tax twice in Makueni and in Machakos. This will also be making our business people not to grow but having this bloc the business people we are going to agree on the tax whether it is one stop tax and then we share those resources. I think it will be helpful for our business people to develop.

The other issue Madam Speaker, on the economic blocs it is that unity where you do not feel like you are Machakos and Kitui. When we form this bloc and it succeeds Madam Speaker, we will be speaking the same language because we will be having that unity being in the same bloc. Madam Speaker, also within a bloc you can identify your mineral resources and those mineral resources whether it is in Machakos, Kitui or Makueni those natural resources we can come together as a bloc and look for a market like we know in Kiambu there is no sand, there are no building blocks we have them in Machakos, Makueni has got sand and Kitui has got livestock so it is very easy to make our people rich because at the end of the day we want our people to be in good health and also have a good life.

Madam Speaker, having said so, I would also like to say that we have factories in Machakos. For example, you do not need to put up a factory in Makueni for cement. Makueni can come with another type of factory which Machakos can supply and get services from that side. Therefore, Madam Speaker, these blocs are very important when we come to help our people and also business wise so Madam Speaker, I support this report and Madam Speaker, I will urge this House under your leadership and that of Makueni and Kitui not to put a lot of politics in this. Let us see our baby grow. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Majority Leader. Hon. Dominic Ndambuki.

Hon. Ndambuki: Thank you, Hon. Speaker. Allow me to applaud everyone who participated in coming up with this draft Madam Speaker, and in a special way Madam Speaker, allow me to thank Hon. Florence Mwangangi who in particular initiated the process of jump starting the second phase of talks between the three counties Madam Speaker---

(Applause)

Also Hon. Florence Mwangangi is the who convened the first meeting between the three County Assembly Speakers of Machakos, Makueni and Kitui County Assemblies that culminated in the formation of the three groups from each County Assembly that form the 60 member team, Madam Speaker. Madam Speaker, going through the report we have gathered that there is no legal underpinning on how the economic bloc is going to fund its operations an there is one organ that is the secretariat Madam Speaker, that will be overseeing the day today running of the bloc.

My request is that the three county governments should move with speed after the enactment of this report by the three County Assemblies to ensure that in the next financial year we have some budget allocation to fund SEKEB so that the secretariat can start its operations.

Madam Speaker, there is need for the three County Assemblies to come up with legislations on a common tariff so that as it has been alluded by previous contributors to this motion that we need to have a common working platform where our traders can criss-cross the three counties and do business. Madam Speaker, as I close my remarks, my plea is to all politicians in the three counties to ensure that we do not politicize this BLOC and come together and work in unity to ensure that we pull resources together and grow this bloc to economic success. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Dominic. Hon. Johana.

Hon. Munyao: Thank you, Madam Speaker. I applaud the committee for this very enriching report which is meant to empower our region. Madam Speaker, let me also echo Hon. Ndambuki in appreciating your leadership during the formation and putting together the various teams from the three counties to come up with such a document.

I want as a member of that team to appreciate the fact that the ideas which were put together included even part of bench marking to other blocs like coast and western region where we borrowed the experiences and the challenges they go through. As put by other Members, this document if well implemented it is going to be able to assess the resources endowed in the various counties which form the bloc and come up with a structured manner of exploiting and supplementing whatever is existing in the various counties.

Madam Speaker, I would be the happiest person to see Machakos County relying on a factory from another county and also having a percentage of our youths and residents of Machakos working in another county in a factory which supplements what we are producing in this county.

Madam Speaker, my prayer is that we are going to look at this document professionally, legally and ensure that the implementation of the same is done to the best of our knowledge and ability and that everybody who participated and who is supposed to benefit from it because it is meant for the good of our region comes together to support in that we are saying however much

we may be aligned to various political affiliations, this is a document which is supposed to unite and empower our region.

Therefore, I want to applaud the committee and insist that it is a worth document and if well implemented this region is going to get to greater heights. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Johana. Hon. King'ori.

Hon. King'ori: Thank you, Madam Speaker. I want to applaud the team which has done good job; but I also think it is the right time now we have a venue where we have shared resources we can channel our money there and we share equitably or depending on; like the Konza city; in fact it is one of the things we need to check because a part of it is lying in Makueni and another in Machakos and we need to benefit. So we need to have a way of sharing without fighting as a bloc. So it is a good idea to have SEKEB in our area.

Secondly, it will open business opportunities to people of Machakos and other investors coming from outside because now we have bargaining power of population so that when we are selling our items or business destinations, at least we have something to put on the table Madam Speaker. It also gives us a political mileage when we speak with one voice as Eastern Bloc. So it means at least with SEKEB, everything is possible and the sky is the limit for our growth. In regard to what Hon. Majority Leader has said, I differ a bit. What we need is to learn from each other and utilize that opportunity which are found in different counties to promote business and uplift our people on the ground.

I think it is the high time we learned from that joint venture what we lack from our county we can learn it from Kitui or Makueni and that will add value to what we bring. For example, the way they have spoken about the mango factory, we also have a coffee factory where we can encourage other counties to grow coffee and bring it to our factory Madam Speaker. So, I think we have so many avenues where we can benefit out this cooperation between our counties. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. King'ori. Hon. Nziva.

Hon. (Ms.) Nziva: Thank you, Madam Speaker and Hon. Members present. I wish to applaud the committee on Justice and applaud the Joint committees of Kitui and Makueni and Machakos for coming up with a brilliant idea for economic blocs. I remember we started with the Speakers and the House Leadership for the three counties; that meeting was in Kitui and it has succeeded up to committee levels for the three County Assemblies. With the leadership of our Speakers and Governors, I thank God this will be realized. It will see our people get jobs, we will also have common markets and economies of trade will also improve in these blocs.

I wish to say that people will be free to move and there will be freedom of movement of goods cutting across these blocs. There will be increased global significance and improved economic conditions in these blocs. I wish to urge Members, when it will come to issues budgeting, to rally behind these blocs so that we can budget to see this baby grow in the right way.

I have a bridge which cuts across Kitui and Machakos which goes all the way to South Eastern Kenya University (SEKU) and if we will join hands with Kitui county we will have that bridge and have our people can have free movement and our businesses will improve. We also have rivers which cut across Makueni, Machakos and Kitui and I believe if this is realized, we

shall move fast. So I urge Members to pass this report and I believe the other County Assemblies have done the same and our people will be economically uplifted. Thank you, Madam Speaker.

Hon. Speaker: Thank you for that robust contribution Hon. Nziva. We have in the extended sitting Hon. Jeremiah Munguti.

Hon. Munguti: Thank you, Madam Speaker. I will start by applauding the committees and also how I wish as we started the motion or the report, we could have observed a minute of silence in honour of the vice chair Harrison Ngui who was the vice chairman of this report and I know if he were still alive, everything would be good but because he rested, may he dance with angels.

Mine is to say the report is good and we support it. For instance, I remember we have in Kitui, coal which is an economic business which can help our people and if we can support the report, our people will benefit from the coal from Kitui. In Machakos we have several factories and we can as well improve them so that our economic bloc can be realized. Madam Speaker, you know that we will create employment because there are several things which can be done commonly and our people can get job opportunities.

As a Member of this team which spearheaded the report, the Members contributed a lot and as a House we need to request the three Governors to give a budget which can make the economic bloc stable and sustainable undertaking. I support the report. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Jeremiah. I call upon the mover to reply, Hon. Maitha.

Hon. Maitha: Thank you, Hon. Speaker. I want to thank all the Hon. Members who participated in the deliberations of the meetings which we held in Nairobi, Mombasa, Kisumu and even the three County Assemblies. Foremost, I want to thank the Speaker and the Clerk of the County Assembly for facilitating our Members to all those committee gatherings. I also want thank Hon. Jeremiah Munguti who was the Whip during that time before he was changed from being the Chair Devolution Committee.

We never missed quorum because of his involvement and whipping Members to be in the meeting halls. I also want to thank the committee members of devolution and intergovernmental relations committee now headed by Hon. Grace Mutwiwa and that of Justice and legal affairs headed by myself. Those Members spent a lot of their time in developing the report here. When history will be written, the name of the Second Assembly and its Hon. Members will be commended for having set and passed a motion like this for the creation of SEKEB.

As the Hon. Members have said, it is a very good venture where in one county factories or projects in that county can have our people from Machakos and from other counties working there. People will be crossing from one county to another to do business and work which will be history for our people because of your efforts Hon. Members by passing this motion and the legislation which will come thereafter.

Hon. Speaker, I do not have words to thank you. You did great to convince all the other Speakers and the Governors to accept that we assemble together to put down a paper which can be discussed by these County Assemblies. I thank you Hon. Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Maitha.

(Question put and agreed to)

Hon. Members, let me thank the House for the good work it has done as I also extend the thanks to the County Assembly of Kitui and Makueni and my co-Speakers; Hon. Ndoti of Kitui and Hon. Mbilu of Makueni. I thank too the Governors of the three counties for putting their heads together to give idea of SEKEB.

I also want to acknowledge even when they are not in this House, Archbishop Ndambuki because he has been in the fore front particularly on the issue of SEKEB and held the idea floating and going on even at times when it appeared to be dying until the three Assemblies picked it up, up to this moment.

So Members, this matter is referred to the Justice and Legal Affairs Committee, Hon. Maitha you still have work to do until you get a legislation but it should be noted that this committee is going to work together with the committee of Makueni and Kitui which is assigned by their Assemblies which are also sitting today on this report so that the idea of a joint legislation can be brought up. You notice that this report gives a period of one month that the joint legislation that is going to serve the region of Makueni, Machakos and Kitui counties so that we abide by the period given.

If that committee needs to incorporate any other committee for purposes of adding expertise, let the office of the Speaker know so that the necessary arrangements can be made. At the same time the offices of the three Speakers; the Office of the Speaker Machakos County Assembly, Office of the Speaker Makueni County Assembly and office of the Speaker Kitui County Assembly are going to assist the joint committees on the draft legislation.

If need be, we shall approach whichever national commissions that deal with legislations for purposes of that legislative Bill which is going to come back to this House. Finally, as the report noted, we must do robust public participation and that public participation is going to be done on the Bill; just as it is usual with every legislation and every support for that purpose will be sought so that we have a proper legislation.

At this point, I will ask the clerk to call for the next Order; I know as the order we had it did not have a motion on adjournment but as we were sitting here, matters have come up which have necessitated an amendment of the Order Paper on my feet so that we can address that emerging situation.

PROCEDURAL MOTION

ADJOURNMENT TO ATTEND MEETING WITH THE GOVERNOR AND PARTICIPATE IN CASA GAMES

Hon. Speaker: Hon. Members, this is one business the mover is Hon. Museku.

Hon. Museku: Thank you, Hon. Speaker. I am here to move an adjournment motion.

Hon. Speaker, that aware that Standing Order 25 provides for the calendar of the county Assembly;

Aware that Standing Order 25(4) provides that the Assembly may resolve to alter its calendar;

Aware that the Assembly approved a budget that needs to be discussed with the Executive on modalities of implementation;

Aware that a meeting has since been called to deliberate on the planned issue scheduled for Monday to Wednesday 27 to 29th September 2021 in the coming week;

Hon. Speaker, I wish to move the motion that the House resolves to adjourn its sitting on the 28th and 29th September, 2021 to enable Members to attend to that meeting.

Thank you, Madam Speaker, and I would like to call upon Hon. Majority Leader, Mark Muendo Kimanathi King'ang'i to second my motion.

(Laughter)

Hon. Speaker: Hon. DS you are very wise.

Hon. Muendo: Thank you, Madam Speaker. Thank you, Bw. Ds for remembering those old names and also my nickname. Madam Speaker, I stand to support the motion and as we are given this task with Hon. Kamitu, the Minority Leader we have been pursuing this matter for having the meeting with His Excellency the Governor to discuss the implementation of the Ksh. 15 million ward projects. Towards the lunch hour I was by His Excellency Governor Mutua and then he told me that this week we cannot make it to Mombasa or to meet him therefore we have agreed that on Monday all the Members should be heading to Maanzoni in the morning whereby you must be carrying in your pocket or in your folders the projects you have projected to be done in your ward.

You are going to meet his Deputy Governor together with the COs and then we start the implementation of the Ksh. 15 million ward projects. Then on Tuesday he told me that we are going to Mombasa for further consultation of the same projects and we are going to meet him on Wednesday therefore, Madam Speaker, I support this motion because that is quite important we are looking for that time and I think it is very important to adjourn so I support the motion.

Hon. Speaker: Thank you. I can see the Members putting the hands up; I have not proposed the question. In fact we are preparing the question to be proposed because this is a motion that has come at the spur of the moment. Hold on Members, I will give you opportunities to contribute. You can see the importance of the Table office; normally they prepare things before we come here.

Hon. Museku: Madam Speaker, point of order.

Hon. Speaker: You want to correct something?

Hon. Museku: Yes, I want to add on to something and adjust something on the motion itself, Madam Speaker.

Hon. Speaker: So can we say now you withdraw what you had say before and start again?

Hon. Museku: Yes, Madam Speaker; that is in order, Hon. Speaker.

Hon. Speaker: So move the motion you want now.

Hon. Museku: Thank you, Madam Speaker.

Hon. Members I am going to remove to move the motion again due to some adjustment which have being made on the motion as you know change is the only permanent thing so we have to keep a breast with change.

Hon. Speaker that aware that Standing Order 25 provides for the calendar of the County Assembly;

Aware that Standing Order 25(4) provides that the Assembly may alter its calendar;

Aware that the this Assembly has an approved budget that needs to be discuss and implemented jointly with the executive;

Aware that a meeting has being slated to discuss on the issues of implementation of the budget between Monday and Wednesday next week; that is between 27th and 29th September, 2021;

Aware that the CASA games are also scheduled to being on the 30th of this month to move on up to the 8th of October;

Madam Speaker, I wish to move the motion that the house resolves to adjourn its sittings of 28th and 29th September, 2021 to enable Members to meet with the executive over the implementation of the approved budget and also to allow Members to attend to the CASA games and for the sittings to resume on the 12 day of October, in the year of Our Lord 2021.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. DS. Do you have a seconder?

Hon. Museku: I request again Hon. Mark Kimanthi Mwendo to go ahead second the motion again. Hon. Majority Leader.

Hon. Speaker: To second the motion because we don't have any other motion. Thank you.

Hon. Muendo: Thank you, Madam Speaker. I stand to second the motion on the grounds which have being given by the DS and as I said earlier this motion was not in until towards lunch hour when we received the message from His Excellency the Governor of Machakos. I also say the programme which was given cannot allow us to be the Assembly because would be meeting the Executive on that budget implementation and also next week also we have the CASA games in Mombasa. Therefore I support the motion that we adjoin so for the Members to attend those two functions. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Members.

(Question proposed)

Hon. Members, the motion is open for debate. I will come to you Hon. Mitaa; allow me to have Hon. Minority Leader.

Hon. Kamitu: Thank you very much, Madam Speaker. Madam Speaker, I also stand to echo the sentiments that have been brought by our Deputy Speaker in regard to the adjournment of the House and also the segment echoed by our Majority Leader Hon. Mark Muendo. Without wasting a lot of time Madam Speaker, it is true that we have been waiting for this meeting with the executive in regard to the implementation of the ward projects in the County.

Madam Speaker, everybody is aware that we were elected so that whatever comes after the budget allocations, the implementation part of the budget is very important because this is where what has been approved by this House is supposed to be implemented by the executive so I applaud the joint efforts of the Hon. Members of this House and through your leadership also Madam Speaker, it is true also through your efforts we were able to convey our feelings to the Executive, that is our Governor and is agreed that we meet together we all meet so that things that are supposed to be drawn and things that are supposed to be implemented are actually implemented for the service delivery to the electorate. So, I stand to support the motion, Madam Speaker. Thank you very much.

Hon. Speaker: Thank you, Hon. Minority Leader. Hon. Majority Whip; I will come to you; Hon. Kisini and Hon. Masesi.

Hon. Mitaa: Thank you, Hon. Speaker. Once again am Hon. Mitta, representing Kangundo Central ward and Majority Whip of the House. I want to applaud my senior colleague Hon. Paul Museku for the motion ahead of us. Hon. Speaker, I also want to thank the office of the Majority Leader and the office of the Minority Leader for the initiative they took through your guidance and found it good that we meet the Executive which is the implementing entity of this government especially now that our county is in crisis and especially in the health sector.

We are very well aware that most of our hospitals, not even most of our hospitals, our hospitals have run into a halt. Our people can be treated, they can't get services in our hospitals we know we have that we are in the Covid time, Madam Speaker. Our doctors don't have the facilities and the equipment which they need. Our hospitals lack medicine now that we had passed a budget, this meeting is coming at the right time because we need to prioritize the health sector in our county.

(Applause)

We can no longer sit down as legislators and see our people suffer and die because of this we can intervene, Madam Speaker. So, this meeting has come at the right time. Again there is a saying that anything which has life has an end and this Assembly, I would also regard it as it has life and that is the Second Assembly; we are almost coming to the end of our term. Very soon next year God-willing we will be meeting our electorate, our bosses and this is our last budget which we can oversee.

So it would be very good if we can get it right and ensure as we exit, we also exit in a positive way. We had made an agreement that we have each ward get equal development and the meeting will provide it will enable us to harmonize and see that the Executive will implement all

the projects which our residents gave during public participation and that the projects are done and at the right way and I request Hon. Members to play our role very well when it comes to oversight, Madam Speaker.

Hon. Speaker, again on the same note, they say ‘no play makes Jack a dull boy.’ CASA games is all on sports and we need also to change that environment; some of us we have talents. Personally am talented in cheering and I would want to cheer Hon. Majority Leader and Hon. Masesi as they do tug-of-war---

Hon. Muendo: Madam Speaker, point of order.

Hon. Speaker: Why point of order? Hon. Majority Leader, you do want to play games? There is no point of order there.

(Laughter)

Hon. Mitaa, proceed.

Hon. Mitaa: Thank you Hon. Speaker. Hon. Kimanthi must be ready to pull that tug-of-war and I expect that we come back with a trophy in that sport so Madam Speaker, I support and I thank this Hon. House.

Hon. Speaker: Thank you Hon. Mitaa. Hon. Kisini.

Hon. Kisini: Thank you, Madam Speaker. I also want to support first of all the Deputy Speaker for bringing that motion of adjournment which is very important. It is good to adjourn because of what has been said; we were elected to serve our people. We were elected to see to it that projects which have been budgeted to our wards are done. So if we are to meet Madam Speaker and discuss how those projects would be implemented, I say it was worth the adjustment and it is good we meet the team from the Governor's side so that we can discuss and we see to it that those projects which have been waiting for long are implemented.

Secondly, Madam Speaker the CASA Games is a countrywide affair for all Assemblies and we are meeting at the Coast. We have a team which is prepared I am also a member of that committee which is chaired by Hon. Masesi and it is good we join the other Assemblies and we compete so that we can bring trophies for our Assembly. Thank you, Madam Speaker.

Hon. Speaker: Thank you Hon. Kisini. Hon. Masesi.

Hon. Masesi: Thank you, Madam Speaker. Madam Speaker, I want to appreciate the motion by Hon. Museku on adjournment. Madam Speaker, when we are adjourning to discuss matters of development, this is a positive direction we are taking as a County Assembly and also I want to appreciate that move by the Governor to see that at least to get to do something which is part of the development which should not less than 30 percent of the development as pertains to our budget.

Madam Speaker, I would like also to adjure the Members of this County Assembly, more so the elected Members that Madam Speaker our unity at this point and time will mind and will determine the results of the implementation of that budget. So I wish that we could work as

a team as Members of County Assembly and make sure that we implement what we passed during budget. I think we said and agree that we will only consent the supplementary budget once those projects are on the gazette (??) waiting implementation.

Secondly, Madam Speaker on CASA Games, I do chair the *ad hoc* committee and we are expecting to get the tracksuits by latest on Friday and we had proposed Monday to be the flagging off date so Madam Speaker you would advise as on what next since now we are meeting the Governor on Monday. I want to believe the supply will doing the needful within the course of the week so Madam Speaker again will advise us on when we can be able to give the uniforms to Members and staff which should be done most likely during the course of the week.

Otherwise, Madam Speaker, I am happy that again I made on the proposal on the welfare of members will we are in Mombasa during the CASA Games and I was assured by the leadership that the same has being taken care of---

Hon. Speaker: Hon. Masesi, is that part of the motion that you want---

Hon. Masesi: Madam Speaker, I was just---

Hon. Speaker: Speak to relevant matters, Hon. Masesi. You are out of order.

(Laughter)

Can you finalize?

Hon. Masesi: Thank you, Madam Speaker. I would proudly say that I support the motion of adjournment. Thank you.

Hon. Speaker: Thank you. Hon. Rozina.

Hon. (Ms.) Kanini: Thank you, Madam Speaker. Madam Speaker, the ground is very hostile and it needs development and I can assure this Hon. Members especially the elected ones with the Ksh. 15 million projects, they can be felt and I can assure them of a smooth coming back to this House. Madam Speaker, on the issue of CASA Games, I want to say that we would be proudly participating in the games. I myself being a member of cultural dance and tug-of-war and I will be happy to showcase my talent. Thank you and I support there adjournment.

Hon. Speaker: Thank you, Hon. Rozina.

Hon. Katumo: Thank you, Madam Speaker. Hon. Katumo here, the Voice and it was my belief that this voice should be heard before we do the adjournment you put the question but Madam Speaker may I say it reaches a time when people has to sit down reason together and find a way ahead. I think this Assembly, as we look at the sun setting looking back from where we began in 2017 and what we need to do, there is need for this Assembly and Executive to talk on level ground so that we can may be break monotony of one side overbearing on others because I think when we say the ground is hostile, I think it is not very good. It is not good with my constituency it is not good for anybody either and I think this adjournment motion and the

intentions to alter the calendar so that we can sit down and agree and form a consensus is very important.

I think each and every Member willing to do something for their constituents, this is the time to speak our hearts out and I think it is my believe that the other side the Executive are willing or more than willing to listen so that we can move together therefore this are my words as I support this adjournment motion that we go there with one intention and one goal so that we can be able to strike the winning bullet that is remaining.

If we don't, if we miss then we are done you see therefore I think it is important for us so that we don't joke around it. I think this motion is a very great importance. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Katumo. Hon. Museku, the mover of the motion, can you reply as I put the question.

Hon. Museku: Yes. Thank you, Madam Speaker. I would like to the Hon. Members for overwhelmingly supporting this motion of adjournment. It is a well-intended motion for us to be able to engage on matters development with the Executive and I am very sure that each every one of you as expressed if we manage to strike a winning a balance, a winning combination this time around, we should able to assure that our people get development in this year when you are also preparing to go for elections.

Madam Speaker, I am also happy that the members God-willing I also anticipating to participate in the games; personally I participate on the pool table and those of you who will be there can come and see me going all the way to the finals. I always go to the finals because I pretty good when it comes to matters billiards. Thank you, Madam Speaker.

Hon. Speaker: Alright.

(Question put and agreed to)

So, Hon. Members, you have passed the motion to adjourn but in reality you are not adjourning; you are going to carry on with your duties of your oversight especially in the implementation of 2021-2022 budget. The only adjournment in reality is to attend the CASA Games so you need to put your put forward and you need to go there with objective minds so that you can achieve that which the electorate requires and that is development nothing else but development.

ADJOURNMENT

Hon. Speaker: I wish you well Hon. Members so have a good evening.

The House rose at 4.20 p.m.