

REPUBLIC OF KENYA

COUNTY ASSEMBLY OF MACHAKOS

OFFICIAL REPORT

Tuesday, 13th August, 2024

The House met at 2.40 p.m.

[The Deputy Speaker (Hon. Stephen Mwanthi) in the Chair]

PRAYERS

STATEMENT

BUSINESS FOR THE HOUSE FROM 13TH TO 27TH AUGUST, 2024

Hon. Deputy Speaker: Under this one we have a Statement by Hon. Nicholas Nzioka.

Hon. Anastasia Mutevu (Nominated, WDM-K): Thank you, Mr. Speaker. I am the first Member of the Speaker's Panel and a member of the House Business Committee. I am standing in for the Majority Leader. Hon. Speaker, the House Business Committee met on 13th August, 2024 to prioritize business for the House as forwarded by Committees and Hon. Members pursuant to the provisions of the Standing Order 151(6)(d). The Committee balloted business as follows:

Tuesday, 13th August, 2024

Afternoon at 2.30 p.m.

- (a) Response to Statement sought on matters relating to hawking within Machakos CBD by Hon. Jeremiah Kaloi, Chairperson, Trade, Economic Planning and Industrialization Committee.
- (b) Report on the 4th Edition of CASA and EALASCA games, 2023 by Hon. Benjamin Kinyungu, Chairperson, Social Welfare and Sports Committee.

Wednesday, 14th August, 2024

Morning at 10.00 a.m.

- (a) Response to a Statement by Hon. Joshua Mwonga on implementation of ADP for the FY 2023/2024 in Masinga Central Ward by Hon. Dominic Maitha, Chairperson, Committee on Implementation
- (b) Report of Health and Emergency Services Committee on Budget Implementation for the Department of Health for the first and second quarters of the FY 2023/2024; Continuation of debate by Hon. Vincent Mutie, Chairperson, Health and Emergency Services Committee.
- (c) Motion on Alteration of Assembly Calendar and adjournment of the House by Hon. Nicholas Nzioka, Leader of Majority/MCA, Machakos Central Ward.

Tuesday, 27th August, 2024

Morning at 10.00 a.m.

- a) The House Business Committee balloted response to a Statement sought by Hon. Judas Ndawa on status of roads within the County by Hon. Muoki Musila, Chairperson, Transport, Roads and Public Works Committee.
- (b) Report on the 4th Edition of CASA and EALASCA games, 2023; Continuation of debate by Hon. Benjamin Kinyungu, Chairperson, Social Welfare and Sports Committee.

Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Anastasia. Next is a Statement by Hon. Jeremiah Kaloi.

STATEMENT REPLY HAWKING WITHIN MACHAKOS CBD

Hon. Catherine Kye (Nominated, WDM-K): Thank you, Hon. Speaker. I am holding brief for Hon. Kaloi. I am a member in the same Committee Trade, Economic Planning and Industrialization; response to a Statement on hawking within Machakos CBD.

Hon. Speaker, a Statement on hawking within the Machakos CBD was sought by Hon. Nicholas Nzioka and referred to the Committee on Trade, Economic Planning and Industrialization to inquire into what the County Government of Machakos was doing to ensure that hawkers carry out their businesses within the CBD and its environs without being involved in running battles with the County inspectorate department.

Based on the aforementioned task, the Committee conveyed the sought Statement to the Department of Trade vide a letter Ref: MKSCA/PCS/CMM/TCD/VOL.3/15 dated 25th September, 2023. The stated letter was responded through a letter dated 14th March, 2024.

The Committee interrogated the forwarded information on the assigned task and further resolved to meet the Chief Officer Department of Trade and External Relations on Monday 29th April, 2024 for further clarification on issues raised by members concerning the response.

During the said meeting the Chief Officer, Department of Trade and External Relations submitted as follows:

1. That the decision of restricting traders from doing their businesses within the CBD was informed by a circular by the Cabinet Secretary, Ministry of Transport National Government which restricted traders from doing their activities on roadside as well as streets. The circular cited several accidents witnessed in Bomet and Salgaa claiming lives of 12 and 10 people respectively.
2. Informed by the said circular and guided by Section 9 of the Machakos County Public Markets and Stalls Act, 2016 as relates to the designated market areas that states that "no person shall be authorized to sell their goods other than in designated public markets and stalls," the Department invited all traders and hawkers to a meeting which took place at Machakos Park whose agenda was to deliberate on issues relating to Section 9 of Machakos County Public Markets and Stalls Act.

3. During the said meeting, traders and hawkers were informed that all trading activities within the Machakos CBD are prohibited and the only designated areas for traders in Machakos town include:
 - i. *Mitumba* Market
 - ii. Wholesale Market.
 - iii. Retail Market (Marikiti)
 - iv. Mavivye Market.
4. Members were informed that the above designated markets have more than 460 space which was said to be enough for each trader.
5. In light of the above, members were informed that, traders were given seven days' notice to relocate to the designated market areas.

Thank you, Hon. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Catherine. This Statement was sought by Hon. Nicholas Nzioka and he should state whether the response is satisfactory.

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Thank you, Mr. Speaker. This Statement that I sought, in my opinion, the concerned department is treating this matter extremely casually. This is the second time that the Statement is being brought back and the same thing that they put in this Statement today is exactly the same thing they quoted and I said I was not satisfied. They are treating the matter very casually. For example, the quoted a circular by the Cabinet Secretary, Ministry of Transport has never been made available. To me it is somebody who is just imagining so we need the circular to be provided here.

Secondly, the Machakos County Stalls Act should also be provided here so that we interrogate it. On the matter that the hawkers and traders were invited and having been the person who sort the Statement I thought it was only fair that I also be invited in that meeting. In my opinion this meeting never happened.

In as far as the 460 spaces it would be unfair to suggest that the only people who need space to trade in the Machakos CBD are only extra 460. So I am not satisfied at all and I wish the Committee put to task those people who are supposed to deliberate on this matter. The issue of hawking cannot be washed away; it is something that we need to discuss openly so that we have a conclusive and non-discriminatory solution. The only hawkers that seem to be highly targeted are those in Machakos Central Ward. Thank you.

Hon. Deputy Speaker: Thank you, Hon. Nicholas. That means that the report will be referred back to the Committee for further interrogations and make sure---

Hon. Mbili Ndawa (Matuu, MCCP): Mr. Speaker, it will be fair if you give us at least two Members or three also to air our views on matters brought in this House.

Hon. Deputy Speaker: Proceed although you know he has deferred the Statement and that means we might debate on it..... I thought it would be better when we had a positive report and debate on it but maybe you have something that you wanted to say you can say.

Hon. Mbili Ndawa (Matuu, MCCP): Hon. Speaker, what I want to say is just to agree with my brother here. Once a Statement has been sought in this House and it is referred to any

Sectoral Committee, once communication is done to the other side because the committee cannot work alone, it is only fair the interested or affected party to be also involved. On this I want to say it is very unfair if the Majority Leader who brought the business before this House was not involved in any way. That is now what I am not happy with.

I am requesting, going forward, if a Statement is sought, the author of the Statement must and this time round we are not begging, we are demanding, it is a must because the author of the Statement is the one who knows the problem. The issue of hawking, Hon. Speaker, is all over the world; not Machakos alone. The issue of hawking, I remember before Mheshimiwa brought that Statement here, some of the traders here in Machakos were incited by a senior government officer who is at home now.

The problem in Machakos was caused by a former senior government officer.

(A Hon. Member spoke off the record)

I do not want to mention anybody who cannot defend themselves in this House. Let it go on record that former senior government officer is the one who incited the hawkers. You cannot instruct the hawkers to pack and go home and you are not giving them food and that is where they get money to pay rent and school fees for the kids. Hon. Speaker, I am requesting, in future, any Statement sought in this House, the Statement seeker must and I repeat must be involved. Thank you, Hon. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Ndawa. Hon. Dee.

Hon. Dee Kivuva (Nominated, WDM-K): Thank you, Mr. Speaker. My concern is the seeker of the Statement has deferred twice and you have referred the matter back to the same Committee. You cannot expect different results. I do not know which Standing Order to quote but it would have been better if you would have referred back the matter to a relevant Committee and not Trade, Economic Planning and Industrialization Committee. If it is possible you can bring it to Sports and Social Welfare Committee so that we deal with it with Hon. Kinyungu and I. thank you.

(Laughter)

Hon. Deputy Speaker: Hon. Dee, this is a trade matter and it can only be referred to the Trade, Economic Planning and Industrialization Committee. For Sports and Social Welfare Committee, you will only remain with your duties please. Thank you.

Hon. Francis Kavyu (Kinanie, M CCP): Thank you, Mr. Speaker. I think it is becoming a norm in this House that matters are raised that need to be addressed by the relevant department and the response that we keep getting is that additional time or a solution has not been found. I will give a case in point. During the floods I raised a Statement in this House and now today for a record---

(Loud consultations)

Hon. Deputy Speaker: Hon. Engineer and Hon. Dee, kindly consult quietly.

Hon. Francis Kavyu (Kinanie, MCCC): Today in the morning, for a record time, the Committee sought for an extension. It is the same song that is being sang on the same matter. Is it that we have incompetent people in those offices or they do not just care what is happening in this Assembly? This House is an equivalent of the High Court and in normal circumstances, whenever an order or directive is given by court, anybody who acts or contravenes it is deemed to be in contempt of the same.

Mr. Speaker, I do not know whether it is helping a Hon. Member or helping this House by referring the same matter back to the same Committee that for six months has not being able to find a solution. So it will just bring the same report or it will come and ask for more time to go and work. The forest remains the same and the monkey is the same so we do not expect to get the different report.

Mr. Speaker, what I would recommend is that..... not the Sports and Social welfare Committee but as a House, I will advise instead of taking it back to the committee on Trade, let us have a substantive motion on the same matter then we can make a ruling as a House because there seems to be a capacity gap on the other side; we make a ruling just for them to implement.

Issues of hawkers is not affecting Machakos town alone; we have hawkers in Mavoko, Matuu, Masii, Tala and I think Ekalakala is also coming up only that it is not rampant so what we need as a House is to deliberate on the matter, give a ruling on the same and these are people who can be managed. Last time we said, instead of chasing hawkers up and down, we need to have designated operation time. If we agree it is from 5.30 p.m. we can even have some roads that are not normally used. For instance, where the ABSA bank is along Mackenzie Road, we can have those roads but I am not sure whether there is something like Mackenzie in Machakos.

(Laughter)

Hon. Deputy Speaker: Hon. Peter Kilonzo, do we have such road here in Machakos.

Hon. Peter Kilonzo (Mbiuni, UDA): That is in Mbiuni.

Hon. Francis Kavyu (Kinanie, MCCC): We are talking of Machakos town not Mbiuni but we can have those designated areas where at specific time we can have those areas blocked from motorists then those people can trade from there, from a specific time to around 8.00 p.m. then immediately they close the place is ensured it is clean for the next business of the day.

If we keep going to the same, and I think Mr. Speaker the person in-charge who is supposed to implement this is a person of interest, he has interest within the same town so if we keep expecting for them to get solution from them, we will never get. So as a House, we need to make a resolution and see how that issue can be resolved and it is not only this we also need to stamp our feet so that any business that is generated from this House whenever it gets to the other side is taken with seriousness that it deserves and if committees are not been able to be addressed sufficiently then we can have those people come to the General Oversight Committee and explain to this House where they are not able to solve issues that are touching on the people of Machakos. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Kavyu/ Hon. Vincent.

Hon. Vincent Kavyu (Upper Kaewa/Iveti, WDM-K): Thank you Hon. Speaker. I would like to give my comments on the subject that my neighbour the Hon. Nicholas raised a while ago. It actually took a lot of time to bring back that answer which according to him is still not sufficient. The Hon. Minority Leader has claimed without evidence that the chaos that we saw were propagated by a government official who exited the service. That one we do not know but we need to be a live to some facts. He also claimed that is the Minority Leader, again without evidence, that hawking is all over in the world. I consulted my friend who visited London whether there is hawking there but he has confirmed that there is no hawking. So, the Minority Leader was wrong on those two.

Hon. Mbili Ndawa (Matuu, MCCC): Point of information.

Hon. Deputy Speaker: Point of information taken.

Hon. Mbili Ndawa (Matuu, MCCC): Thank you, Mr. Speaker. I just want to inform my good brother here Hon. Vincent that even if you are getting information from an officer or an MCA who went to London, he did not go where hawking is done; he just visited London but he did not have enough time to visit where hawking is done. They do not do in hotels like in our area; we have designated areas where hawking is done. A good example is Nairobi here; Muthurwa market was established to address the issue of hawking and I am very sure it reduced the number of those who were hawking around. T

Then the other issue Hon. Speaker, it is in the public domain and he is saying that I did not give evidence. I said it is only fair that you do not mention somebody's name and yet he cannot have an opportunity to come and defend himself in this House but it is the public domain that one day, the said person went to Machakos Town and he a meeting with hawkers. In fact, he went ahead and insisted the hawkers against the area MCA and that where we have a lot of chaos here. Whatever I am saying I am saying with a lot of confidence and also remember this is a protected area. Even if I call you names, you will go nowhere. This is a protected area. Thank you, Hon. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Minority Leader. Hon. Vincent, you may proceed. I hope you have been informed.

Hon. Vincent Kavyu (Upper Kaewa/Iveti, WDM-K): Well, I did not want to expend that debate because the moment you insist you are sure what you are saying, then you do not fear mentioning names but that notwithstanding, I would like to point out that whereas we are trying to address this issue, I would like to emphasize what the Hon. Francis from Kinanie said in regard to the turn-around time for responses of Statements sought. Why do we seek Statements? We seek Statements as representatives of the people; they really want to know why this happened and what the remedy thereof is. So, the duration like now we are in August and if my memory serves me well, it is like six months since that issue occurred.

Honestly, it will bring uncertainties to the people therefore, that is something that need to be addressed and if the committee is not doing its work quite well, I would prefer that we consolidate this matter and let it become an interest of the entire Assembly and have a General Oversight Committee taking up the matter so that we can get the response that is satisfactory. Not just to the member but to the affected residents of Machakos. We have offered solutions; we have suggested solutions including time and space.

We have so many parking slots within Machakos town which can be designated at certain areas and times including weekends. It used to happen in Nairobi especially when we had the same chaos. We can say the area behind the new Naivas building, that is a sufficient place and the same happens to the space in front of Safaricom shop and outside T-Tot hotel. These are areas which we can tell our people that we can dedicate these spaces to you after 5.00 p.m. every day and during weekends so that we can be able to solve the problem.

Whenever we send these people out without solving the problem what are we doing? We are creating a problem that we cannot solve because crime rate will go up, despair will go up, depression will go up and a man who is not able to fend for his family might end up committing suicide because the only option they had has been taken away from them. So we will urge the person who is taking a brief for the Trade Committee to take note that, that response does not meet the threshold of the expectation and we anticipate that we get a report that sorts out this mess once and for all.

I am also an interested person because being a neighbour of this ward, my people come to trade in this town. I am equally interested because I minister in a church in this town; I do not know whether my members are also hawkers who could be affected so we need a comprehensive response and a solution to that matter. Thank you, Hon. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Vincent. Hon. Members, I have heard you and now that you have requested or you are of the view that we change and give that duty to General Oversight Committee, then I will do so because as I was going through the Statement I have seen the last time the CO was invited by the committee was on 29th April, 2024 and today is 13th August, 2024 so for four months I do not know what they were doing as a Committee although that was not our expectation, we also need to be vibrant as committees so that we may have different results.

Otherwise, you can see the kind of results we are getting from our own Members. So I think the General Oversight Committee can deal with that matter and report back to the Assembly within the next one month; 30 days are enough for them to do that and come up with a proper response over that matter.

MOTION

4TH EDITION OF CASA AND EALASCA GAMES, 2023

Hon. Deputy Speaker: Thank you, I had not called you Hon. Benjamin but because you knew you are the next member, then you may proceed.

Hon. Benjamin Kyule (Lower Kaewa, WDM-K): Thank you, Hon. Speaker. This is the report on participation of the County Assembly of Machakos in the Fourth Edition of CASA and EALASCA games 2023. Hon. Speaker, pursuant to Standing Order 190(5), I wish to move a motion that this Assembly adopts the report of social welfare and Sports committee on Fourth Edition of CASA and EALASCA Games 2023 tabled in the Assembly on 6th August, 2024. I now call upon Hon. Boniface Katiti who is the Vice Chair to this committee to second.

Hon. Boniface Katiti (Muthetheni, UDA) seconded.

Hon. Deputy Speaker: Thank you, Hon. Benjamin and Hon. Katiti.

(Question proposed)

Hon. Deputy Speaker: Before I invite Members for debate, let me call the mover to take the House through the highlights of the report.

Hon. Benjamin Kyule (Lower Kaewa, WDM-K): Thank you, Hon. Speaker. This is the report on the participation of the County Assembly of Machakos in the Fourth Edition of CASA and EALASCA games 2023. I will proceed to introduction. Hon. Speaker, the County Assemblies Sports Association (CASA) is an umbrella body anchored in the County Assemblies Forum (CAF) as a chapter that organizes sports and cultural festivals for County Assemblies in Kenya. The Association provides a platform for cross cultural and sporting exchange among Hon. Members and staff of all the 47 County Assemblies in Kenya.

CASA held its first games edition in 2018 in Nairobi City County. This was followed by the second edition hosted by Uasin-Gishu County in 2019 in Eldoret town. The third edition was scheduled for 2020 which did not happen owing to Covid-19 pandemic. Mombasa County hosted the third edition in 2021 after Covid-19 lock down. Hon. Speaker, the fourth edition of CASA games was held from 19th to 27th August, 2023 in Nakuru County. The theme of the edition was 'Inculcating Integration and Social Interactions through Sports and Diverse Cultures.'

Hon. Speaker, the flagging off ceremony was done on 9th August, 2023 by the Hon Speaker within the Assembly precincts. The teams enjoyed the support of the County Assembly Service Board through timely payment of allowances, participation fees, logistics and moral support. There were no major injuries reported.

Mr. Speaker if you allow me, I will skip 1.2 that is establishment and the mandate of the committee, still the committee membership and I proceed to point 1.5 that is acknowledgment. Hon. Speaker, the Social Welfare and Sports committee appreciates the Offices of the Speaker and that of the Clerk of the County Assembly for the continual and relentless support accorded as it discharged its mandate. I wish to express my appreciation to the Hon. Members of the Committee for their dedication and commitment during committee sittings and compiling of this report.

PERFORMANCE OF COUNTY ASSEMBLY OF MACHAKOS TEAMS AND THEIR VARIOUS CHALLENGES

Hon. Speaker, the County Assembly of Machakos faced off with other CASA affiliated teams within the already organized pools in different venues at Kabarak University, Jacaranda Hotel and Nakuru ASK sports ground in the following disciplines.

1. Football men
2. Volleyball
3. Netball
1. Tug of war men
4. Tug of war ladies
5. Pool table
6. Draughts
7. Scrabble
8. Darts
9. Table tennis
10. Badminton

11. Ajua
12. Cultural dances
13. Athletics and Field events

Hon. Speaker, overall the County Assembly of Machakos recorded a remarkable position five (5) out of the thirty six (36) County Assemblies that participated in the fourth edition of CASA games. Hon. Speaker, the County Assembly registered improved performance in football and table tennis and maintained the good performance in folk song, athletics and field events where three trophies were awarded as follows:

Category Position Award

1. Table tennis 2nd position a trophy and a Certificate was awarded.

(Applause)

2. Folksong 2nd position 1 trophy and 1 Certificate.
3. Borrowed folksong 3rd position 1 trophy and Certificate.

Hon. Speaker, the following persons performed well in athletics and field events and were also awarded medals and certificates:

1. Ms. Lillian Mutisya, Position 1 in 200m and 400m women- 2 Certificates and 2 medals.

(Applause)

2. Ms. Sarah Mwanja, Position 2 in Javelin women 1 Certificate and a medal.

(Applause)

If you allow me, Mr. Speaker, I will skip to participation in EALASCA Games. Hon. Speaker, the East Africa Local Authorities Sports and Cultural Association (EALASCA) games were held in Kisumu County from 26th January to 2nd February, 2024. This followed a successful pre-EALASCA trials held in Kakamega County from 12th to 14th January, 2024 where a number of our teams and participants were selected to form team Kenya. Hon. Speaker, the participants identified from the Assembly bonded well with other participants and were available during all the matches.

GENERAL OBSRVATIONS

Hon. Speaker the committee made the following observations:

- i) All teams conducted themselves well and demonstrated the spirit of sportsmanship during the competitions.
- ii) There were no major injuries reported among the participants.
- iii) That there was late delivery of sports uniform and equipment due to timelines required for open national tender method and unavailability of budget.

- iv) That the ratio of MCAs to staff required by CASA regulations is 1:1. Some of the Assembly teams like netball, draughts and tug of war could not raise the 50 per cent quorum of Hon. Members needed to participate in the games.
- v) That the Assembly teams lack exposure to learn current rules of their game and skills.
- vi) That the Assembly is forced to operate within a constrained budget of Ksh. 4 million annually which makes it difficult to purchase state-of-the-art equipment and uniform for the teams. For instance, one (1) five-star table tennis racket cost approximately Ksh. 10,000 while one (1) badminton racket cost Ksh. 11,600. A good quality football trainer shoe cost Ksh. 6,800, while a good quality track suit cost between Ksh. 7,000 to Ksh. 9,000. Additionally, some teams especially the indoor games were left out in the provision of uniform.
- vii) It is worth noting that the County Assembly of Machakos team conducted themselves well throughout the period and never reported any disciplinary issues as was witnessed with a number of other County Assemblies.

(Applause)

RECOMMENDATIONS

Hon. Speaker, the committee made the following recommendation:

1. That for proper coordination of all future activities and process related to CASA games, planning should be initiated immediately after communication by CASA to avoid cases of late delivery of uniforms and sports gear.
2. That Hon. Members should be encouraged to attend all practice sessions to avoid respective teams from being disqualified for failure to attain the required ratio of Hon. Members to staff which is 50-50.
3. The CASB should consider having a budget line to fund tournaments and engagement of coaches to ensure that teams get necessary training and exposure.
4. The CASB should consider increasing the vote on purchase of sports uniform and equipment from Ksh. 4 million to Ksh 7 million. This will enable the Assembly to acquire quality and adequate sports item for the teams.
5. The CASB should consider setting aside adequate budget for County Assembly teams to participate in the EALASCA games.

CONCLUSION

Hon. Speaker, I am humbled to table the report of Social Welfare and Sports Committee on participation of the County Assembly of Machakos teams in the 4th edition of the CASA games 2023 held in Nakuru County from 19th to 27th August, 2023 and subsequent EALASCA games held in Kisumu County from 26th January to 2nd February, 2024 for discussion and adoption by this Hon. House. Thank you, Mr. Speaker.

(Applause)

Hon. Deputy Speaker: Thank you, Hon. Benjamin. I now invite Members to debate the motion.

Hon. Mbili Ndawa (Matuu, MCCC): Thank you, Mr. Speaker. I will start by applauding the most able Chairman together with the committee for this brief and self-explanatory report. Hon. Speaker, I think the Chairperson has made what we call a maiden speech; he has been so quiet but today he has confirmed to this House that he is up to task and he is capable to hold that office. So, congratulations Mheshimiwa.

Coming to the report, I wonder whether the Committee of Sports took part in the issue of procurement of the uniforms and other items that were required to be used during those games. The reason is we performed so poorly because of lack of gear, equipment and uniforms that we were supposed to use. I was taking part in tug of war and Hon. Speaker, I want to report to this House that we did not get what was required.

One of the Clerk Assistants Bw. Kavita is also a member of that team and it is better to call a spade a spade instead of baptizing it. The team that was tasked to handle purchase of those uniforms failed the entire County Assembly of Machakos. By the time we had the official opening of the games in Nakuru, it is only Machakos who were lacking uniform. Other counties were passing by in full sports attire but in Machakos it was collage; any item made of different materials and different colors. Other County Assemblies had mosaic; an item made of one material and one color. It was very bad show for us.

Secondly, before we went for those games, we had a meeting in the parking lot and we were promised that the uniform will be delivered in good time. That never happened. During tug of war, we did not have boots that we are supposed to lock with and pull the other side; we used our own shoes. The short which was given to me was not of my size and the moment I went to the field, I just heard rupture and almost every part of my body was out.

(Laughter)

I would request in the upcoming games, we should not undergo what we underwent. It is very unfair as Machakos County; we are usually number one number one but this time round we failed terribly.

Hon. Speaker we were anticipating to have the next games starting this coming Sunday and up to now we have not been invited for measurements to be taken for uniforms. I do not know whether we are ready for that event. The size I was that time is not the same; I might have decreased or increased. So, you cannot say the size we took that time is the one we are going to use. It is only fair you take sizes during the right time.

Again the *ad hoc* committee that handles that; I do not know whether it is within the County Governments Act, the constitution or the Standing Orders which bars the elected Members from taking part in that process of procurement. I am very sure my Chairman here was not fully involved and no Member of that sports committee was involved.

Hon. Speaker, in the other regime, I took part in the *ad hoc* committee and I want to report to this House that what I learnt is. Even if we put our Members there, they are just rubber stamps. You sit there, you discuss issues but what you resolve is not what is implemented. So, we need to move from there; this is the highest decision-making organ for this County and if we cannot make decisions for ourselves as an Assembly, how will we manage to make decisions for the entire County.

So, Hon. Speaker, a dentist likes recommending removal of a tooth or several of them but when it comes to their turn, they do not like it. So, those who are tasked with management of the County Assembly should up their game and ensure that Members are supplied what they are supposed to be supplied with and in good time. In fact, when people are going for games, there is orientation period, you go there and have time to acclimatize. We are only told, you will travel on Monday and the opening is on Monday. We need a week to acclimatize that environment.

You cannot tell somebody to fly from here go to Israel and take part tomorrow. We need time to know the corners of where we are going to be participating, where the hospitals are, where the rooms to rest are, where the police station is because problems can come, toilets and what a have you. So this issue of dispersing Members to travel the day they are starting the event should come to an end and it is not acceptable at all. That is all I want to say, Hon. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Ndawa. Hon. Dominic.

Hon Dominic Ndambuki (Kathiani Central, WDM-K): Thank you, Hon. Speaker, for giving me this opportunity to contribute to the report and I rise to support the committee recommendations that have been tabled by the Chairman. Going by the report and previous results that we have received as an Assembly, it is worth noting that there are some teams that have given us results that are consistent; that have been number ones or twos. Hon. Speaker, it is worth noting that today's camera lady in this Assembly is the person who has been mentioned as having been No. 1 in 200 meters and 400 meters.

(Applause)

So, it is good Hon. Speaker, to give accolades to those people or teams that perform exemplary. Moreover, Hon. Speaker, it is also good for the House and the institution that is Machakos County Assembly to also hold thanksgiving function or ceremony for those teams that have participated and have given us good results. Going forward, starting this year, I would suggest that this institution adopts that arrangement. I support. Thank you. Hon. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Dominic. Hon. Peter Kilonzo.

Hon. Peter Kilonzo (Mbiuni, UDA): Thank you, Mr. Speaker. I first of all thank the committee for giving us a good report for the CASA. It is quite commendable; however we have some issues that we have to articulate. One, in the report we were informed that some of the participants from the Assembly were chosen to form Team Kenya in the EALASCA. The process and the procedure on the participants who we do not know were chosen, I understand it is also good that the committee puts to the table the participants that went to EALASCA and which procedure was used or if it was No. 1, 2 or which team went to EALASCA.

Another point that the committee has noted in the recommendation is that teams will start practicing immediately we receive communication from CASA. Right now, we have not received communication from CASA so are we not supposed to be practicing because we have not received communication from CASA? Mr. Speaker, one thing that we are blessed because our Chairperson to the committee on sports is the Vice-Chair to the CASA which is the decision-making body so I want to ask whether we are practicing or not.

Lastly, Mr. Speaker, when I was in high school, I was not good in mathematics but at one time the mathematics teacher bought for me a book called Solving Mathematics problems and I practiced with that book and I performed excellently. I want to ask because we have teams, why can't we have a budget for CASA preparations so that now, teams like football can have facilitation for tournaments because the money which we have been buying football items like balls, cones and bibs we have even gone ahead to buy our own uniform. We want to say that we need to include vote head that we need to have CASA preparation so that now the teams which are preparing they can have full items. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Peter Kilonzo. Hon. Wanjiru.

Hon. Ruth Kamau (Nominated, CCU): Thank you, Mr. Speaker. Excuse me. Mr. Speaker, it has been said before by the Members who spoke before me that we cannot over emphasize the embarrassment that we went through and I want to repeat because, personally I was in the group not once or twice that had to go the ground to try and help the supplier to get garments that were of good quality because we are dressing people who have dignity therefore, we cannot just accept anything.

I sit in the committee and one time we went with a group where Mheshimiwa Kavyu was also there, the scorching sun burning us and walking in and out of shops. We got proper gear for the sports teams but when we came here the supplier would go behind our backs and say that those uniforms are not available for everyone. He would bring something that is of less quality then we would go back to the drawing board. We went to Nairobi more than three times so the committee is not to blame it is the supplier.

It is a recommendation that when we get these suppliers, let us get people who understand the people they are dressing. There is no way you are going for such games in transparent uniforms, standing there in the opening ceremony where everyone else is having quality uniforms and then you are looking like you are from the bush. You know Machakos County by itself it's among the Counties that are up there in every other thing but that time we were deflated. I tell you we did not have even strength to talk. We looked like jokers and it is my prayer that such will not be repeated.

I have heard one of the recommendations is that the budget be adjusted. I think that has been overtaken by events for this year but I also pray that we will not have to attend those games without uniform because if there is a repeat of the same, we will not have strength to talk and win. We will just be embarrassed one more time.

As I finish Hon. Speaker, I would like to plead with my fellow Hon. Members. It is a disservice when we attend practice or when we join teams and we do not show up and then the teams cannot play because of the rules and regulations of that game. There are teams, it has been said, and did not get to play like netball team. I remember as we were walking up and down in the fields, the team was calling us to come and stand in for them for a few minutes so that at least they qualify and then we get out of the field and they play.

It is a disservice and it is not right. If you join a team, attend practice and show up to play as a team because these games, as much as we want to win, it is not a matter of life and death. You can show up, give your best even if you do not win you showed up and participated. That is all, Hon. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Ruth. Hon. Kavyu.

Hon. Francis Kavyu (Kinanie, MCCC): Thank you, Mr. Speaker. My only concern...first I support the report but even the Committee seeks to have the budget increased, we also need a clear breakdown of how what we had allocated was used because the quality of the uniforms that was provided is wanting. Like what I received even you cannot sleep with. They are oversize---

Hon. Deputy Speaker: The uniforms?

Hon. Francis Kavyu (Kinanie, MCCC): The uniform that they delivered is oversize, low quality and even the shoes that were supplied were---

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Point of information.

Hon. Deputy Speaker: The Majority Leader wants to inform you Hon. Kavyu.

(Laughter)

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Thank you, Hon. Speaker. I thought we were speaking of....Hon. Speaker, is consulting.

Hon. Deputy Speaker: You may proceed, Hon. Majority Leader.

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Thank you, Hon. Speaker. Unless I do not know of this game that exists that Mheshimiwa Deputy Minority Leader that maybe using the uniform while asleep. I do not think there is a game that is played in uniform at night. I thought if there is any game that is played at night, I think nobody is supposed to be wearing anything so the uniform was not meant for sleeping but for attending games.

Hon. Deputy Speaker: Hon. Kavyu, you may proceed.

Hon. Francis Kavyu (Kinanie, MCCC): Thank you, Mr. Speaker. I think the Majority Leader needs to see Reverend Mutie for some sanitization of the mind because like the game that the Minority Leader normally plays, tug of war, sometimes you are forced to sleep so that you can have a good grip and also to lower the COG (??). So that is the kind of sleeping I was talking about. Not the other sport. I acknowledge there is a sport that normally happens at night and that one does not need uniform only the natural and God-given one.

My point is that what was delivered was of low quality and also the *ad hoc* committee that has been mandated to ensure this thing is delivered, I think it is a joke and they do not listen to what they are told and it is normally a one-man show event. Being a Member of that committee, I have observed and on several occasions, I think we need to dismantle that *ad hoc* committee and have a committee that is well-balanced because it is only here in the Assembly that whenever things are coming up, public participation is always disregarded and it is a requirement that whenever you are undertaking anything that affects particular people you need to inform them, consult them and establish what is their desire and what they need delivered.

It is only in this Assembly where things are forced down the throats of Hon. Members. It is like we are....the attitude is, this is what is there *mchukue* or leave. That is the kind of attitude that we are having in this assembly and that needs to stop. For instance, unless things have changed, the rumour that is there is that we were supposed to have the CASA games this month probably starting next week but the same cycle is happening. I am sure even if it is pushed to September, we will not have uniform; we will have to go there *madoadoa* the same way just because people do not want to do their job in a proper manner and in a timely manner.

CASA is not a surprise thing that normally happens like a rupture; from last year we knew and I was making a joke to the committee Chair the other day and telling him; I know this low quality uniform that you are supplying is only that you are not telling Members to use properly, it might be the kit for this year's CASA games. I do not know if that was the intention for delay but if we do not have the uniform now, are we safe? Are we guaranteed that we are not going to experience the same shame, disgrace that we underwent in Nakuru.

Also in terms of the practice, I am part of the pool table game. A pool table only costs less than Ksh. 100,000 but Mr. Speaker, where we are normally booked to go and train is very shameful. It does not meet the status because it is a club or a drinking den where all sorts of people come and if you just go back more than two steps *unakanyaga mkojo*. People just urinate there and that is where we are taken to go and train so sometimes you lose the morale.

So why can't we have it here in our Assembly where we have enough space? Does it mean that the Assembly is not capable of providing all the materials that are required for preparation and I want to appreciate, I do not know who was behind it but at least now the football team can train at Kenyatta stadium? That is better! Previously, when we were preparing, we used to go there and sometimes find some young men training at showground and we would be told, to day you are not going to use the field and because you respect yourself and you do not want to engage, we just change our clothes and get back to our cars and leave to do other things because you cannot go and fight there. We need to uphold the dignity of the Hon. Members in this House.

As I conclude, I also want to support the issue that was raised by Hon. Ndawa. We need to be travelling there at least four or five days prior so that we can familiarize. We do not just need to be given.....games are starting today and the traveling is that same day so even by the time you get there the opening ceremony is over. We need to extend; if CASA games are happening for instance like next week this week needs to be the traveling day so that we can get there, familiarize ourselves and also the adrenaline to go down because sporting is a psychological event so if you get there nervous, tired, tensed and dusty you will not.....sometimes because even hungry so we need to plan well and ensure that Members are well-facilitated.

To the Chair, committee on sports, we need to dissolve that *ad hoc* committee and even get somebody.....the person in charge of it should be somebody who is conversant with issues to do with sports; even if it is not the committee. If you go to the National Assembly, it is the committee on sports that is normally mandated with the responsibility of ensuring these things. Since we borrow from there, I do not know why our Assembly should be an exception.

The reason you could see Members from Turkana dressed very well and they are very far away from Nairobi but they had quality uniform; does it mean that we cannot achieve the same standards as Machakos? We need to wake up and do what is right because this attitude of take what is available or go is sickening and if that is the same reason that today we still have offices in the wards that look like a kitchen where you cannot even stay there for more than an hour. It is

because of that attitude and lack of proper public participation and engagement of the end user. Thank you.

Hon. Deputy Speaker: Thank you, Hon. Kavyu. Hon. Members, I think maybe we can have a continuation of this debate. It is such a good debate and we can alter the debate today and continue maybe tomorrow so that the Chair may also go and digest what Members require. I can imagine last year's uniform we had a black and blue tracksuit. So you can imagine giving Hon. Kavyu such a uniform! Surely, you are doing a disservice to all of us so something needs to be done. Let us---

(Loud consultations)

I can imagine. So Chair, I hope this time round you will come with a good response over that same issue and you just need to look into that matter of how Members should be dressed. Our Assembly Members together with the staff but I am also told that Members that have not yet met with the Serjeant at Arms can visit the offices of our Clerk Assistants for sizes because I am told they are now taking the sizes so that they may prepare for the next CASA games. I hope they will put into consideration what Members are saying. Thank you, Hon. Members. I think we will have a continuation of this same debate so for those who have not yet contributed tomorrow is a day for the same.

ADJOURNMENT

Hon. Deputy Speaker: The House adjourns to Wednesday, 14th August, 2014 at 10.00 a.m.

The House rose at 3.45 p.m.