

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Friday, 6th January, 2023

Special Sitting

*(Convened via Kenya Gazette Notice No.16074
(Vol. CXXIV-No .287) of 30th November, 2022)*

The House met at 10.46 a.m.

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

PRAYERS

COMMUNICATION FROM THE CHAIR
CONVENING OF THE SPECIAL SITTING

Hon. Speaker: Good Morning Honorable Members. Happy New Year; I hope you enjoyed your festive season. I take this opportunity to wish you a prosperous 2023. Welcome to today's sitting. I have the following communication to make on convening of the sitting

This special sitting is informed by the County Assembly of Machakos Standing Order 26 (1) and (2) which state that:

- (1) Whenever during a Session, the House stands adjourned, whether or not a day has been appointed for the next meeting, the Speaker may appoint a day for a special sitting of the House –
 - (a) On request of the Leader of the Majority Party or the Leader of the Minority Party, appoint a day for a special sitting of the House;
 - (b) On the signed request by Members not less than a third of the Membership of the Assembly, such a request shall be addressed to the Speaker.
- (2) The Speaker may allow a request under paragraph (1) if the Speaker is satisfied that the business proposed to be transacted is urgent or exceptional”.

Hon. Members, this sitting has been convened vide Gazette Notice No. 16074 (Vol. CXXIV-No. 287) issued on 30th November, 2022. The Gazette Notice partly reads; NOTICE is given to all members of the County Assembly of Machakos and the general public that pursuant to Standing Order 26 of the County Assembly of Machakos Standing Orders that, I have appointed Friday, 6th January, 2023 as a day for Special Sitting of the County Assembly of Machakos.

The business to be transacted during this special sitting shall be:

- (a) Consideration of the Vetting reports for appointment of Chief Officers to various Departments.

- (b) Consideration of Budget and Appropriations Committee report on the Machakos County Supplementary Appropriation Bill, 2022.
- (c) Any other business pursuant to Standing Order 151(6)(d),(e) and (f) as may be admitted by the Speaker.

Thank you, Hon. Members.

PAPERS LAID

REPORTS ON FIRST SUPPLEMENTARY BUDGET 2022/23 AND VETTING OF NOMINEES FOR APPOINTMENT AS CHIEF OFFICERS FOR VARIOUS DEPARTMENTS

Hon. Speaker: Members, we have 14 Papers to be laid today and I wish to call Members as follow; Paper No. 1 to be laid by Hon. Ndambuki, Chairperson of Budget and Appropriations Committee. Proceed, Mheshimiwa.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Hon. Speaker, I wish to lay the following Paper on the Table of the Assembly today, Friday, 6th January, 2023; the report of the Budget and Appropriations Committee on the first Supplementary Budget for the FY 2022/23.

Hon. Speaker: Thank you, Hon. Member. The next Paper is to be laid by Hon. Daniel Ndwiki, Chairperson, Lands and Energy Committee.

Hon. Daniel Ndwiki (Mlolongo/Syokimau, WDM-K): Hon. Speaker, I wish to lay the following Paper on the Table of the Assembly today, Friday, 6th January, 2023; the Report of the Lands and Energy Committee on the vetting of two nominees for appointment as Chief Officers for the Department of Lands and that of Energy.

Hon. Speaker: Thank you, Hon. Member. May I invite Hon. Vincent Mutie, Chairperson, Health and Emergency Services Committee to proceed.

Hon. Vincent Mutie (Upper Kaewa/ Iveti): Thank you, Hon. Speaker. Hon. Speaker, I wish to lay the following Paper on the Table of the Assembly today, Friday, 6th January, 2023; the Report of the Health and Emergency Services Committee on the vetting of two nominees for appointment as Chief Officers for the Department of Medical Services and that of Public Health. Thank you.

Hon. Speaker: Thank you, Hon. Member. May I invite Hon. Charles Mbuva, Chairperson, Agriculture Committee.

Hon. Charles Mbuva (Kangundo West, GDDP): Thank you, Madam Speaker. Hon. Speaker, I wish to lay the following Paper on the Table of the Assembly today, Friday, 6th January, 2023; the Report of the Agriculture Committee on the vetting of two nominees for appointment as Chief Officers for the Department of Agriculture and Food Security and that of Co-operative Development.

Hon. Speaker: Thank you, Hon. Member. May I invite Hon. John Brian Kisila, Chairperson, Decentralized Units and County Administration Committee?

Hon. Brian Kisila (Makutano/Mwala, MCCC): Thank you, Madam Speaker. Hon. Speaker, pursuant to Stranding Order 190(5)(f), I beg to lay the following Paper on the Table of the Assembly today, Friday 6th January, 2023; the Report of the Decentralized Units and County Administration Committee on the vetting of three Chief Officers to this department. Thank you, Madam Speaker.

Hon. Speaker: Thank you very much, Mheshimiwa. May I invite Hon. Francis Kitaka, Chairperson, Finance and Revenue Collection Committee to proceed and lay the Paper?

Hon. Francis Kitaka (Ndalani, WDM-K): Thank you, Madam Speaker. Hon. Speaker, I wish to lay the following Paper on the Table of the Assembly today, Friday, 6th January, 2023; the Report of the Finance and Revenue Collection Committee on the vetting of two nominees for appointment as Chief Officers for the Department of Finance and that of Revenue Management. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Mheshimiwa. I now invite Hon. Fredrick Kitetu, Chairperson, Environment and Natural Resources Committee. You are welcome Mheshimiwa.

Hon. Fredrick Kitetu (Ikombe, WDM-K): Thank you, Madam Speaker. Hon. Speaker, pursuant to Standing Order 190(5)(f), I beg to lay the following Paper on the Table of the Assembly today, Friday, 6th January, 2023; the Report of the Environment and Natural Resources Committee on the vetting of following nominees to the position of Chief Officers:

1. Metho Benson Kituku, Nominee, Chief Officer, Environment and that of Climate Change.
2. Mulei Stephen Kyalo, Nominee, Chief Officer, Climate Change.

Thank you, Madam Speaker.

Hon. Speaker: Thank you very much, Mheshimiwa. May I invite Hon. Jeremiah Kaloi, Chairperson, Trade, Industrialization and Economic Planning Committee? You are welcome Mheshimiwa. Proceed.

Hon. Jeremiah Kaloi (Athi River, WDM-K): Thank you, Madam Speaker. Hon. Speaker, I wish to lay the following Paper on the Table of the Assembly today, Friday, 6th January, 2023; the Report of the Trade, Industrialization and Economic Planning Committee on the vetting of following nominees to the position of Chief Officers:

1. Mr. Munyao Joseph Mutwiwa, Chief Officer, Department of Industry and Innovation
2. Kitheka Simon Kioko, Chief Officer, Department of Trade and External Relations
3. Mr. Mutua Tobias Mutuku, Chief Officer, Department of Economic Planning.

Thank you, Madam Speaker.

Hon. Speaker: Thank you very much, Mheshimiwa. May I invite Hon. Eric Musembi, Chairperson, Culture and Tourism Committee? You are welcome Mheshimiwa.

Hon. Eric Musembi (Kola/Muumandu, PICK): Thank you, Madam Speaker. Hon. Speaker, I wish to lay the following Paper on the Table of the Assembly today, Friday, 6th January, 2023; the Report of the Culture and Tourism Committee on the vetting of nominee for appointment as Chief Officer for the Department of Culture and Tourism. Thank you.

Hon. Speaker: Thank you very much, Mheshimiwa. May I invite Hon. Benjamin Kyule, Chairperson, Social Welfare and Sports Committee? You are welcome Mheshimiwa. Proceed.

Hon. Benjamin Kyule (Lower Kaewa, WDM-K): Thank you, Madam Speaker. Hon. Speaker, I wish to lay the following Paper on the Table of the Assembly today, Friday, 6th January, 2023; the Report of the Social Welfare and Sports Committee on the vetting of two nominees for appointment as Chief Officers for the Department of Youth and that of Gender, Sports and Social Welfare. Thank you.

Hon. Speaker: Thank you very much, Mheshimiwa. May I invite Hon. Muoki Musila, Chairperson, Transport, Roads and Public Works Committee?

Hon. Muoki Musila (Ndithini, WDM-K): Thank you, Madam Speaker. Hon. Speaker, I wish to lay the following Paper on the Table of the Assembly today, Friday, 6th January, 2023; the Report of the Transport, Roads and Public Works Committee the vetting of two nominees for appointment as Chief Officers for the Department of Public Works and that of Roads and Transport. Thank you.

Hon. Speaker: Thank you very much, Mheshimiwa. I am sorry Mheshimwa Mwonga; it was inadvertent and was not deliberate. I take this opportunity and welcome you Hon. Joshua Mwonga, Chairperson, Labour, Public Service and ICT Committee.

Hon. Joshua Mwonga (Masinga Central, WDM-K): Thank you, Madam Speaker. Hon. Speaker, I wish to lay the following Paper on the Table of the Assembly today, Friday, 6th January, 2023; the Report of the Labour, Public Service and ICT Committee the vetting of two nominees for appointment as Chief Officers for the Department of Public Service and Performance Management and that of the Office of the Governor. Thank you, Madam Speaker.

Hon. Speaker: Thank you very much, Mheshimiwa. May I invite Hon. Daniel Muindi, Chairperson, Water and Irrigation Committee? Welcome, Mheshimiwa.

Hon. Daniel Muindi (Muthesya, WDM-K): Hon. Speaker, I wish to lay the following Paper on the Table of the Assembly today, Friday, 6th January, 2023; the Report of the Water and Irrigation Committee on the vetting of nominee for appointment as Chief Officer for the Department of Water, Sanitation and Irrigation. Thank you, Madam Speaker.

Hon. Speaker: Thank you very much, Mheshimiwa. May I invite Hon. Grace Bahati, Chairperson, Education Committee. You are welcome, Hon. Bahati.

Hon. Grace Bahati (Kyeleni, IND): Thank you, Madam Speaker. Hon. Speaker, I wish to lay the following Paper on the Table of the Assembly today, Friday, 6th January, 2023; the Report of the Education Committee on the vetting of nominee for appointment as Chief Officers for the Department of ECDE and Vocational Training and that Education. Thank you, Madam Speaker.

Hon. Speaker: Thank you very much, Mheshimiwa. Next Order.

(The Papers were laid on the Table)

NOTICES OF MOTIONS

Hon. Speaker: There are 14 Notices to be give and we will take you through them. The first Notice of Motion will be by Hon. Dominic Ndambuki, Chairperson, Budget and Appropriation Committee. Proceed.

REPORT OF THE FIRST MACHAKOS COUNTY SUPPLEMENTARY BUDGET ESTIMATES FOR FY 2022/23

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Thank you, Madam Speaker. Hon. Speaker, I wish to give notice of Motion THAT, this House adopts the Report of the Budget and Appropriations Committee on the first Machakos County Supplementary Budget Estimates for FY 2022/23 laid on the Table of the House on Friday, 6th January, 2023 and pursuant to the provisions of Article 223 of the Constitution of Kenya, Section 135(2) of Public Finance Management Act, 2012 and Standing Order 186 this House approves the first Machakos County Supplementary Budget Estimates for FY 2022/23.

Hon. Speaker: Thank you, Hon. Member. The second Notice of Motion is by Hon. Daniel Ndwiki, Chairperson, Lands and Energy Committee.

CONSIDERATION OF NOMINEES FOR APPOINTMENT AS CHIEF OFFICERS IN DEPARTMENT OF LANDS AND ENERGY

Hon. Daniel Ndwiki (Mlolongo/Syokimau, WDM-K): Hon. Speaker, I wish to give notice of Motion THAT, this House adopts the Report of the Lands and Energy Committee on the vetting of nominees for appointment as Chief Officers, laid on the Table of the House on Friday, 6th January, 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of the following persons as Chief Officers:

1. Mr. Anthony Mutuku Mutunga, Chief Officer, Lands; and
2. Mr. Simon Kirima Muraguri, Chief Officer, Energy.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member. The third Notice of Motion is by Hon. Vincent Mutie, Chairperson, Health and Emergency Services Committee.

CONSIDERATION OF NOMINEES FOR APPOINTMENT AS CHIEF OFFICERS
IN DEPARTMENT OF MEDICAL SERVICES AND THAT OF PUBLIC HEALTH

Hon. Vincent Mutie (Upper Kaewa/ Iveti): Thank you, Hon. Speaker. Hon. Speaker, I wish to give notice of Motion THAT, this House adopts the Report of the Health and Emergency Services Committee on the vetting of nominees for appointment as Chief Officers, laid on the Table of the House on Friday, 6th January, 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of the following persons as Chief Officers:

1. Dr. Miiyenda Wickliffe, Chief Officer, Medical Services.
2. Mr. Kala Mohammed Rashid, Chief Officer, Public Health.

Thank you.

Hon. Speaker: Thank you, Hon. Member. The next Notice of Motion is by Hon. Charles Mbuva, Chairperson, Agriculture Committee.

CONSIDERATION OF NOMINEES FOR APPOINTMENT AS
CHIEF OFFICERS, DEPARTMENT OF AGRICULTURE AND FOOD
SECURITY AND THAT OF CO-OPERATIVE DEVELOPMENT

Hon. Charles Mbuva (Kangundo West, GDDP): Thank you, Madam Speaker. Hon. Speaker, I wish to give notice of Motion THAT, this House adopts the Report of the Agriculture Committee on the vetting of nominees for appointment as Chief Officers, laid on the Table of the House on Friday, 6th January 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of the following persons as Chief Officers:

1. Mr. Muiya Andrew Mwema, Chief Officer, Agriculture and Food Security
2. Mr. Ngumbau Mutiso Benedict, Chief Officer, Co-operative Development

Thank you.

Hon. Speaker: Thank you, Hon. Member. The next one is by Hon. John Brian Kisila, Chairperson, Decentralized Units and County Administration Committee.

CONSIDERATION OF NOMINEES FOR APPOINTMENT AS CHIEF OFFICERS,
DEPARTMENT OF COUNTY ADMINISTRATION AND DECENTRALIZED
UNITS, DEPARTMENT OF INSPECTORATE, FIRE FIGHTING
AND EMERGENCY SERVICES AND THAT OF URBAN DEVELOPMENT

Hon. Brian Kisila (Makutano/Mwala, MCCP): Thank you, Madam Speaker. Hon. Speaker, I wish to give notice of Motion THAT, this House adopts the Report of the Decentralized Units and County Administration Committee on the vetting of nominees for appointment as Chief Officers, laid on the Table of the House on Friday, 6th January 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of

the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of the following persons as Chief Officers:

1. Ms. Maureen Mwendu Maingi, Chief Officer, County Administration and Decentralized Units
2. Col. Gedion Mbithi, Chief Officer, Inspectorate, Fire-fighting and Emergency Services
3. Mr. Paul Mawili Wambua, Chief Officer, Urban Development.

Thank you, Madam Speaker.

CONSIDERATION OF NOMINEES FOR APPOINTMENT AS CHIEF OFFICERS, DEPARTMENT OF FINANCE AND THAT OF REVENUE MANAGEMENT

Hon. Speaker: Thank you, Mheshimiwa. The next Notice of Motion is by Hon. Francis Kitaka, Chairperson, Finance and Revenue Collection Committee.

Hon. Francis Kitaka (Ndalani, WDM-K): Thank you, Madam Speaker. Hon. Speaker, I wish to give notice of Motion THAT, this House adopts the Report of the Finance and Revenue Collection Committee on the vetting of nominees for appointment as Chief Officers, laid on the Table of the House on Friday, 6th January 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of the following persons as Chief Officers:

1. Mr. Adipo Collins Otieno, Chief Officer, Finance
2. Mr. Mike Jace- Chief Officer, Revenue Management

Thank you, Madam Speaker

Hon. Speaker: Thank you. The next one is by Hon. Fredrick Kitetu, Chairperson, Environment and Natural Resources Committee.

CONSIDERATION OF NOMINEES FOR APPOINTMENT AS CHIEF OFFICERS, DEPARTMENT OF ENVIRONMENT AND THAT OF CLIMATE CHANGE

Hon. Catharine Kyee (Nominated, WDM-K): Thank you, Madam Speaker. Hon. Speaker, I wish to give notice of Motion THAT, this House adopts the Report of the Environment and Natural Resources Committee on the vetting of nominees for appointment as Chief Officers, laid on the Table of the House on Friday, 6th January 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of the following persons as Chief Officers:

1. Mr. Metho Benson Kituku, Chief Officer, Environment
2. Mr. Mulei Stephen Kyalo, Chief Officer, Climate Change.

Thank you, Madam Speaker.

Hon. Speaker: Thank you very much. The next Notice of Motion is by Hon. Jeremiah Kaloi, Chairperson, Trade, Industrialization and Economic Planning Committee.

CONSIDERATION OF NOMINEES FOR APPOINTMENT AS CHIEF OFFICERS, DEPARTMENT OF ECONOMIC PLANNING, DEPARTMENT OF INDUSTRY AND INNOVATION AND THAT OF TRADE AND EXTERNAL RELATIONS

Hon. Jeremiah Kaloi (Athi River, WDM-K): Thank you, Madam Speaker. Hon. Speaker, I wish to give notice of Motion THAT, this House adopts the Report of the Trade, Industrialization and Economic Planning Committee on the vetting of nominees for appointment as Chief Officers, laid on the Table of the House on Friday, 6th January 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of the following persons as Chief Officers:

1. Mr. Mutua Tobias Mutuku, Chief Officer, Economic Planning;
2. Mr. Munyao Joseph Mutwiwa, Chief Officer, Industry and Innovation;
3. Kithaka Simon Kioko, Chief Officer, Trade and External Relations.

Hon. Speaker: Thank you, Mheshimiwa. The next Notice of Motion is by Hon. Eric Musembi, Chairperson, Culture and Tourism Committee.

CONSIDERATION OF NOMINEE FOR APPOINTMENT AS CHIEF OFFICER, DEPARTMENT OF CULTURE AND TOURISM

Hon. Eric Musembi (Kola/Muumandu, PICK): Hon. Speaker, I wish to give notice of Motion THAT, this House adopts the Report of the Culture and Tourism Committee on the vetting of nominee for appointment as Chief Officer, laid on the Table of the House on Friday, 6th January 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of Mr. Vincent Muendo Musili as Chief Officer, Culture and Tourism.

Hon. Speaker: Thank you, Mheshimiwa. May I invite Hon. Benjamin Kyule, Chairperson, Social Welfare and Sports Committee to give the Notice.

CONSIDERATION OF NOMINEES FOR APPOINTMENT AS CHIEF OFFICERS, DEPARTMENT OF YOUTH AND THAT OF GENDER SPORTS AND SOCIAL WELFARE

Hon. Benjamin Kyule (Lower Kaewa, WDM-K): Thank you, Madam Speaker. Hon. Speaker, I wish to give notice of Motion THAT, this House adopts the Report of the Social Welfare and Sports Committee on the vetting of nominees for appointment as Chief Officers, laid on the Table of the House on Friday, 6th January 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of the following persons as Chief Officers:

1. Mr. Kinyae Bruce Isika, Chief Officer, Youth
2. Ms. Kioko Bernice Mueni, Chief Officer, Gender, Sports and Social Welfare.

Hon. Speaker: Thank you, Mheshimiwa. May I invite Hon. Joshua Mwonga, Chairperson, Labour, Public Service and ICT Committee to give his Notice.

CONSIDERATION OF NOMINEES FOR APPOINTMENT AS CHIEF OFFICERS, DEPARTMENT OF PUBLIC SERVICE AND PERFORMANCE MANAGEMENT AND THAT OF THE OFFICE OF THE GOVERNOR

Hon. Joshua Mwonga (Masinga Central, WDM-K): Hon. Speaker, I wish to give notice of Motion THAT, this House adopts the Report of the Labour Public Service and ICT Committee on the vetting of nominees for appointment as Chief Officers, laid on the Table of the House on Friday, 6th January 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of the following persons as Chief Officers:

1. Mr. Mwanza Lawrence Maingi, Chief Officer, Public Service and Performance Management
2. Ms. Mercy Ndululu Mutua, Chief Officer, Office of the Governor.

Thank you, Madam Speaker.

Hon. Speaker: Thank you very much, Mheshimiwa. I invite Hon. Muoki Musila, Chairperson, Transport, Roads and Public Works Committee to give the Notice.

CONSIDERATION OF NOMINEES FOR APPOINTMENT AS CHIEF OFFICERS, DEPARTMENT OF PUBLIC WORKS AND THAT OF ROADS AND TRANSPORT

Hon. Muoki Musila (Ndithini, WDM-K): Hon. Speaker, I wish to give notice of Motion THAT, this House adopts the Report of the Transport, Roads and Public Works Committee on the vetting of nominees for appointment as Chief Officers, laid on the Table of the House on Friday, 6th January 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of the following persons as Chief Officers:

1. Mr. Papaa Koin Lompo, Chief Officer, Public Works
2. Mr. Kasivu Justus Musau, Chief Officer, Roads and Transport.

Hon. Speaker: Thank you, Mheshimiwa. May I invite Hon. Daniel Muindi, Chairperson, Water and Irrigation Committee?

CONSIDERATION OF NOMINEE FOR APPOINTMENT AS CHIEF OFFICER, DEPARTMENT OF WATER, SANITATION AND IRRIGATION

Hon. Daniel Muindi (Muthesya, WDM-K): Thank you, Hon. Speaker. Hon. Speaker, I wish to give notice of Motion THAT, this House adopts the Report of the Water and Irrigation Committee on the vetting of nominee for appointment as Chief Officer, laid on the Table of the House on Friday, 6th January 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of Mr. Guliye Abdullahi Yunis as Chief Officer, Water, Sanitation and Irrigation.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Mheshimiwa. The next Notice is by Hon. Grace Bahati.

CONSIDERATION OF NOMINEE FOR APPOINTMENT AS CHIEF OFFICER,
DEPARTMENT OF ECDE AND VOCATIONAL TRAINING AND THAT OF EDUCATION

Hon. Grace Bahati (Kyeleni, IND): Thank you, Madam Speaker. Hon. Speaker, I wish to give notice of Motion THAT this House adopts the Report of the Education Committee on the vetting of nominees for appointment as Chief Officers, laid on the Table of the House on Friday, 6th January 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of the following persons as Chief Officers:

1. Mr. Charles Kyalo Mutinda, Chief Officer, ECDE and Vocational Training
2. Mr. Simba Simon Mwako, Chief Officer, Education.

BILL

(First Reading)

THE MACHAKOS COUNTY SUPPLEMENTARY APPROPRIATION
BILL, 2022 (MACHAKOS COUNTY BILLS NO.6)

*(Order for First Reading read - Read the First Time - Ordered
to be read the Second Time today)*

SPECIAL MOTIONS

CONSIDERATION OF NOMINEES FOR APPOINTMENT AS
CHIEF OFFICERS IN DEPARTMENT OF LANDS AND ENERGY

Hon. Speaker: May I call Hon. Daniel Ndwiki to proceed and move his Motion.

Hon. Daniel Ndwiki (Mlolongo/Syokimau, WDM-K): Hon. Speaker, I wish to move the Motion THAT, this House adopts the Report of the Lands and Energy Committee on the vetting of nominees for appointment as Chief Officers, laid on the Table of the House on Friday, 6th January 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of the following persons as Chief Officers:

1. Mr. Anthony Mutuku Mutunga, Chief Officer, Department of Lands; and
2. Mr. Simon Kirima Muraguri, Chief Officer, Department of Energy.

I call upon Hon. Rosina to second the Motion.

Hon. Speaker: Hon. Rosina proceed.

Hon. Rosina Kanini (Nominated, WDM-K): Thank you, Madam Speaker. I do second.

Hon. Speaker: Thank you very much, Mheshimiwa.

(Question proposed)

I now invite Members to debate this Motion.

(Question put and agreed to)

(Applause)

CONSIDERATION OF NOMINEES FOR APPOINTMENT AS CHIEF OFFICERS
IN DEPARTMENT OF MEDICAL SERVICES AND THAT OF PUBLIC HEALTH

Hon. Speaker: May I call Hon. Vincent Mutie to proceed and move his Motion.

Hon. Vincent Mutie (Upper Kaewa/ Iveti): Thank you. Hon. Speaker, I wish to move the Motion THAT, this House adopts the Report of the Health and Emergency Services Committee on the vetting of nominees for appointment as Chief Officers, laid on the Table of the House on Friday, 6th January 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of the following persons as Chief Officers:

1. Dr. Miyianda Wickliffe, Chief Officer, Medical Services
2. Mr. Kala Mohammed Rashid, Chief Officer, Public Health.

Madam Speaker, I would call the Vice-Chair of the Committee to second this Motion.

Proceed Vice-Chair. What is the name of the Vice-Chair?

Hon. Vincent Mutie (Upper Kaewa/ Iveti): The name of the Vice-Chair is Hon. Ndunda.

Hon. Speaker: Hon. Ndunda, it is your time.

Hon. Mathew Ndunda (Kangundo North, IND): Thank you, Madam Speaker. I second.

(Question proposed)

I wish to invite Members to debate this Motion.

(Question put and agreed to)

(Applause)

Next order, Clerk.

CONSIDERATION OF NOMINEES FOR APPOINTMENT AS CHIEF

OFFICERS, DEPARTMENT OF AGRICULTURE AND FOOD
SECURITY AND THAT OF CO-OPERATIVE DEVELOPMENT

Hon. Speaker: May I call Hon. Charles Mbuva, Chairperson, Agriculture Committee. to proceed and move the Motion.

Hon. Charles Mbuva (Kangundo West, GDDP): Thank you, Madam Speaker. Hon. Speaker, I wish to move the Motion THAT, this House adopts the Report of the Agriculture Committee on the vetting of nominees for appointment as Chief Officers, laid on the Table of the House on Friday, 6th January 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of the following persons as Chief Officers:

1. Mr. Muiya Andrew Mwema, Chief Officer, Agriculture and Food Security
 2. Mr. Ngumbau Mutiso Benedict, Chief Officer, Co-operative Development.
- May I call upon Hon. Catherine Muia to second.

Hon. Speaker: Hon. Muia.

Hon. Catherine Muia (Nominated, WDM-K): Thank you, Madam Speaker. I second.

Hon. Speaker: Thank you, Hon. Catherine.

(Question proposed)

I now invite Members to debate this Motion.

(Question put and agreed to)

(Applause)

Next Order.

CONSIDERATION OF NOMINEES FOR APPOINTMENT AS CHIEF OFFICERS,
DEPARTMENT OF COUNTY ADMINISTRATION AND DECENTRALIZED
UNITS, DEPARTMENT OF INSPECTORATE, FIRE FIGHTING AND EMERGENCY
SERVICES AND THAT OF URBAN DEVELOPMENT

Hon. Speaker: May I call upon Hon. Brian Kisila, Chairperson, Decentralized Units and County Administration Committee to move the Motion.

Hon. Brian Kisila (Makutano/Mwala, MCCP): Thank you, Madam Speaker. Hon. Speaker, I wish to move the Motion THAT, this House adopts the Report of the Decentralized Units and County Administration Committee on the vetting of nominees for appointment as Chief Officers, laid on the Table of the House on Friday, 6th January 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this

House approves the appointment of the following persons as Chief Officers:

1. Ms. Maureen Mwendu Maingi, Chief Officer, County Administration and Decentralized Units
2. Col. Gideon Mbithi, Chief Officer, Inspectorate, Fire-fighting and Emergency Services
3. Mr. Paul Mawili Wambua, Chief Officer, Urban Development.

May I call upon my able Vice-Chairman Hon. Joseph Mulinge to second the Motion?

Hon. Speaker: Hon. Joseph Mulinge, proceed.

Hon. Joseph Mulinge (Muvuti/Kiima Kimwe, MCCC): Thank you, Madam Speaker. These nominees performed excellently during the interviews. Again, gender balanced was considered by the appointing authority. I second the Motion.

Hon. Speaker: Thank you, Hon. Member.

(Question proposed)

I now invite Members to debate this Motion.

(Question put and agreed to)

(Applause)

Next Order.

CONSIDERATION OF NOMINEES FOR APPOINTMENT AS CHIEF OFFICERS,
DEPARTMENT OF FINANCE AND THAT OF REVENUE MANAGEMENT

Hon. Speaker: May I call upon Hon. Francis Kitaka, Chairperson, Finance and Revenue Collection Committee.

Hon. Francis Kitaka (Ndalani, WDM-K): Thank you, Madam Speaker. Hon. Speaker, I wish to move the Motion THAT, this House adopts the Report of the Finance and Revenue Collection Committee on the vetting of nominees for appointment as Chief Officers, laid on the Table of the House on Friday, 6th January 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of the following persons as Chief Officers:

1. Mr. Adipo Collins Otieno, Chief Officer, Finance
2. Mr. Mike Jace, Chief Officer, Revenue Management.

I call upon my able Vice-Chairperson Hon. Paul Wambua to second. Thank you.

Hon. Speaker: Hon. Paul Wambua, proceed.

Hon. Paul Wambua (Kiabuni, PTP): Thank you, Madam Speaker and my able Chairman and Happy New Year. I second the Motion based on the relevant academic qualifications of the nominees and experience. Thank you, Madam Speaker.

(Applause)

(Question proposed)

I now invite Members to debate this Motion.

(Question put and agreed to)

(Applause)

Next Order.

CONSIDERATION OF NOMINEES FOR APPOINTMENT AS CHIEF OFFICERS,
DEPARTMENT OF ENVIRONMENT AND THAT OF CLIMATE CHANGE

Hon. Speaker: May I call upon Hon. Fredrick Kitetu, Chairperson, Environment and Natural Resources Committee to move the Motion.

Hon. Fredrick Kitetu (Ikombe, WDM-K): Thank you, Madam Speaker. Hon. Speaker, I wish to move the Motion THAT, this House adopts the Report of the Environment and Natural Resources Committee on the vetting of nominees for appointment as Chief Officers, laid on the Table of the House on Friday, 6th January, 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of the following persons as Chief Officers:

1. Mr. Metho Benson Kituku, Chief Officer, Environment.
2. Mr. Mulei Stephen Kyalo, Chief Officer, Climate Change.

May I call upon Hon. Ndawa to second the Motion.

Hon. Speaker: Hon. Ndawa, proceed.

Hon. Mbili Ndawa (Matuu, MCCP): Thank you, Madam Speaker. Based on the requirements which were set, the nominees mentioned in this Motion met the requirements and therefore I second the Motion. Thank you.

(Applause)

(Question proposed)

I now invite Members to debate the Motion.

(Question put and agreed to)

(Applause)

Next Order.

CONSIDERATION OF NOMINEES FOR APPOINTMENT AS CHIEF OFFICERS, DEPARTMENT OF ECONOMIC PLANNING, DEPARTMENT OF INDUSTRY AND INNOVATION AND THAT OF TRADE AND EXTERNAL RELATIONS

Hon. Speaker: May I call upon Hon. Jeremiah Kaloi, Chairperson, Trade, Industrialization and Economic Planning Committee to proceed and move the Motion.

Hon. Jeremiah Kaloi (Athi River, WDM-K): Hon. Speaker, I wish to move the Motion THAT, this House adopts the Report of the Trade, Industrialization and Economic Planning Committee on the vetting of nominees for appointment as Chief Officers, laid on the Table of the House on Friday, 6th January 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of the following persons as Chief Officers:

1. Mr. Mutua Tobias Mutuku, Chief Officer, Economic Planning
2. Mr. Muniyao Joseph Mutwiwa, Chief Officer, Industry and Innovation
3. Kitheka Simon Kioko, Chief Officer, Trade and External Relations.

May I call upon Hon. Irene Mulu to second the Motion.

Hon. Speaker: Hon. Irene Mulu, proceed.

Hon. Irene Mulu (Nominated, WDM-K): Thank you, Madam Speaker. The nominees met the criteria that was set and therefore I second the Motion.

(Applause)

(Question proposed)

Hon. Mbili Ndawa (Matuu, MCCP): Point of order, Madam Speaker.

Hon. Speaker: Proceed.

PROCEDURAL MOTION
EXTENSION OF SITTING TIME

Hon. Mbili Ndawa (Matuu, MCCP): Thank you, Madam Speaker. I am rising on Standing Order 27

Madam Speaker, that aware Standing Order 27(2) provides that the Speaker, can interrupt business of the House at 12.30 p.m. for the morning sitting; It says that the the morning sitting be conducted from 10.00 to 12.30 p.m. and considering the business on the Order Paper so I am proposing that the House resolves to extend its sitting until the business is properly completed.

Thank you, Madam Speaker.

(Applause)

I call upon Hon. Stephen Mwanthi who is the Deputy Speaker to second the Motion.

Hon. Speaker: Hon. Stephen Mwanthi, proceed.

Hon. Stephen Mwanthi (Ekalakala, WDM-K): Thank you, Madam Speaker. I second the Motion.

Hon. Speaker: Thank you, Members.

(Question proposed)

(Question put and agreed to)

(Applause)

We may proceed.

(The House resumed business as per the Order Paper)

(Question put and agreed to)

Next Order.

CONSIDERATION OF NOMINEE FOR APPOINTMENT AS CHIEF OFFICER,
DEPARTMENT OF CULTURE AND TOURISM

Hon. Speaker: May I call upon Hon. Eric Musembi, Chairperson, Culture and Tourism Committee.

Hon. Eric Musembi (Kola/Muumandu, PICK): Hon. Speaker, I wish to move the Motion THAT, this House adopts the Report of the Culture and Tourism Committee on the vetting of nominee for appointment as Chief Officer, laid on the Table of the House on Friday, 6th January 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of Mr. Vincent Muendo Musili as Chief Officer, Department of Culture and Tourism.

I call on Hon. Dee Kivuva to second the Motion.

Hon. Speaker: Proceed, Hon. Dee Kivuva.

Hon. Mutisya Kivuva (Nominated, WDM-K): Thank you, Madam Speaker. Willingly and without being coerced, I second.

(Laughter)

Hon. Speaker: Thank you, Mheshimiwa. Willingly indeed!

(Applause)

(Question proposed)

I now invite Members to debate the Motion.

(Question put and agreed to)

(Applause)

Next Order.

CONSIDERATION OF NOMINEES FOR APPOINTMENT AS CHIEF OFFICERS,
DEPARTMENT OF YOUTH AND THAT OF GENDER SPORTS AND SOCIAL WELFARE

Hon. Speaker: May I call upon Hon. Benjamin Kyule, Chairperson, Social Welfare and Sports Committee to proceed and move that Motion.

Hon. Benjamin Kyule (Lower Kaewa, WDM-K): Thank you, Madam Speaker. Hon. Speaker, I wish to move the Motion THAT, this House adopts the Report of the Social Welfare and Sports Committee on the vetting of nominees for appointment as Chief Officers, laid on the Table of the House on Friday, 6th January, 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of the following persons as Chief Officers:

1. Mr. Kinyae Bruce Isika, Chief Officer, Youth
2. Ms. Kioko Bernice Mueni, Chief Officer, Gender, Sports and Social Welfare

I call on my Vice Hon. Boniface Katiti to second the Motion.

Hon. Speaker: Hon. Boniface Katiti proceed.

Hon. Boniface Katiti (Muthetheni, UDA): Thank you, Madam Speaker. I second the Motion.

Hon. Speaker: Thank you, Mheshimiwa.

(Applause)

(Question proposed)

I now invite Members to debate the Motion.

(Question put and agreed to)

(Applause)

Next Order.

CONSIDERATION OF NOMINEES FOR APPOINTMENT AS CHIEF OFFICERS,
DEPARTMENT OF PUBLIC SERVICE AND PERFORMANCE MANAGEMENT
AND THAT OF THE OFFICE OF THE GOVERNOR

Hon. Speaker: May I call upon Hon. Joshua Mwonga, Chairperson, Labour Public Service and ICT Committee to move the Motion.

Hon. Joshua Mwonga (Masinga Central, WDM-K): Thank you, Madam Speaker. Hon. Speaker, I wish to move the Motion THAT, this House adopts the Report of the Labour Public Service and ICT Committee on the vetting of nominees for appointment as Chief Officers, laid on the Table of the House on Friday, 6th January 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of the following persons as Chief Officers:

1. Mr. Mwanza Lawrence Maingi, Chief Officer, Public Service and Performance Management
2. Ms. Mercy Ndululu Mutua, Chief Officer, Office of the Governor.

Madam Speaker, allow I would break from the tradition of calling the Vice Chairs to second and call an bale Member of this Committee Hon. Anastasia to second this Motion.

(Applause)

Hon. Speaker: Hon. Anastasia, it is your time.

Hon. Anastasia Nundu (Nominated, WDM-K): Thank you, Madam Speaker. I second the Motion.

(Applause)

Hon. Speaker: Thank you, Hon. Anastasia

(Applause)

(Question proposed)

I now invite Members to debate the Motion.

(Question put and agreed to)

(Applause)

Next Order.

CONSIDERATION OF NOMINEES FOR APPOINTMENT AS CHIEF OFFICERS,
DEPARTMENT OF PUBLIC WORKS AND THAT OF ROADS AND TRANSPORT

Hon. Speaker: May I call upon Hon. Muoki Musila, Chairperson, Transport, Roads and Public Works Committee.

Hon. Muoki Musila (Ndithini, WDM-K): Thank you, Madam Speaker. Hon. Speaker, I wish to move the Motion THAT, this House adopts the Report of the Transport, Roads and Public Works Committee on the vetting of nominees for appointment as Chief Officers, laid on the Table of the House on Friday, 6th January 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of the following persons as Chief Officers:

1. Mr. Papaa Koin Lompo, Chief Officer, Public Works
 2. Mr. Kasivu Justus Musau, Chief Officer, Roads and Transport
- I call on my Vice-Chair to second the Motion. Hon. Munywoki.

Hon. Speaker: Mheshimiwa Munywoki.

Hon. Julis Munywoki (Matungulu East, UDA): Thank you, Madam Speaker. I second the Motion for candidates having met the required standards and qualifications.

Hon. Speaker: Thank you, Hon. Member.

(Question proposed)

I now invite Members to debate the Motion.

(Question put and agreed to)

(Applause)

Next Order.

CONSIDERATION OF NOMINEE FOR APPOINTMENT AS CHIEF OFFICER,
DEPARTMENT OF WATER, SANITATION AND IRRIGATION

Hon. Speaker: May I call upon Hon. Daniel Muindi, Chairperson, Water and Irrigation Committee.

Hon. Daniel Muindi (Muthesya, WDM-K): Thank you, Madam Speaker. Hon. Speaker, I wish to move the Motion THAT, this House adopts the Report of the Water and Irrigation Committee on the vetting of nominee for appointment as Chief Officer, laid on the Table of the House on Friday, 6th January 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies

Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of Mr. Guliye Abdullahi Yunis as Chief Officer, Department of Water, Sanitation and Irrigation.

I call on Hon. Rosina to second the Motion.

Hon. Speaker: Hon. Rosina, proceed.

Hon. Rosina Kanini (Nominated, WDM-K): Thank you, Madam Speaker. I stand here with my full chest to second the Motion.

(Applause)

Hon. Speaker: The chest is really full indeed.

(Laughter)

(Question proposed)

I now invite Members to debate the Motion.

(Question put and agreed to)

(Applause)

Next Order.

CONSIDERATION OF NOMINEE FOR APPOINTMENT AS CHIEF OFFICER,
DEPARTMENT OF ECDE AND VOCATIONAL TRAINING AND THAT OF EDUCATION

Hon. Speaker: May I call upon Hon. Grace Bahati to proceed and move the Motion.

Hon. Grace Bahati (Kyeleni, IND): Hon. Speaker, I wish to move the Motion THAT, this House adopts the Report of the Education Committee on the vetting of nominees for appointment as Chief Officers, laid on the Table of the House on Friday, 6th January 2023 and pursuant to the provisions of Section 45 of County Governments Act, 2012, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 190(5)(f), this House approves the appointment of the following persons as Chief Officers:

1. Mr. Charles Kyalo Mutinda, Chief Officer, ECDE and Vocational Training;
2. Mr. Simba Simon Mwako, Chief Officer, Education.

I call on my Vice-Chair Hon. Phoebe Koki to second the Motion. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Hon. Phoebe Koki proceed.

Hon. Phoebe Koki (Nominated, MCCP): Thank you, Hon. Speaker. I do second the nominees because they had the qualifications needed for these two posts. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Phoebe.

(Question proposed)

I now invite Members to debate the Motion.

(Question put and agreed to)

(Applause)

Hon. Members, at this point I wish to *suspend* the House for 15 minutes at least for a health break and then come back to proceed with the rest of the agenda. Thank you, Hon. Members.

(The House was suspended at 12.20 p.m.)

(The House resumed at 12.57 p.m.)

MOTION

APPROVAL OF THE FIRST MACHAKOS COUNTY SUPPLEMENTARY BUDGET ESTIMATES FOR THE FINANCIAL YEAR 2022/2023

Hon Speaker: May I invite Hon. Dominic Ndambuki to proceed and move that motion.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Hon. Speaker, I wish to move the motion THAT this House adopts the report of the Budget and Appropriations committee on the First Machakos County Supplementary Budget Estimates for fiscal year 2022/2023 laid on the Table of the House on Friday, 6th January, 2023 and pursuant to Article 223 of the Constitution of Kenya, Section 135(2) of the Public Finance Management Act of 2012 and Standing Order 186, this House approves the first Machakos County supplementary Budget Estimates for fiscal year 2022/2023. Hon. Speaker I wish to call upon Hon. Justus Kasanga to second.

Hon Speaker: Hon. Justus Kasanga, proceed.

Hon. Justus Mutuku (Wamunyu, PTP): I second.

(Question proposed)

Hon. Francis Ngunga (Mua, MCCP): Point of Order

Hon. Speaker: Yes Hon. Ngunga.

Hon. Francis Ngunga (Mua, MCCP): Thank you, Madam Speaker, for giving me this opportunity. I think Madam Speaker, as a point of routine and procedure, I would like to ask for your guidance because we have had this report with us for the better part of the morning and I think Members have interacted with this report and I think we had an opportunity to even interact at the committee level so that Madam Speaker, we seek your guidance so that we request the chairman to just go straight and we probably look at the committee recommendations and observations so that we can be able to proceed to the Committee of the Whole House. Thank you Madam Speaker.

Hon Speaker: Thank you Hon. Ngunga for that guidance. I will ask the Hon. Member the Chair to give briefly maybe just go to the recommendations and the observations. Members are saying they have the report with them for the better part.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Thank you Hon. Speaker and also for the interest of preparing the Hansard report allow me Madam Speaker to also in my submission go on record by giving the overview and the proposed changes Hon Speaker.

Hon Speaker: Proceed.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K):

1.0 OVERVIEW

Hon Speaker, the FY 2022/23 First Supplementary Budget was received on 16th December, 2022 and committed to the Budget and Appropriation Committee. The Supplementary Budget is prepared in accordance with section 135(2) of the Public Finance Management Act 2012 which stipulates that a County Government shall submit a Supplementary Budget in support of the additional expenditure to seek authority for spending, through the County Assembly. The law provides that an Appropriation Act can only be amended through a supplementary budget.

The Machakos County First supplementary budget for FY 2022/23, seeks to amend the FY 2022/23 Appropriation Act to accommodate the following;

1. Adjusting the equitable share from Ksh. 9,162,304,232 to Ksh. 9,895,288,567 being an accommodation of balances carried forward for FY 2021/2022 of Ksh. 732,984,335.
2. Adjusting the conditional grants from Ksh. 610,440,182 to Ksh. 891,892,118, additional grants of Ksh. 82,133,818 and balances carried forward for FY 2021/2022 of Ksh. 199,318,118.
3. Payment of pending bills and tax arrears.
4. Task forces.

1.1 Mandate of the Committee

Hon Speaker, the Budget and Appropriations committee derives its mandate from standing order No. 186 (3) (a) which states that:

“There shall be a select Committee to be known as the County Budget and Appropriations Committee which is mandated to, investigate, inquire into and report on all matters related to coordination, control and monitoring of the County budget”.

Further, the standing order mandate the committee to; Investigate, inquire into and report on all matters related to coordination, control and monitoring of the county budget; discuss and review the estimates and make recommendations to the Assembly; Examine the County Budget Policy Statement presented to the Assembly; Examine Bills related to the county budget, including Appropriations Bills; and evaluate tax estimates, economic and budgetary policies and programmes with direct budget outlays.

Hon Speaker, the main objective of the committee is to ensure that public funds are well utilized and that the public realizes value for money in all government expenditures.

1.2 Committee membership

Hon Speaker, the Committee of Budget and Appropriation as constituted by this Hon. Assembly comprises of the following members: -

- | | |
|--------------------------|--------------------|
| 1. Hon. Dominic Ndambuki | - Chairperson |
| 2. Hon. Justus Mutuku | - Vice Chairperson |
| 3. Hon. Judas Ndawa | - Member |
| 4. Hon. Phoebe Koki | “ |
| 5. Hon. Peter Kilonzo | “ |
| 6. Hon. Nicholas Nzioka | “ |
| 7. Hon. Stephen Mwanthi | “ |
| 8. Hon. Margaret Ndalana | “ |
| 9. Hon. Winfred Mutua | “ |

SECRETARIAT

1. Ms. Evelyn Kimote -Senior Clerk Assistant
2. Ms. Mary Nzembi -Clerk Assistant
3. Mr. Sylvester Nzangi - Senior Fiscal Analyst
4. Mr. Shadrach Mbithi -Fiscal Analyst
5. Ms. Margaret Wania – Legal Officer

1.3 Overview of the first supplementary budget estimates

Hon Speaker the First Supplementary Budget Estimates for financial year 2022/2023 is proposing an increase in the approved budget by Ksh. 1,014,436,271. The development budget has increased by Ksh. 282,507,339 while on the other hand the recurrent spending has increased by Ksh. 731,928,932. It is indicated that the Supplementary Budget has been necessitated by the need to take care of the following: -

- Increase in equitable share
- Increase in Donor funding/grants
- Payment of pending bills and KRA tax arrears
- Rationalization of the budget among others

The Committee notes that this Supplementary Budget has subjected the County Budget to expenditure increases;

- Development budget by Ksh. 282,507,339
- Recurrent budget by Ksh. 731,928,932

1.4 Adherence to legal provisions

The format, structure and content of the supplementary budget is as stipulated in legal documents like the Kenya Constitution 2010, Article 201 the PFM Act, 2012 Section 135(2) Regulations.

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Some gaps have been observed in the First Supplementary Budget for FY 2022/2023.

Particularly, in regard to format, content and structure of the documents. These are as follows: -

- i Section 135 of the PFM Act, 2012 limits the County Assembly reallocation in a Supplementary Budget to not more than 10 per cent of the approved budget estimates of a program of some votes unless it is for unforeseen and unavoidable need as defined in section 112 of the PFM Act, 2012. PFM Regulation 39(9) further expounds on this legal provision. The County Treasury has not adhered to this legal provision.
- ii Some new items have been introduced in the supplementary budget contrary to Regulation 40(8) of FPM Regulations, 2015 for instance legal and compensation payments in the Department of Trade amounting to Ksh. 47.5M, current transfers for youth training of Ksh. 19M.
- iii The PFM Act, 2012 stipulates that the County Government shall adopt the PBB with effect from the FY 2014/2015. The National Treasury issued a circular showing the format of the PBB which includes vote number, title, vision, mission, performance overview, rationale of funding, strategic objectives, summary of programs by key outputs, performance indicators and targets, summary of expenditure by programs and sub programs, summary of expenditure by vote and economic classification, summary of expenditure by programs, sub programs and economic classification and finally summary of human resources requirements. A scrutiny of the PBB submitted to the County Assembly show that some details are missing for instance a summary of human resource requirements table.

1.5 Key proposed changes

- i The Supplementary Budget is proposing to increase the resource envelope from Ksh. 11,596,315,959 to Ksh. 12,610,752,230.
- ii The Supplementary Budget is proposing to increase the recurrent budget from Ksh. 8,088,468,725 to Ksh. 8,820,397,657.
- iii It further proposes to increase the development expenditure from Ksh. 3,507,847,234 to Ksh. 3,790,354,573.

Hon. Speaker, under the recurrent budget the major changes are coming from the following;

1. Office of the Governor - increase by Ksh. 40M
2. County Public Service Board - increase by Ksh. 8M
3. Department of Transport, Roads and public works – increase by 59M
4. Department of Health and Emergency Services – increase by Ksh. 208,770,000
5. County Assembly – increase by Ksh. 182,720,000
6. Department of Finance and Economic Planning – increase by Ksh. 50,823,433
7. Department of Public Service, Quality Management and ICT –increase by Ksh. 42,272,670
8. Department of Tourism, Youth, Sports and Culture– increase by Ksh. 20M
9. Department of Trade, Industrialization and Innovation – increase by Ksh. 47.5M
10. Department of Education, Skills Training, Social welfare and Civic empowerment – increase by Ksh. 28.5M
11. Department of Energy, Lands, Housing and Urban Development – increase by Ksh. 29,392,732.
12. Department of County Administration and Decentralized Units -increase by Ksh. 14,950,097.

Under the development budget the major changes are coming from the following Departments:

1. Office of the Governor - increase by Ksh. 5M
2. County Public Service Board – decrease by Ksh. 21M
3. Road, Transport and Public Works – decrease by Ksh. 317,852,088
4. Health and Emergency Services – increase by Ksh. 272,572,987
5. Water, irrigation, Environment, Climate Change and Natural Resources – Increase by Ksh. 32,973,308
6. Agriculture, Food Security and Cooperative Development – Increase by Ksh. 85,656,327
7. Finance and Economic Planning – increase by Ksh. 207,312,177
8. Public Service, Quality Management and ICT –increase by Ksh. 17M
9. Tourism, Youth, sports and Culture – increase by Ksh. 1M
10. Trade, industrialization and Innovation – decrease by Ksh. 2,595,687
11. Education, Skills Training and social Welfare – increase by Ksh. 83M
12. Energy, Lands, Housing and Urban Development- decrease by Ksh. 115,022,868
13. County Administration and Decentralized Units – increase by Ksh. 34,463,183.
- 14.

1.6 Financing the first supplementary budget estimates 2022/2023

1. Own source

The County Government has retained its own source revenue at Ksh. 1,690,079,199.

2. Equitable share

Pursuant to Article 202 (1) of the Constitution, the equitable share allocated to the County Government of Machakos in the FY 2022/2023 based on the revenue raised nationally has increased by Ksh. 732,984,335, being an accommodation of previous financial year's balances, to Ksh. 9,895,288,567.

3. Conditional Grants

The conditional grants have increased from Ksh. 610,440,182 to Ksh. 891,892,118. This will be applied to fund both recurrent and development expenditures.

4. NHIF Reimbursements

The County Government has retained the NHIF reimbursements at Ksh. 133,492,346.

1.7 Expenditure

Hon Speaker, with the proposed increase of the total revenue by Ksh. 1,014,436,271, the total expenditure for the County Government of Machakos stands at Ksh. 12,610,752,230 consisting of: -

- a) Recurrent expenditure of Ksh. 8,820,397,657 to cater for personnel emoluments, Ksh. 6,133,034,504, operations and maintenance expenses Ksh. 2,587,780,338 and current transfers of Ksh. 99,582,816. The resultant effect is an increase by Ksh. 731,928,932 from the approved budget for the FY 2022/2023.
- b) Development expenditure of Ksh. 3,790,354,573 constituting capital transfers of Ksh. 792,309,301 and acquisition of assets amounting to Ksh. 2,998,045,271, the effect being an increase by Ksh. 282,507,339 from the approved budget estimates for FY 2022/2023. This translates to a development ratio of 30 per cent while the personnel emolument ratio stands at

49 per cent . The development ratio complies with fiscal responsibility principle which requires the same to be at least 30 per cent while the ratio on personnel emoluments is more than the set threshold of 35 per cent of the total revenue.

1.8 Submissions from CECM Finance and Chief Finance Officer of County Assembly

Hon. Speaker after thorough scrutiny of the first supplementary budget estimates 2022/2023, the Committee invited the County Executive Committee Member (CECM) in charge of Finance and Economic Planning and also the Chief Finance Officer of the County Assembly to clarify on the adjustments from various vote-heads.

The CECM informed the Budget Committee that the movement was informed by the need to make some adjustment to cater for emerging issues such as food security, hospital supplies and to align the budget with the new administration policies and planning framework.

The County Assembly Chief Finance Officer reported that the supplementary was to accommodate the members car loan, mortgage and motor vehicle reimbursement funds.

Hon. Speaker the Committee considered and adopted the submission by the CECM Finance and Chief Finance Officer of the County Assembly.

2.0 COMMITTEE BUDGET HIGHLIGHTS AND RECOMMENDATIONS

Hon Speaker,

The Committee hereby highlights the main Supplementary Budget proposals per each department and recommends as follows:

2.1 Office of the Governor

Hon Speaker, the Office of the Governor has an approved budget of Ksh. 566,479,033 which constitutes of Ksh. 14,334,385 for development and Ksh. 552,144,648 for recurrent.

The County Treasury proposes to increase the recurrent budget by Ksh. 40,000,000 from Ksh. 552,144,648 to Ksh. 592,144,648 being the effect Program 1: (Coordination and supervisory services – Office of the Governor Hqs) increase by Ksh. 30,000,000, for field operational allowance, of Ksh. 10m, office and general supplies of Ksh. 10m and other operating expenses of Ksh. 10m; and under programme 5: hospitality services section of Ksh. 10m. The proposed increase to the Development Budget by Ksh. 5M from Ksh. 14,334,385 to Ksh. 19,334,385 affects program 1: Office of the Governor (HQ) construction of buildings.

The committee recommends that the office of the Governor be allocated Ksh. 19,334,385 for development and Ksh. 592,144,648 for recurrent expenditure respectively.

2.2 Department of Public Service, Quality Management and ICT

Hon Speaker, the approved budget for the department of Public Service, Quality Management and ICT is Ksh. 360,467,324 which constitutes of Ksh. 36,187,652 for development and Ksh. 324,279,672 for recurrent.

The County Treasury proposes to increase the total recurrent budget estimates for the department by Ksh. 42,272,671 from 324,279,672 to Ksh. 366,552,343 being an effect of an increase in program 1: General Administration and Support Services by Ksh. 38,877,670, program 2: Quality Management, decrease by Ksh. 280,000 Program 3: Training, Research and Development decrease by 220,000, program 4: ICT, General Administration and Support Services increase by Ksh. 5,120,000, program 5: ICT infrastructure, decrease by Ksh. 825,000 and CCTV decrease by Ksh. 400,000. In the development budget the County Treasury proposes

an increase by Ksh. 17M from Ksh. 36,187,652 to Ksh. 53,187,652 being an effect in program 1: general administration and support services.

The Committee recommends that the recurrent expenditure be revised to Ksh. 366,552,343 and Ksh. 53,187,652 for development expenditure as per the County Treasury's proposal.

2.3 Department of Trade, Industrialization and Innovation

Hon Speaker, the department of Trade, Industrialization and Innovation has an approved budget of Ksh. 279,901,303 which constitutes of Ksh. 180,556,594 for development and Ksh. 99,344,709 for recurrent.

The County Treasury proposes to increase the total recurrent budget estimates for the department by Ksh. 47.5M from Ksh. 99,344,709 to Ksh. 146,844,709 being an effect in program 1: HQ administrative service by Ksh. 4,659,050, program 2: trade development decrease by Ksh. 670,000, program 3: business and enterprise development increase by Ksh. 204,600, program 4: industrialization and innovation, decrease by Ksh. 200,000, program 5: investment facilitation and support, decrease by Ksh. 2,443,650, program 6: hygiene and sanitation, decrease by Ksh. 1,550,000 and program 7: legal services increase by Ksh. 47.5m. In the development budget the County Treasury proposes to reduce the budget by Ksh. 2,595,687 from Ksh. 180,556,594 to Ksh. 177,960,907 being an effect of a decrease in program 1: trade development by Ksh. 27,583,182, program 2: business and enterprise development increase by shs 17.4m and program 4: industrial development increase Ksh. 7,587,495.

Hon Speaker, the committee recommends that recurrent expenditure in the department be revised to Ksh. 146,844,709 and development expenditure to Ksh. 177,960,907 as per the County Treasury's proposal.

2.4 Department of County Administration and Decentralized Units

Hon Speaker, in the department of County Administration and Decentralized Units Portfolio, the approved budget was Ksh. 494,990,736 which constitutes of Ksh. 16,434,617 for development and Ksh. 478,556,119 for recurrent expenditure.

The County Treasury proposes total recurrent budget estimates for the department to increase by Ksh. 14,950,097 from 478,556,119 to Ksh. 493,506,216 being an effect of a decrease in program 1: general administration and support services by Ksh. 500,000, program 2: civic engagement increase by Ksh. 300,000, program 3: administration and coordination services, increase by Ksh. 200,000 and increase in program 5: inspectorate services and management by Ksh. 14,950,097. In the development budget the County Treasury proposes to increase it by Ksh. 23,965,183 from Ksh. 16,434,617 to Ksh. 40,397,800 being an effect of increase in program 1: general administration and support services by Ksh. 14,760,900 and increase in program 3: forensic and inspectorate services by Ksh. 9,202,283.

Hon Speaker, the committee recommends that the recurrent expenditure in the department be revised to Ksh. 493,506,216 and development budget to Ksh. 40,397,800.

2.5 Department of Finance and Economic Planning

Hon Speaker, in the department of Finance and Economic Planning the approved budget is Ksh. 540,338,883 constituting of Ksh. 63,747,742 for development and Ksh. 476,591,141 for recurrent.

The County Treasury proposes to increase the total recurrent budget estimates for the department by Ksh. 50,823,433 from Ksh. 476,591,141 to Ksh. 527,414,574 being an effect of increase in

program 2: budget formulation, coordination and implementation by Ksh. 14,380,665, program 3: supply chain management services increase by Ksh. 2,715,218, program 4: accounting services, increase by Ksh. 8,441,439, program 5: auditing services increase by Ksh. 10m, program 6: human resource management and support services increase by Ksh. 1,886,111 and program 7: economic planning and statistical services, increase by Ksh. 13.4m. In the development budget, the County Treasury proposes to increase the budget by Ksh. 207,312,176 from Ksh. 63,747,742 to Ksh. 271,059,918 being an effect of increase in program 1: resource mobilization by Ksh. 62,339,690, program 2: budget formulation coordination and implementation increase by Ksh. 35m, program 3: audit services decrease by Ksh. 5.5m, program 5: accounts services increase by Ksh. 107,195,545, program 6: economic planning and statistical services, increase by Ksh. 3,276,942 and increase in program 7: general administration by Ksh. 5m.

The committee recommends that the recurrent budget of the department be revised to Ksh. 527,414,574 and development budget to Ksh. 271,059,918.

2.6 Department of Water, Irrigation, Environment, Climate Change and Natural Resources

Hon Speaker, the department of Water, Irrigation, Environment, Climate Change and Natural Resources has an approved budget of Ksh. 555,001,081 which constituted of Ksh. 444,254,627 for development and Ksh. 110,746,454 for recurrent.

The County Treasury proposes that the total recurrent budget estimates for the department remains unchanged at Ksh. 110,746,454 and to increase development budget by Ksh. 32,973,308 from Ksh. 444,254,627 to Ksh. 477,227,935 being an effect of an increase in program 1: water supply and sewerage by Ksh. 114,654,400, program 2: water resources management and storage increase by Ksh. 7,702,079, program 3: irrigation schemes and development increase by Ksh. 48m, program 4: general administration and support services a decrease by Ksh. 175,807,471 and program 5: environment and natural resources an increase of Ksh. 38,424,300.

Hon Speaker, the committee recommends that recurrent expenditure in the department be retained at shs.110,746,454 and development expenditure in the department be increased to Ksh. 477,227,935.

2.7 Department of Agriculture, Food Security and Cooperative Development

Hon Speaker, the department of Agriculture, Food Security and Cooperative Development has an approved budget of Ksh. 830,668,780 which constitutes of Ksh. 456,080,148 for Development and Ksh. 374,588,632 for Recurrent.

The County Treasury proposes that the total recurrent budget estimates for the department be retained at Ksh. 374,588,632 and proposes to increase the development budget by Ksh. 96,156,327 from Ksh. 456,080,148 to Ksh. 552,236,475 being an effect of increase of program 1: general administration and support services, program 2: crop development and management and program 5: veterinary services by Ksh. 49,756,327, Ksh. 23.4m and Ksh. 23m respectively.

Hon Speaker, the committee recommends that recurrent expenditure in the department be retained at Ksh. 374,588,632 and the development expenditure be increased to Ksh. 552,236,475.

2.8 Department of Health and Emergency Services

Hon Speaker, the approved budget for the department of Health and Emergency Services is Ksh. 4,168,319,129 constituting of development expenditure of Ksh. 452,528,294 and Ksh. 3,715,790,835 for recurrent.

The County Treasury is proposing to increase the recurrent budget estimates for the department by Ksh. 208,770,000 from Ksh. 3,715,790,835 to Ksh. 3,924,560,835 being an effect of an increase in program 1: general administration and support services by Ksh. 22m, program 2: Machakos Level V, increase by Ksh. 189,403,736, a decrease in program 7: Kimiti level IV, program 8: Masinga Level IV, Program 9: Athi River Level IV and program 10: Mutituni Level IV by Ksh. 438,956 each, program 11: Ndithini Level IV decrease by Ksh. 475,706 and program 12: Kalama Level IV a decrease by Ksh. 402,206. In the development budget the County Treasury proposes to increase the budget by Ksh. 272,572,987 from Ksh. 452,528,294 to Ksh. 725,101,281 being an effect of an increase in program 1: general administration by Ksh. 188,572,987, program 2: Machakos Level V increase by Ksh. 59m, program 6: Mwala Level IV a decrease by Ksh. 10m, program 8: Masinga Level IV an increase by Ksh. 5m, program 9: Athi River Level IV an increase by Ksh. 20m and program 14: emergency services an increase by Ksh. 10m.

Hon Speaker, the committee recommends that recurrent expenditure of the department be increased to Ksh. 3,924,560,835 and development expenditure to Ksh. 725,101,281.

2.9 Department of Transport, Roads and Public Works

Hon Speaker, the department of Transport, Roads and Public Works has an approved budget of Ksh. 1,140,256,240 which constitutes of Ksh. 942,342,158 for Development and Ksh. 197,914,082 for recurrent.

The County Treasury proposes to increase the total recurrent budget estimates for the department by Ksh. 59M from Ksh. 197,914,082 to Ksh. 256,914,082 being an effect of an increase in program 1: Hq administration services of Ksh. 100,000, program 3: county government building services, a decrease by Ksh. 100,000 and an increase in program 4: county fleet management of Ksh. 59m. In the development budget the County Treasury proposes to reduce the budget for the Department by Ksh. 317,852,088 from Ksh. 942,342,158 to Ksh. 624,490,070 being an effect of a decrease in program 1: general administration and support services by Ksh. 50m, program 2: road development and management decrease by Ksh. 247,852,088 and a reduction of program 3: county government building services by Ksh. 20m.

Hon Speaker, the committee recommends that the recurrent expenditure of the department be increased to Ksh. 256,914,082 and that the development expenditure be reduced to Ksh. 624,490,070.

2.10 Department of Education, Skills Training, Social Welfare and Civic Empowerment

Hon Speaker, the Department of Education, Skills Training, Social Welfare and Civic Empowerment has an approved budget of Ksh. 582,432,446 which constitutes of Ksh. 153,460,588 on development and Ksh. 428,971,858 for recurrent expenditure.

The County Treasury proposes to increase the total recurrent budget estimates for the department by Ksh. 28.5M from Ksh. 428,971,858 to Ksh. 457,471,858 being an effect of increase in

program 2: youth development services by Ksh. 19m and program 3: gender and social services increase by Ksh. 9.5. In the development budget the County Treasury proposed to increase it by Ksh. 83M from Ksh. 153,460,588 to Ksh. 236,460,588 being an effect of increase in program 1: Hq general administration services, program 2: basic education and program 3: youth development services by Ksh. 500,000, Ksh. 4.5m and Ksh. 78m respectively.

Hon Speaker the committee recommends that recurrent expenditure for the department be revised upward to Ksh. 457,471,858 and further recommends that development expenditure be revised to Ksh. 236,460,588.

2.11 Department of Energy, Lands, Housing and Urban Development

Hon Speaker, the department of Energy, Lands, Housing and Urban Development has an approved budget of Ksh. 421,377,314 which constitutes of Ksh. 262,317,219 for development and Ksh. 159,060,095 for recurrent.

The County Treasury proposes to increase the total recurrent budget estimates for the department by Ksh. 29,392,732 from Ksh. 159,060,095 to Ksh. 188,452,827 being an effect of an increase of program 1: Hq administration services, Ksh. 15,450,000, program 3: housing and urban development, increase by Ksh. 3,942,732, program 4: Machakos municipality, increase by Ksh. 3m, program 5: Mavoko Municipality increase by Ksh. 5m and program 6: Kangundo-Tala Municipality increase by Ksh. 2m. In the development budget the County Treasury proposes to reduce the budget by Ksh. 115,022,868 from Ksh. 262,317,219 to Ksh. 147,294,391 being an effect of a decrease in program 2: lands and physical planning Ksh. 16m and program 3: housing and urban development a decrease by Ksh. 99,022,868.

Hon Speaker, the committee recommends that the recurrent expenditure for the department be revised to Ksh. 188,452,827 and further recommends that development expenditure be revised to Ksh. 147,294,391.

2.12 Department of Tourism, Youth, Sports and Culture

Hon Speaker, the department of Tourism, Youth, Sports and Culture has an approved budget of Ksh. 238,608,052 which constitutes of Ksh. 125,990,459 on development and Ksh. 112,617,593 on recurrent expenditure.

The County Treasury proposes to increase the total recurrent budget estimates for the department by Ksh. 20M from Ksh. 112,617,593 to Ksh. 132,617,593 being an effect of an increase in program 11: Sports promotion. In the development budget, the County Treasury proposes to increase the budget by Ksh. 1M from Ksh. 125,990,459 to Ksh. 126,990,459 being an effect of an increase in program 1: Tourism development and marketing by Ksh. 8m, program 2: management of recreational facilities a decrease by 16.5m and programme 6: Sports increase by Ksh. 9.5m.

Hon. Speaker, the committee recommends that recurrent expenditure for the department be revised to Ksh. 132,617,593 and further recommends that development expenditure for the department be revised to Ksh. 126,990,459.

2.13 County Public Service Board

Hon. Speaker, the County Public Service Board has an approved budget of Ksh. 91,849,457 which constituted of Ksh. 41,112,751 on development and Ksh. 50,736,706 on recurrent.

The County Treasury proposes an increase for the total recurrent budget estimates for the Board by Ksh. 8M from Ksh. 50,736,706 to Ksh. 58,736,706 being an effect of an increase in

programme 1: human resource and administration. In the development budget, the County Treasury proposes to reduce the Board's Budget by Ksh. 21M from Ksh. 41,112,751 to Ksh. 20,112,751 being an effect of a decrease in programme 1: human resource and administration.

Hon. Speaker, the Committee recommends that recurrent expenditure of the County Public Service Board be revised to Ksh. 58,736,706 and the Development be revised to Ksh. 20,112,751.

2.14 County Assembly

Hon. Speaker, the County Assembly has an approved budget of Ksh. 1,325,626,181 which constitutes of Ksh. 318.5M for development and Ksh. 1,007,126,181 for recurrent expenditure. The County Treasury proposes that the recurrent budget estimates for the County Assembly be increased from Ksh. 1,007,126,181 to Ksh. 1,189,846,181 being an effect of increase in program 10: other transfers by Ksh. 182,720,000. This is a provision for Ksh. 132,720,000 motor vehicle reimbursement and additional Ksh. 50M for MCAs loans. Further the County Treasury is proposing to retain the Assembly's development budget at Ksh. 318.5M.

The committee recommends that the County Assembly development budget be retained at Ksh. 318.5M and Recurrent budget be increased to Ksh. 1,189,846,181.

3.0 EFFECTS OF THE SUPPLEMENTARY BUDGET

Hon. Speaker, the overall effect of these proposed changes is a revision of the approved budget from Ksh. 11,596,315,959 to Ksh. 12,610,752,230. A further analysis shows that the recurrent expenditure will increase by Ksh. 731,928,932 while development expenditure will increase by Ksh. 282,507,339. This translates to recurrent expenditure of 70 per cent and development expenditure of 30 per cent . Compensation to employees stands at Ksh. 6,133,034,504 translating to 49 per cent of the total revenue. This supplementary budget is therefore in compliance with fiscal responsibility principles set out under section 107(2) (b) of the PFM Act, 2012 except on compensation to employees which exceeds the 35 per cent set threshold.

Hon. Speaker, in accommodating the recommendations by the Budget and Appropriations Committee, the expenditure framework shall be Ksh. 3,790,354,573 (30 per cent) development, Recurrent Kshs. 8,820,397,657 (70 per cent) and Compensation to Employees shall be Ksh. 6,133,034,504 translating to 49 per cent of the total revenue.

4.0 GENERAL COMMITTEES OBSERVATIONS

1. Reallocations in various departments are more than the stipulated 10 per cent in the Public Finance Management Regulations 39(9) which states that "in approving any estimates, under Section 135 and 154 the County Assembly approval shall not exceed 10 per cent of the approved budget estimates of a program, of a sub vote unless it is for an unforeseen and unavoidable need." For instance, in the following departments; County Administration and Decentralized units under recurrent expenditure an increase of Ksh. 112,841,291 is more than 10 per cent above the approved budget. The law allows the County Assembly to approve a higher percentage in particular on special circumstance as stipulated under section 135 (7) of the PFM Act.

2. A provision for payment of pending bills amounting to Ksh. 100M. The County Treasury needs to provide a list of the bills after payment so that the committee can ascertain clearance of the said pending bills.
3. There is a provision of legal fees and compensation payments of Ksh. 47.5M. The County Treasury needs to provide more details of the same after clearing of the pending legal fees
4. The committee observed a major reduction in the department of Roads, Transport and Public Works development budget by Ksh. 317,852, 088 and recommends that the remaining budget be prioritized to on-going projects and rural access roads.
5. Emergency Fund budget of Ksh. 40M which translates to 0.3 per cent against the recommended 2 per cent of the total revenue. In the current FY the emergency fund should be at Ksh. 252m however the County Treasurer provided for Ksh. 40m. The County Treasury should provide a status on the establishment of the emergency fund Board and general implementation of the Emergency Fund regulations, 2021. The County Treasury should allocate emergency more funds to mitigate drought and any future emergency.
6. Compensation to employees remains high at 49 per cent against the stipulated 35 per cent .
7. A provision for payment of tax arrears amounting to Ksh. 15,195,544.

5.0 COMMITTEE RECOMMENDATIONS

Hon. Speaker, the committee observed and recommends that;

1. The Committee was not provided with year to date actual expenditure reviews and IFMIS vote book to ascertain the need for reallocations in the departments. The expenditure details/ column is ever missing in budgetary documents forwarded and never availed as requested. The same provides details on spending and reason for reallocations to the committee. The committee lacks details to explain to this Hon. Assembly on how much the executive has spent to date. The committee recommends that the County Treasury adheres to Article 183 (3) of the Constitution of Kenya that provides that the County Executive Committee member shall provide the County Assembly with full and regular reports on matters relating to the County.
2. The committee had, in the previous budgets send requests to the CECM Finance to create votes for development projects for each ward. The committee reiterates for creation of the votes and that projects be committed early in the year and on timely basis considering the flow of funds from the exchequer
3. The committee recommends that the funds allocated for Emergency fund be increased to comply with the set threshold in the PFM Act, 2012.
4. The committee recommends that the procurement process for development projects be initiated early enough at the start of the financial year in order to achieve the desired development budget uptake and ensure completion of the earmarked projects before the financial year ends.
5. The committee recommends that personnel emolument ratio for staff to be reduced from the current 49 per cent to 35 per cent as required in the PFM Act, 2012. The County Treasurer needs to come with strategies of overcoming this violation.
6. The committee recommends that pending bills be paid from their respective departments based on the recommendation of the pending bills task force.

7. The provision for legal compensation payments should be supported by a list and a court ruling authorizing payment for the same.
8. The committee recommends that no commitment should be made without availability of funds in the respective vote ends. This will reduce the issue of pending bills which has been there year in year out.
9. The committee recommends the CECM Finances negotiates with the donor of the funds allocated for locust emergency response to allow the funds to be utilized in the mitigation of the Fall Army Worms which have invaded farms within the County.
10. The Committee recommends that the County Treasury avoids reallocation which are more than 10 per cent of the approved budget and in case of any unavoidable reason, authority be sought for such movements.
11. The Committee further recommends that the PBB be resubmitted including all the missing information as per the budget circular.
12. The Committee notes that the County Treasury has not adhered to the budget circular guidelines as submitted to the Assembly eg CBROP which was to be submitted in October and has not been forwarded to date. This is a contravention of the law and puts the County at a risk of being denied funds by the Controller of Budget as these are requisite documents in requisitioning funds from the County Revenue Fund.
13. The Committee recommends priority be given to the on-going and stalled projects before initiating new ones.

6.0 CONCLUSION

Hon. Speaker, the approval of the FY 2022/23 Supplementary budget shall increase the absorption rate of the County and avoid carrying forward balances that have been witnessed in the previous years.

7.0 ACKNOWLEDGEMENT

Hon. Speaker, the Budget and Appropriations Committee acknowledges the Office of the Speaker and the Clerk of the County Assembly for facilitating the Committee to undertake this exercise. I wish to express my appreciation to the Hon. Members of the Committee who sacrificed their time to participate in the meetings and in preparation of this report.

Hon. Speaker, it is therefore my privilege, on behalf of the Budget and Appropriations Committee to table the FY 2022/23 First Supplementary Budget before this Hon. House for consideration and approval.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you Hon. Dominic Ndambuki for that report.

(Question proposed)

I now invite Members to debate the motion.

Hon. Members: Put the Question.

Hon. Speaker: Thank you, Members.

(Question put and agreed to)

(Applause)

BILL

(Second Reading)

THE MACHAKOS COUNTY SUPPLEMENTARY APPROPRIATION
BILL, 2022 (MACHAKOS COUNTY BILLS NO.6)

Hon Speaker: May I invite Hon. Dominic Ndambuki to proceed.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Thank you, Hon. Speaker. Pursuant to Standing Order 121(1), I beg to move the motion that Machakos County Supplementary Appropriation Bill, 2022 No. 6 be read a second time. Thank you Hon. Speaker. Contained in the Bill are some of the changes that have been requested by the County Treasury notably to allow for increment of monies under the health department and to cater for some funds for the County Assembly. I wish to call Hon. Judas Ndawa to second.

Hon. Speaker: Proceed and second.

Hon. Mbili Ndawa (Matuu, MCCP) seconded.

Hon. Speaker: Thank you, Hon. Ndawa for seconding.

(Question proposed)

Hon. Speaker: I invite Members to discuss the Machakos County Supplementary Appropriation Bill, 2022.

Hon. Members: Put the Question.

Hon. Speaker: I call the mover of the motion to proceed.

Hon. Ndambuki (Kathiani Central, WDM-K): Thank you, Hon. Speaker and the entire House for the approval of the Second Reading.

Hon. Speaker: Thank you.

(Question put and agreed to)

*(The Bill was read a Second Time and committed to a Committee
of the Whole House today by leave of the House)*

(Then)

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

[Hon. Speaker left the Chair]

IN THE COMMITTEE

[Hon. Chairperson (Hon. Stephen Mwanthi) took the Chair]

THE MACHAKOS COUNTY SUPPLEMENTARY APPROPRIATION
BILL, 2022 (MACHAKOS COUNTY BILLS NO.6)

Hon. Chairperson: Thank you Hon. Members. We may now proceed with the Committee of the Whole.

(Clause 2 agreed to)

(Clause 3 agreed to)

FIRST SCHEDULE
Recurrent Expenditure

(Schedules R0001, R0002, R0003 and R0004 agreed to)

Schedule R0005

Hon. Chairperson: I propose that Schedule R0005 be part of the Bill.

Hon. Dominic Ndambuki (Kathiani, WDM-K): I move that Schedule R0005 be amended:-

- a) **In R0005** as relates to County Administration and Decentralized Units Recurrent Portfolio—
- (i) By deleting the figure “14,950,097” relating to “recurrent expenses of the County Administration and Decentralized Units portfolio and substituting therefor the figure “14,950,096” as relates to the increase/decrease in Ksh. ;
 - (ii) By deleting the figure “493,506,216” relating to “recurrent expenses of the County Administration and Decentralized Units portfolio and substituting therefor the figure “493,506,215” as relates to the Revised Budget 1 in Ksh. ;;
 - (iii) In “P05 Inspectorate Services and Management” by deleting the figure “14,750,097” and substituting therefor the figure “14,950,096” as relates to the increase/decrease in Ksh. ;
 - (iv) In “P05 Inspectorate Services and Management” by deleting the figure “17,750,097” and substituting therefor the figure “17,750,096” as relates to the Revised Budget 1 in Ksh. ;

(Question of the amendment proposed)

Hon. Mutisya Kivuva (Nominated, WDM-K): If I am getting it right, the Clerk at the Table is saying 005 but when you take over, you say 0005; you are adding a zero. I do not know why?

(Laughter)

Hon. Chairperson: Thank you. It is a good question and the Clerk at the Table is telling me the zeros should be three. Thank you. Yes Mheshimiwa Johana.

Hon. Johana Munyao (Mutituni/Ngelani, MCCP): Thank you. The amendments indicated, to me seem to have a difference of a shilling. I do not know whether it was a correction of some arithmetic error or whether it has anything to do with transfer of funds from one vote to another, because I am seeing the changes of figures we are deleting and inserting have a difference of one shilling.

Hon. Chairperson: Chairperson Budget, you can probably respond to that?

Hon. Dominic Ndambuki (Kathiani, WDM-K): R0005 is what we have in the Bill. We are using the Bill and R0005 is the total under department of County Administration and Decentralized Units. So there are proposed changes which is an increase of Ksh. 14,950,097. There are changes so the total moves from Ksh. 478,556,119 to 493,506,216.

Hon. Chairperson: So we can proceed. I hope Hon. Member you have been answered.

(Question, that the schedule R0005 be amended as proposed, put and agreed to)

(Schedule R0005 as amended agreed to)

(Schedule R0006 as amended agreed to)

Schedule R0007

Hon. Chairperson: I propose that Schedule R0007 be part of the Bill.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): I move that Schedule R0007 be amended -

(i) In “P02 Machakos Level 5” by deleting the figure “353,238,104” and substituting therefor the figure “353,238,105” as relates to the Revised Budget 1 in Ksh. ;

(Question of the amendment proposed)

(Question, that the Schedule R0007 be amended as proposed, put and agreed to)

(Schedule R0007 as amended agreed to)

(Schedule R0008, R0009, R0010, R0011, R0012 and R0013 agreed to)

Schedule R0014

Hon. Chairperson: I propose that the Schedule R0014 be part of the Bill.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): I move that Schedule R0014 be amended;

- (i) In “P01 HR, Administration and Coordination Services” by inserting the figure “(500,000)” as relates to the increase/decrease in Ksh. ;
- (ii) In “P01 HR, Administration and Coordination Services” by deleting the figure “312,341,673” and substituting therefor the figure “311,841,673” as relates to the Revised Budget 1 in Ksh. ;
- (iii) In “P03 Legal, Library and Research Services” by inserting the figure “500,000” as relates to the increase/decrease in Ksh. ;
- (iv) In “P03 Library, Library and Research Services” by deleting the figure “8,500,000” and substituting therefor the figure “9,000,000” as relates to the Revised Budget 1 in Ksh. ;
- (v) In “P05 Legislative Services” by inserting the figure “(5,000,000)” as relates to the increase/decrease in Ksh. ;
- (vi) In “P05 Legislative Services” by deleting the figure “278,506,551” and substituting therefor the figure “273,506,551” as relates to the Revised Budget 1 in Ksh. ;
- (vii) In “P06 Procedure and Committee Services” by inserting the figure “5,000,000” as relates to the increase/decrease in Ksh. ;
- (viii) In “P06 Procedure and Committee Services” by deleting the figure “114,000,000” and substituting therefor the figure “119,000,000” as relates to the Revised Budget 1 in Ksh. ;

(Question of the amendment proposed)

(Question that Schedule R0014 be amended as proposed, put and agreed to)

(Schedule R0014 as amended agreed to)

(Totals for recurrent agreed to)

SECOND SCHEDULE
Development Expenditure

(Schedule D0001, D0002 and D0003 agreed to)

Schedule D0004

Hon. Chairperson: I propose the question that Schedule D0004 be part of the Bill.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): I move that Schedule D0004 be amended;

- (i) In “P05 Accounting Services” by deleting the figure “107,195,545” and substituting therefor the figure “107,195,544” as relates to the increase/decrease in Ksh. ;
- (ii) In “P05 Accounting Services” by deleting the figure “117,445,545” and substituting therefor the figure “117,445,544” as relates to the Revised Budget 1;
- (iii) In “P06 Economic Planning and Statistical Services” by deleting the figure “3,276,942” and substituting therefor the figure “3,276,943” as relates to the increase/decrease in Ksh. ;
- (iv) In “P06 Economic Planning and Statistical Services” by deleting the figure “20,293,884” and substituting therefor the figure “20,293,885” as relates to the Revised Budget 1;

(Question of the amendment proposed)

(Question, that the Schedule D0004 be amended as proposed, put and agreed to)

(Schedule D0004 as amended agreed to)

Schedule D0005

Hon. Chairperson: I propose the question that Schedule D0005 be part of the Bill.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): I move that Schedule D0005 be amended;

- (i) By deleting the figure “34,463,183” relating to “Development Expenses of County Administration and Decentralized units Development portfolio” and substituting therefor the figure “23,963,183” as relates to the increase/decrease in Ksh. ;
- (ii) By deleting the figure “50,879,800” relating to “Development Expenses of County Administration and Decentralized units Development portfolio” and substituting therefor the figure “40,397,800” as relates to the Revised Budget 1 in Ksh. ;
- (iii) In “P03 Forensics and Inspectorate Services” by deleting the figure “19,702,283” and substituting therefor the figure “9,202,283” as relates to the increase/decrease in Ksh. ;
- (iv) In “P03 Forensics and Inspectorate Services” by deleting the figure “20,748,122” and substituting therefor the figure “10,248,122” as relates to the Revised Budget 1;

(Question of the amendment proposed)

Hon. Francis Ngunga (Mua, MCCP): I propose that each schedule is read independently because here is a law that we are making so that you do not have to say from here to here. Because in between here, there can be a lot of insertions. Let us read each clause independently.

Hon. Chairperson: Okay Mheshimiwa.

(Laughter)

Let us proceed Hon. Members and Hon. Ngunga we are considering that.

(Question, that the Schedule D0005 be amended as proposed, put and agreed to)

(Schedule D0005 as amended agreed to)

Schedule D0006

Hon. Chairperson: I propose the question that Schedule D0006 be part of the Bill.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): I move that Schedule D0006 be amended;

- (i) By deleting the figure “85,656,327” relating to “Development Expenses of Agriculture, Food Security and Co – operative Development portfolio” and substituting therefor the figure “96,156,327” as relates to the increase/decrease in Ksh. ;
- (ii) By deleting the figure “541,736,475” relating to “Development Expenses of Agriculture, Food Security and Co – operative Development portfolio” and substituting therefor the figure “552,736,475” as relates to the Revised Budget 1 in Ksh. ;
- (iii) In “P01 General Administration and Support Services” by deleting the figure “39,256,327” and substituting therefor the figure “49,756,327” as relates to the increase/decrease in Ksh. ;
- (iv) In “P01 General Administration and Support Services” by deleting the figure “383,174,921” and substituting therefor the figure “393,674,921” as relates to the Revised Budget 1;

(Question of the amendment proposed)

(Question, that the Schedule D0006 be amended as proposed, put and agreed to)

(Schedule D0006 as amended agreed to)

(Schedule D0007, D0008, D0009, D0010, D0011, D0012, D0013, D0014 agreed to)

(Totals for development agreed to)

(Grand total agreed to)

(Long Title agreed to)

(Short Title agreed to)

(Clause 1 agreed to)

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Mr. Chairman, I beg to move that the Committee do report to the House its consideration of the Machakos County Supplementary Appropriation Bill No. 6 of 2022 and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

(The House resumed)

[Hon. Speaker in the Chair]

REPORT AND THIRD READING

THE MACHAKOS COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2022 (MACHAKOS COUNTY BILLS NO.6)

Hon. Speaker: May I now call upon the Chair of Chairs Hon. Stephen Mwanthi to proceed.

Hon. Stephen Mwanthi (Ekalakala, WDM-K): Thank you, Hon. Speaker. I wish to report that the committee of the whole house has considered the Machakos County Supplementary Appropriations Bill No. 6 of 2022 and has approved amendments.

Hon. Speaker: May I call upon the Hon. Dominic Ndambuki the mover to proceed.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Hon. Speaker, I beg to move that the House do agree with the committee in the said report. I wish to call upon Hon. Justus Mulwa to second.

Hon. Speaker: Proceed, Hon. Justus Mulwa.

Hon. Justus Mutuku (Wamunyu, PTP): Thank you, Madam Speaker. I wish to second that the House agrees with the committee in the said report. Thank you, Madam Speaker.

(Question proposed)

(Question put and agreed to)

Hon. Speaker: May I call upon Hon. Dominic Ndambuki to proceed.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Thank you, Hon. Speaker. Pursuant to Standing Order 131(2), I wish to move the motion that the Machakos County Supplementary Appropriation Bill, 2022 (Machakos County Bills No.6) be now read a

third time. Thank you, Hon. Speaker. I call upon Hon. Judas Ndawa to second.

Hon. Speaker: Hon. Judas Ndawa.

Hon. Mbili Ndawa (Matuu, MCCC): Thank you, Madam Speaker. I want to second the motion it be read a third time so that the county can now start working for the people of Machakos. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Ndawa. I now propose the question.

(Question proposed)

I invite Members to comment on the Machakos County Supplementary Appropriation Bill 2022. Can I invite the mover to reply? Proceed and reply.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Thank you, Hon. Speaker. I thank the House for their co-operation throughout the process and now that we are almost concluding I am grateful for their support. Thank you, Hon. Speaker.

Hon. Speaker: Thank you. I put the question.

(Question put and agreed to)

(The Bill was accordingly read the Third Time and passed)

ADJOURNMENT

Hon. Speaker: Members, we have come to the end and the House stands adjourned.

The House rose at 2.07 p.m.