

**REPUBLIC OF KENYA**  
**MACHAKOS COUNTY ASSEMBLY**

**OFFICIAL REPORT**

**Monday, 28<sup>th</sup> May, 2018**

**Special Sitting**

*(Convened via Kenya Gazette Notice  
No. 5083 of 25th of May, 2018)*

The House met at 3.36 p.m.

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

PRAYERS

**Hon. Speaker:** Good afternoon, Hon. Members. We start the sitting of this afternoon.

**MOTION**

REPORT ON THE MACHAKOS COUNTY ANNUAL DEVELOPMENT PLAN FOR 2018-  
2019

*(Hon. Kieti on 28.05.2018 Morning Sitting)  
(Resumption of Debate on the Motion tabled on 21.05.2018)*

**Hon. Speaker:** Hon. Members, you remember that under this Order in the first sitting today, we interrupted the debate so we are resuming the debate and Members were making their contributions. So, I want to invite the Members who have comments to make on this particular order. Hon. Mulatya.

**Hon. Mulatya:** Thank you, Madam Speaker. I start by thanking the committee under the chairmanship of Hon. Kieti for such a good report which is really touching the needs of common *Mwananchi* of Machakos. I only have two observations I want to make. When we go to the small chart, I observed that the committee said that the dams---

**Hon. Speaker:** Are we having any particular page that we can refer to, Hon. Mulatya?

**Hon. Mulatya:** No; I think they know what I am talking about---

**Hon. Speaker:** I don't seem to know myself.

**Hon. Mulatya:** There is a small chart in between the---

**Hon. Speaker:** I think it is good practice next time committees, please paginate your reports so that when we say a particular page, we all go there.

**Hon. Mulatya:** It is a small chart, Madam Speaker---

**Hon. Speaker:** I have seen it.

**Hon. Mulatya:** So, when you come to this one, my observation is that there is a place they said on dams, the units should be three and the cost should be Ksh 1.45 Million. Madam Speaker, I think this money is too little for a dam. I think it is good they could have said water pan or something like that because there is no way you can get a dam with this kind of a budget, it is too little for that. So, if we have to keep the cost then they can amend and call it a water pan.

Also on the same, they have said three boreholes; Hon. Members, you realize that most of our wards have two location and we said we should work equally to our people. So, if they say we make three boreholes in every ward that means one location will get two and the other one will get one. So, they could have found a way of equalizing this maybe by making four; two for each location. Thank you, Madam Speaker. That was my little observation. Thank you.

**Hon. Speaker:** Thank you, Hon. Mulatya. Hon. Johanna.

**Hon. Munyao:** Thank you, Madam Speaker. I would like to start by appreciating the good work done by the committee on Trade, Planning and Industrialization. However, I would like to point out a few observations. On page 11, the 16th recommendation on value chain addition where the committee suggested that that item is scrapped but I want to suggest that we have been getting or having so many brokers when it comes to some of this agricultural products like fruits, we get people coming to the county from all over the country to come and buy such products on a very cheap prices.

When we suggest that we want to make the shelf-life of such products longer either by having freezers to keep such items or adding the value of the product by changing the form by having a fruit processing plant or such kind of measures, I am sure this is going to a long way in empowering our people.

When we suggest we do away with that part, I am not sure whether we are doing a lot of service to our people. So, I would request the committee to reconsider.

On page 17, the fifth recommendation on youth polytechnics is a nice recommendation; they be increased to 10 although it is not very clear whether it is 10 per ward or per sub-county but again when you go to the table of summaries, the last table of summaries suggested one polytechnic per ward, so to some extent it is like it contradicts the report.

On Page 17, it talks of increasing youth polytechnics to 10 but on the table of summaries, there is a proposal of one youth polytechnic per ward. So, I think we need to do something on that. I would also suggest that we take stock of the existing polytechnics and see whether we can either equip or expand the curriculum to cater for the suggested staffing which has been proposed in the document.

Again, on the same page, recommendation 10 on sports; Hon. Members, you will realize that sporting has become very valuable activity in the country where we have seen so many people making their lives out of sporting either nationally or internationally. Other than scraping the whole thing as recommended by the committee, I would have suggested we

establish a training camp where we can identify such talents and nurture them so that we can empower our youths to earn income for themselves and for the county through sporting.

On page 20, the third recommendation, there is a suggestion that we use the tractors meant for cultivation of our farms that they be used for garbage collection. It is a nice suggestion but again you will realize that we would also need to factor the carriers or trailers which go along with such so that they can be useful for such recommended tasks.

On page 21, according to the Constitution of Kenya 2010, people have right to clean water. There is a suggestion that we scrap all the details relating to water analysis but with so many boreholes which are coming up without water analysis, we may not be sure that we are giving our people the right quality of water. Again, in the same budget item apart from drilling, there is also the geological surveys and water analysis, I am sure we need to factor such expenses.

The last, page 23, there is a recommendation touching on stone crusher; in the county there are places like Yatta, Mwala and also part of Matungulu with stones and I am sure with a stone crusher, that is a mineral which can also be easily exploited and earn some income for the county and also our people. I beg to stop and thankful for the opportunity given. Thank you.

**Hon. Speaker:** Thank you, Hon. Johanna. Hon. Pauline.

**Hon. (Ms.) Mene:** Thank you, Madam Speaker. Definitely, this is a report well done. I would like to zero in the health sector. There are a few issues I have noted I wish to point out; the first is on disease prevention and control, page 14. I can see it has been allocated Ksh 2.6 Million and the same has been repeated on that paragraph on disease control at the end, there is also a Ksh. 5 Million that is allocated.

The second one, I am not sure what point 3:3:2 means on curative and rehabilitative health services. It is written; 'within this programme, the sector plans to improve county pharmaceutical services through purchase of Health products.' I don't understand what pharmaceutical services and then health products mean.

If in this case it means medicine, the amount allocated Ksh. 53 Million is very little considering they have allocated Ksh. 222 Million for diagnostics and Ksh. 195 Million that has been allocated for drug and substance abuse. I think in my case, some of this money should be spread upwards to cater for drugs.

The other issue I have noted, I cannot see research anywhere in the budget, capacity building not included. On the issue of consideration of disaster management, I would wish they consider to have an isolation ward in Level V hospital. In the primary health care approach which has six types of cares that is curative, rehabilitative, palliative, promotive and preventive; I have not seen supportive health care and palliative health care.

The last point, I would also wish they also consider improving the oxygen plant in Level V hospital. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you very much, Hon. Pauline. Hon. Kalumu.

**Hon. Kalumu:** Thank you, Madam Speaker. I want to congratulate the committee for work well done and I would like to say that it is worth to produce such a document. The list at the last bunch of papers, I would prefer it being very clear that it should be part of this ADP.

**Hon. Speaker:** Which list are you talking about?

**Hon. Kalumu:** This list of projects; this bundle, be made clear that it is part and parcel of this ADP.

The other thing, I would like to say is there is a lot of repetition. On page 19, figure 3:1:6 on extension services that has been given almost Ksh. 10 million. I want to say that the committee saw where the money was hidden and I want to say they did a good job.

On the issue of crushers on page 23, I come from Kithimani ward where we have a lot of stones and the county government of Machakos has not invested any coin and we are losing revenue because our cousins have bought all the land which has all those stones leaving our residents of Kithimani without anywhere to invest.

So, I was calling upon the chair of ADP to re-look on that issue, at least to give us one which was proposed so that we can make some profit. It was very sensitive on management of this county because this ADP has created boards, it has given money for the boards in the big towns in Machakos County which will enable development to be expedited.

On the issue of tractors we use for ploughing during the rainy season and that takes one or two months for all the farmers to receive the services and that might lead our towns to be very dirty; we need to be cautious about that allocation.

I have not heard anything to do with a plan to increase the revenue collection in Machakos County so if there is anything that can be added on that issue of raising revenue because this is ADP and increase of collection of revenue is development. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Kalumu. Hon. Matee.

**Hon. (Ms.) Ndeti:** Thank you, Madam Speaker. I would like to comment on the committee's report; they have done a good job but I have made two observations I plead them to take in to consideration. The first is on vocational centers; I am of the opinion that currently the county has 38 vocational centers which are dilapidated, rundown and with very few students. Instead of allocating funds to construct more, we should spend money in enhancing the already existing vocational centers.

My other observation is on the spatial planning; I have noted that the committee has recommended that the previous budgets that were done on the spatial planning be audited before they can be allocated more funds. My prayers are that we go ahead and allocate money for spatial planning and get the same committee to oversight to ensure the money that is allocated is put to the right use. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Matee. Hon. Ndawa.

**Hon. Ndawa:** Thank you, Madam Speaker. I wish to congratulate the committee which has done a commendable job. About the observations and recommendations, I think they have done all that was supposed to be done. The only issue which I have is on the attached copy which contains the programmes which have been done on the respective wards. There are some omissions; when it comes to wards, about health in my ward, we had requested that we have Kivandini toilet and Maiuni toilet being constructed by the county---

**Hon. Speaker:** Hon. Ndawa, can you allow me to give some guidance on this?

**Hon. Ndawa:** Much obliged.

**Hon. Speaker:** It is quite laborious exercise if we are going to go through this, each one of us will want to add something. So, why don't we agree that on this chart, it is not complete and let it go to the HANSARD that Hon. Members have issues that they would want to include in this chart so that any Member who has an issue or who feels something was left out that they want to be done in their wards, they see the chairperson. I believe Hon. Kieti is still available and his committee. Please send your concerns there and let us agree that they are going to be included.

*(Applause)*

So, now if you want to say something based on this chart, on any program you want included, please don't put your hand up; let it be something different. Hon. Ndawa, did you have something else?

**Hon. Ndawa:** Much obliged, Madam Speaker. You have finalized everything; in fact you have summed up everything.

**Hon. Speaker:** Thank you. Hon. King'ori.

**Hon. King'ori:** Thank you, Madam Speaker. I am happy to have this report today but there is something which was left out in page 14 about health. About doctors, we don't have cardiologists in Level V Hospital which is very sad, a neurosurgeon and other specialized doctors which we are in need of. It is very sad for a Level V hospital not to have a cardiologist. I was there, don't laugh---

**Hon. Speaker:** Hon. Brian Kisila, don't laugh.

**Hon. King'ori:** That is a fact, that Level V hospital in Machakos doesn't have a cardiologist and a neurosurgeon and also another doctor who specializes in bones, I don't know what they call him but they don't have that specialist. Yes, they don't have and it is very sad.

*(Laughter)*

**Hon. Speaker:** Orthopedic surgeon, one who deals with issues of bones.

**Hon. King'ori:** Yes. I visited the hospital the other day, I had a patient there from my ward and today she was referred to Kenyatta National Hospital because of lack of doctors which is in order for a Level V hospital to with all the facilities and monies we have in Machakos that we cannot afford one. Secondly, I would also want to talk about roads.

**Hon. Speaker:** Point of information, Hon. Mueni.

**Hon. (Ms.) Mueni:** Thank you, Madam Speaker. I thought you had said that if anyone has anything to add to the report to go to the committee and give them. I think we have finished we should go to another thing because we are going to be here at night doing nothing.

**Hon. Speaker:** Hon. Mueni, you are not going to direct the Speaker on how to manage the House. I gave the discretion to hear the Members I feel need to have some word and remember when I gave directions Hon. Mueni on this schedule, it is the work that is to be done in the specific wards and Machakos is now like the headquarters of the county so he is in order to talk about that Level V Hospital on behalf of all of us. That is the kind engagement I am asking for, something which is 'national' national meaning in Machakos County. Hon. King'ori, please proceed.

**Hon. King'ori:** Thank you, Madam Speaker. I also want to talk about the corridors of the hospitals; they are in bad situation, they need repairs and urgently because there are so many potholes even some have caused more injuries to our patients.

On roads, page 13, tarmacking of roads; I wish the committee had added the infrastructure because if we don't have roads, we don't have hospitals, we don't have anything and because if you can't get to the hospital, you don't need to have a hospital. If you can't get to a school, you don't need a school. We need roads, tarmacked roads and when you say it is expensive, I think you are wrong.

It is not expensive to have tarmac because if you construct tarmac today like Mombasa road, it will always take more than 20 years; how many times do you repair that road? None. What about the murrum roads; almost every year, every day. Is that what we need in Machakos? To spend money on wastage daily doing the same thing? So, we need more money on tarmacking so that we can be tarmacking 10 kilometers in each ward every year, which is also good to the people of Machakos.

I think, Madam Speaker, I am clear about it. Thank you, Madam Speaker.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. King'ori. Hon. Irene

**Hon. (Ms.) Mwende:** Thank you, Madam Speaker. Please allow me to talk out of this (microphone). I think it is important that you arrange the microphones for us because this one is not very hygienic because imagine all of us using the same microphone, spitting on it---

*(Laughter)*

**Hon. Speaker:** Hon. Irene, please resume your seat. The concern is noted and Members, you will appreciate that we said that we will need to renovate this chamber; the renovation includes doing these gadgets and the seats that give you problems and the paint work. So, we are waiting for you to pass the Supplementary Act so that we can work on the chambers.

*(Applause)*

So, your point is noted but we are waiting for the money.

**Hon. (Ms.) Mwende:** Thank you, very much.

**Hon. Speaker:** Are you through?

**Hon. (Ms.) Mwende:** No, I need to contribute on this. I wish to commend the committee on the good work done. My concern is on page 19, recommendation number seven where establishment of religious organizations, program 6.9 is scrapped and on the ADP, the outcome of that sub-programme is improved livelihoods of our widows, widowers, orphans and vulnerable children.

Our Constitution 2010 Article 43 please allow me to read;

Economic and Social Rights.

(1) Every person has the right--

- (a) to the highest attainable standard of health, which includes the right to health care services, including reproductive health care;
- (b) to accessible and adequate housing, and to reasonable standards of sanitation;
- (c) to be free from hunger, and to have adequate food of acceptable quality;
- (d) to clean and safe water in adequate quantities;
- (e) to social security; and
- (f) to education.

(2) A person shall not be denied emergency medical treatment.

(3) The state shall provide appropriate social security to persons who are unable to support themselves and their dependants.

My question is; if we scrape that sub-programme, does it mean that this County does not care about the livelihood of the widows and widowers or the orphaned children and the most vulnerable?

*(Applause)*

So, my suggestion is and my humble request is if we could reconsider and put it back in our plan. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Irene. Hon. Minority Leader

**Hon. Kamitu:** Thank you, very much Madam Speaker. Madam Speaker, I do not want to repeat some observations that have been made by our Hon. Members but my little concern is in regard to ECD and as you said it is important we are going to in regard to what we had said but in general my concern is that on page 17, Madam Speaker, early child development they are talking about 10 ECD classes.

Madam Speaker, my humble request would be that we should also consult maybe the chair for education committee because there are many wards, I was in the First Assembly and most of the ECDs were not constructed, Madam Speaker. So, in that regard instead of 16 we should also request Hon. Members maybe to go through the chair of education committee and see the number of ECDs that were constructed in regard to...because formally in the first

Assembly we were given two ECDs per ward and if you take the 40 wards against the number of ECDs, the few ones that were constructed, I think we are in a shortfall of that.

Madam Speaker, also my observation is that unless I went through this report but I did not see the good work of the chairman. They have done a good work but I am not seeing anywhere they are capturing in regard to some preventive facilities like the fire engines and as you are aware, Madam Speaker, most of our towns are coming up and in that regard like Matuu, Tala; I think we have got only one or two fire engines in Machakos. So, it is my humble request if also fire engines in these upcoming towns could also be captured with their workforce.

Again, Madam Speaker, I am also not seeing in the report whereby in every country, in every sub-county and in every county, we need development of human resource so in this regard like our staff in Machakos County, I am not seeing anywhere that human resource development has been captured in regard to training, in regard to paying their gratuity those people who are retiring, I am a retiree I know exactly what should be done by those people who have worked for the government.

So, in this regard, Madam Speaker, I would also maybe request the chairman where human resource development is captured, I do not know whether it is under the Governor's office or under the County Public Service Board because these are some of the areas that I have not observed. So, it is my humble request, Madam Speaker. Thank you. It is a good report and well done our chairman for trade and development committee. Thank you

**Hon. Speaker:** Thank you, Hon. Kamitu. Hon. Grace.

**Hon. (Ms.) Mutwiwa:** Thank you, Madam Speaker. My observation is on page 14 on health; kindly I would like to read the entire paragraph so that we can catch up. Also some issues have been highlighted by my colleague Hon. Pauline and other Hon. Members.

I read; within this program, the sector plans to improve County pharmaceutical services through purchase of health products at a cost of Ksh. 53 million, enhance clinical and nursing services at Ksh. 174 million, improve specialized medical services and community hospitals services by constructing four hospitals and training 80 clinicians at a cost of Ksh. 7 million, construct rehabilitation centers and drugs and substance abusers at Ksh. 195 million, establish County Diagnosis services to cost Ksh. 222 million and provide ambulance services at a cost of Ksh. 25 million.

Acquire eight ambulances at a cost of Ksh. 11.5 million, provide firefighting and rescue services at Ksh. 17 million, construct four modern fire stations at a cost of Ksh. 32 million, procure four foam fire fighting vehicles to cost Ksh. 45 million, enhance disaster management at Ksh. 15 million and finally construct four trauma care centers along major highways at a cost of Ksh. 4.8 million. Hon. Speaker, the total projected estimates for the sector of health is indicated in the 2018 /2019 ADP is Ksh. 1,510,900,000.

Turn over please; if we check committee recommendations it says, 'the committee recommends that sub program 2.12 on construction of four trauma centers along the major highway be omitted and allocate the money to other programs within the sector.

Well to me, our hospitals are in bad condition. We have not captured universal health care program as we know health care is mandatory to each and every person in this world.

*(Applause)*



Most of our people earn meagre living, most of the children are orphans we have widows and widowers whereas they cannot access medical services. Also in our facilities we do not have enough equipment like in the laboratories; for example, in Masinga the laboratory is there, half-built whereby we require one.

The other thing is that in Level IV, Level III, level V we do not have enough or adequate staff, doctors, nurses, casuals and also you are all aware that all those staff keep on going on strike. If we are well articulated and well-programed these people would not go for strikes.

Madam Speaker, our hospitals lack very vital equipment. For example, we have Muthesya, we have Ndithini, we have Ndalani, we have Kibauni where services are never attained so it is my kind request whatever we are doing with this budget we very much consider health care. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Grace. Hon. Members, as we indicated, if there is any member who has an issue, please forward it to the chairman of the relevant committee and there is no doubt they are going to include in the report so that as it is being implemented then your interest is not left out. Hon. Members, I call upon the mover to reply.

**Hon. Kieti:** Thank you, Hon. Speaker. I would like to start by thanking the Hon. House and Members for adopting and recommending the report on Annual Development Plan for the financial year 2018/2019. Otherwise, I have noted the concerns from members which they have raised. At the same time, I would like to advise them to consult and look at the Annual Development Plan, the one that they were given, much of the concerns that you have raised have been well-addressed within the ADP; what we have in general, in some cases where some members are raising concerns, is a summary.

Otherwise, the issue about personnel management, remember within the ADP we are addressing two key issues in budgetary issues. We have the recurrent expenditure and we have the development expenditure. So in the area that I touched on this table is addressing issues on development expenditure for the financial year 2018/2019. Much of the recurrent expenditure is addresses and the issues that Hon. Members have raised; if you study well the ADP the document that came from the executive, most of the issues we have raised referring to the personnel are well-addressed.

We did not touch issues on personnel that is why in the health sector some of the issues *mhesimiwa* has raised, the chairperson for health committee, have also been addressed. So, Hon. Speaker, it is my humble request or is my humble pleasure that I would like to thank the members for adopting the report and request them, as you have advised, if anyone has an issue, then we can address it so that it is not left out. Otherwise, I wish to stop there and thank you so much, Hon. Speaker.

*(Applause)*

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

*(Question put and agreed to)*

*(Applause)*

Mr. Clerk, proceed.

#### MACHAKOS COUNTY FISCAL STRATEGY PAPER 2018-2019

**Hon. Speaker:** Hon. Members, under this Order we have one business as is seen on the appendix and I call upon the chair of budget and appropriations committee, Hon. Dominic Ndambuki.

**Hon. Ndambuki:** Thank you, Madam Speaker. I am going to read a report of the budget and appropriations committee on the Machakos County Fiscal Strategy Paper 2018/2019.

#### PREFACE

Madam Speaker, the County Fiscal Strategy paper is a budget policy document which sets the priorities, policies and budget ceilings for each department in budget formulation. The Machakos County Fiscal Strategy Paper 2018/2019 was forwarded to the County Assembly on 12<sup>th</sup> March, 2018.

This was not in line with Section 117 of the Public Finance Management Act 2012 that requires the County Fiscal Strategy Paper to be forwarded to the Assembly by the 28<sup>th</sup> February, each year. Its theme for the financial year 2018/2019 is 'Economic transformation through sustainable agriculture, infrastructure and social development.'

The Fiscal Strategy Paper was committed to the Budget and Appropriations committee as required under Standing Order 186 on the mandate of the committee. The Committee proceeded to analyze and scrutinize the document with a view of reporting to this Hon. Assembly on the projects and programs proposed for funding in 2018/19.

#### COMMITTEE MEMBERSHIP

Madam Speaker, the current membership of the Budget and Appropriation committee is as follows;

1.	Hon. Dominic Ndambuki	Chairperson
2.	Hon. Thomas Mutinda	V/Chairperson
3.	Hon. Paul Museku	Member
4.	Hon. Angela Munyasya	“
5.	Hon. Margaret Mwikali	“
6.	Hon. Daniel Mbevi	“
7.	Hon. Ikusya Kaloki	“
8.	Hon. Moffat Maitha	“
9.	Hon. Jacqueline Nziva	“

#### MANDATE OF THE COMMITTEE

Madam Speaker, the budget and appropriations committee is established under Standing Order 186(1) and is mandated under Standing Order 186(3) to;

- (i) Investigate, inquire into and report on all matters related to coordination, control and monitoring of the County budget.
- (ii) Discuss and review the estimates and make recommendations to the Assembly.
- (iii) Examine the Budget policy statement presented to the house.
- (iv) Examine bills related to the County budget including appropriation Bills.

- (v) Evaluate tax estimates, economic and budgetary policies and program with direct budget outlays.

### **PRIORITIES FOR FINANCIAL YEAR 2018/2019**

Madam Speaker, the County government has set priorities for the financial year 2018/2019 that include;

1. Improvement of infrastructure;
2. Maintain and improve water accessibility;
3. Improve accessibility of health care services;
4. Promote ECDE enrolment and affordable vocational training;
5. Promote sustainable agriculture;
6. Environmental conservation and afforestation;
7. Creation of conducive business environment;

### **OVERVIEW OF FINANCIAL YEAR 2017/2018 BUDGET**

Madam Speaker, the County Assembly approved a budget of Ksh. 9.99 billion out of which Ksh. 7.01 billion was for recurrent expenditure and Ksh. 2.98 billion for development expenditure. This translates to 70 percent for recurrent and 30 percent for development respectively. The Ksh. 7.01 billion for recurrent consist of Ksh. 4.51 billion to cater for wages and salaries while Ksh. 2.5 billion for operations and maintenance, representing 45 per cent and 25 per cent of the total budget respectively.

Madam Speaker, this was financed from the National Government of Ksh. 8.28 billion and County own revenue Ksh. 1.7 billion.

### **COUNTY FISCAL STRATEGY PAPER 2018/2019**

Madam Speaker, the County Fiscal Strategy Paper sets out the broad strategic priorities and goals that should guide the Budget estimates for the financial year 2018/2019. It provides a platform for review of the proposed activities in light of the challenges and opportunities for the county and offers the government an opportunity to adjust its expenditure and revenue along more crucial activities to deliver better services to the citizens of Machakos.

**Hon. Speaker:** That is the information? Thank you, Hon. Ndawa.

**Hon. Ndambuki:** I continue, Madam Speaker. Section 117 of the PFM Act provides that; the County Treasury shall prepare and submit to the County Executive Committee the County Fiscal Strategy Paper for approval and the County Treasury shall submit the approved Fiscal Strategy Paper to the County Assembly, by the 28th February, of each year.

The 2018/2019 County Fiscal Strategy Paper was submitted to the County Assembly on 12<sup>th</sup> March, 2018 and consists of the following expenditures and revenues; Madam Speaker, we are on page four, I guide the members who are not following.

### **EXPENDITURE AND REVENUE FISCAL YEAR 2018/2019**

Madam Speaker, the county is to spend Ksh. 12 billion out of which Ksh. 8.4 billion is for recurrent expenditure and Ksh. 3.6 billion for development expenditure as proposed by CEC finance. This translates to 70 percent for recurrent and 30 percent for development respectively. The Ksh. 8.4 billion for recurrent consist of Ksh. 5.9 billion to cater for wages and salaries while

Ksh. 2.5 billion for operations and maintenance, representing 49 percent and 28.7 percent of the total budget respectively.

Madam Speaker, this is financed from the National government funds to a tune of Ksh. 10.5 billion and County own revenue Ksh. 1.5 billion.

Madam Speaker, the Public Finance Management Act, 2012, section 117(6) states that not later than fourteen days after submitting the County Fiscal Strategy Paper to the County Assembly, the County Assembly shall consider and may adopt it with or without amendments. Further, Madam Speaker, the PFM Act section 117(7) states that the County Treasury shall consider any recommendation made by the County Assembly when finalizing the budget proposal for the financial year concerned.

Madam Speaker, it is worth to mention that once approved by this Hon. House the County Fiscal Strategy Paper 2018/2019 will inform the preparation of the annual budget estimates and by extension it should form the basis of evaluating the 2018/2019 Budget estimates for the various spending County Government Agencies. This is, therefore, the most important stage in the budget-making process as it provides recommendations to be considered when preparing the 2018/2019 Budget.

The County Fiscal Strategy Paper sets the expenditure ceilings for the various spending government agencies. Hon. Members should therefore debate and propose further amendments on the proposed projects and programs which would not be possible to amend in the 2018/2019 fiscal year budget estimates.

Madam Speaker, it is important at this point to mention that the County executive carried out public participation on the Budget Estimates financial year 2018/2019 across the County, immediately after forwarding the County Fiscal Strategy Paper to the Assembly. The Fiscal Strategy Paper is meant to inform the budget estimates for the financial year 2018/2019. The public participation on the budget was not informed by the County Fiscal Strategy Paper 2018/2019.

The directorate of water and irrigation under the department of agriculture is independently reflected in the CFSP for the financial year 2018/2019 as well as energy and natural resources which is under the department of natural resources. The Ward Development Fund has been allocated funds under the department of trade, planning and industrialization.

## **OBSERVATIONS / RECOMENDATIONS**

Madam Speaker, Section 117(2) of the PFM Act 2012 requires counties to align their County Fiscal Strategy Paper with the National development objectives. The committee observed that the mechanism to ensure that development strategies are aligned with those of National government is lacking therefore achieving the strategic priorities envisioned in the County Fiscal Strategy Paper in financial year 2018/2019 may have some challenges. The committee recommends that in the future the County should align its Fiscal Strategy Paper with the main objectives of the National Government.

### *Office of the Governor*

Madam Speaker, the proposed recurrent ceiling in the office of the Governor is Ksh 654,292,114 which should be matched with Commission on Revenue Allocation ceiling of Ksh. 605,718,697; the proposed development expenditure ceiling for the Governor's office is Ksh. 23,625,000.

Madam Speaker, the committee recommends that recurrent expenditure for the office of the Governor be reduced from Ksh. 654,292,114 to Ksh. 605,718,697. This is in line with Commission on Revenue Allocation ceiling and the County Allocation of Revenue Act (CARA), 2018.

#### *Public Service, ICT and Labour*

Madam Speaker, the proposed ceiling for the department Public Service ICT and Labour is Ksh. 588,162,972, comprising Ksh. 566,427,972 for recurrent expenditure and Ksh. 21,735,000 for development expenditure. The committee recommends the department of Public Service, ICT, Labor and Cooperative recurrent expenditure to be reduced from Ksh. 566,427,972 to Ksh. 549,165,881. The provision for training is to be reduced to support development expenditure proposed by members of this Hon. House in the Annual Development Plan.

#### *Trade, investment, economic planning and industrialization*

Madam Speaker, the proposed ceiling for the department Trade, Investment, Economic Planning and Industrialization is Ksh. 891,723,143, comprising Ksh. 126,055,569 for recurrent expenditure and Ksh. 765,676,574 for development expenditure. This includes allocation for the Ward Development Fund.

Madam Speaker, it is worth to mention that allocation and implementation of Ward Development Fund has continuously been a great challenge in the department of trade, planning and industrialization in the past years. The funds have previously laid in the vote only to be reallocated in rush at last in Supplementary Appropriation Bill to other departments for programs that were not projected for in the budget estimates.

The committee recommends that development expenditure in the department of Trade, Investment, Economic Planning and industrialization, which include the allocation for Ward Development Fund be pro-rated to different departments to be absorbed for ward projects as proposed by the Hon. Members of this Assembly and be reduced from Ksh. 765,676,574 to Ksh. 99,427,080 and the recurrent expenditure be reduced from Ksh. 126,055,569 to Ksh. 81,963,981 to reduce the administrative funds for Ward Development effectively.

#### *Finance and revenue*

Madam Speaker, the proposed ceiling for the department of Finance and Revenue collection is Ksh. 439,565,439, comprising Ksh. 415,940,439 for recurrent expenditure and Ksh. 23,625,000 for Development expenditure. The committee observed that the amount allocated for budget management at Ksh. 30 million was too high. The committee recommends that recurrent expenditure in the department of finance and revenue management be reduced from Ksh. 415,940,439 to Ksh. 397,332,846.

#### *Decentralized units, environment and solid waste management*

Madam Speaker, the proposed ceiling for the department of Decentralized Units Environment and Solid Waste management is Ksh. 580,240,298, comprising of Ksh. 538,545,920 for recurrent expenditure and Ksh. 41,694,378 for Development expenditure.

The activities to be funded in the department include planting trees, rehabilitation of rivers/gabions, partnership with NEMA, management of sand harvesting and cleaning up exercises.

Madam Speaker, the committee recommends that the development expenditure for the department be increased from Ksh. 41, 694,378 to Ksh. 60,888,653. The committee observed that administrative and field services were highly stated and recommends that recurrent expenditure be reduced from Ksh. 538,545,920 to Ksh. 522, 133,544.

#### *Agriculture, Livestock and Fisheries*

Madam Speaker, the proposed ceiling for the department of Agriculture, Livestock and Fisheries is Ksh. 381,347,120, comprising Ksh. 349,217,120 for recurrent expenditure and Ksh. 32,130,000 for development expenditure. The activities to be funded in this department include subsidies, construction of fruit-processing plant, construction of dams, construction of dairy processing plant and construction of livestock yard.

Madam Speaker, the committee recommends that development expenditure for the department of Agriculture, Livestock, Fisheries, Lands and Urban Development be increased from Ksh. 32,130,000 to Ksh. 71, 923,454. The committee observed that livestock breeding is highly funded and recommends that recurrent expenditure be reduced from Ksh. 349,217,120 to Ksh. 338, 574,605.

Madam Speaker, the proposed ceiling for the directorate of Water and irrigation is Ksh. 614,607,823, comprising Ksh. 158,189,484 for recurrent expenditure and Ksh. 456,418,339 for Development expenditure. The activities to be funded in the directorate of water are digging, equipping and addition of boreholes, piping, supply of tanks, water pans and earth dams and rehabilitation of dams.

Madam Speaker, the committee observed that the expenditure for the directorate of water was independent from other expenditure of the department of agriculture, livestock and fisheries. The committee recommends that the development expenditure for the directorate of water and irrigation whose expenditure is reflected independently under the department of agriculture, livestock and fisheries, be increased from Ksh. 456,418,339 to Ksh. 798, 354,416 to cater for Ward projects as proposed by the Hon. Members of this Assembly.

*(Applause)*

The committee observed that water quality analysis program was highly funded and recommends that the recurrent expenditure of the department be reduced from Ksh. 158,189,484 to Ksh. 153,378,604. The directorate should be realigned to the mother department.

#### *Health and Emergency Services*

Madam Speaker, the proposed ceiling for the department of Health and Emergency services is Ksh. 4,432,670,891, comprising Ksh. 3,792,594,952 for recurrent expenditure and Ksh. 640,075,939 for development expenditure. The activities to be funded in the department include upgrade of Machakos Level V hospital, upgrade of Level III hospitals, establish new health centers, employ health workers, free medical treatment for expectant mothers and small children.

Madam Speaker, the committee observed that the recurrent expenditure for the department was increased by 30 per cent from Ksh. 2,920,121,503 for 2017/18 to Ksh. 3,792,594,952 for 2018/19. The committee recommends that the recurrent expenditure for the department of health and emergency services be reduced from Ksh. 3,792,594,952 to Ksh. 3,538,127,655, 21 percent increase, and the funds be reallocated to development budget.

The committee further recommends that development expenditure be increased from Ksh. 640,075,939 to Ksh. 695,850,722 in the same department to fund stalled community health centres.

*(Applause)*

#### *Transport, Roads, Public Works and Housing*

Madam Speaker, the proposed ceiling for the department of Transport, Roads, Public Works and Housing is Ksh. 1,354,107,564, comprising Ksh. 243,730,708 for recurrent expenditure and Ksh. 1,110,376,856 for development expenditure.

Madam Speaker, the committee observed that design for construction of bitumen roads was overstated and recommends that recurrent expenditure be reduced from Ksh. 243,730,708 to Ksh. 236,302,929 and development expenditure for the department of Transport, Roads, Public Works and Housing be increased from Ksh. 1,110,376,856 to Ksh. 1,766,208,280 for upgrading of ward access roads as proposed by Hon. Members of this Assembly and in the Annual Development Plan.

*(Applause)*

#### *Education, Youth, and Social Welfare*

Madam Speaker, the proposed ceiling for the department of Education, Youth, and Social Welfare is Ksh. 227, 273,330 comprising Ksh. 207,354,830 for recurrent expenditure and Ksh. 19,918,500 for development expenditure. The activities to be funded in the department include disbursement of bursaries, additional youth polytechnics, vocational trainings, construction of libraries, recruitment of ECDE teachers and school feeding program.

Madam Speaker, the committee observed that an allocation referred to as Bridging Facility Fund for men and other heads of families is a non-priority item and recommends that the recurrent expenditure for the department of Education and Social Welfare be reduced from Ksh. 207,354,830 to Ksh. 201,035,619 and the development expenditure be increased from Ksh. 19,918,500 to Ksh. 157,838,526 to cater for ward ECDE development projects.

*(Applause)*

Madam Speaker, the committee also observed that several programs have been reintroduced with no explanation on what happened to the funds allocated in the previous years including whether the targets and outputs were achieved or the percentage of accomplishment. The department of Education seeks to expand and renovate ECDE centers, the construction of the classes was budgeted in 2017/18 budget and the status of completion should be forwarded to this Assembly before any further allocation to the exercise.

The department had sought reduction of development expenditure due to ineffectiveness to undertake proposed projects in 2017/18.

#### *Lands and Urban Development*

Madam Speaker, the proposed ceiling for the department of Lands and Urban Development is Ksh. 237,932,198 comprising Ksh. 65,547,275 for recurrent expenditure and Ksh. 172,384,924 for development expenditure.

Madam Speaker, the Committee observed that implementation of Machakos New City program was overfunded and recommends that the recurrent expenditure for the department of Lands and Urban development be reduced from Ksh. 65,547,275 to Ksh. 63,549,699.

Madam Speaker, the committee observed that the expenditure for the directorate of Energy and Natural resources was independent from that of the department. The expenditure for the directorate of Energy and Natural Resources is Ksh. 80,038,112, comprising Ksh. 36,058,063 for recurrent expenditure and Ksh. 43,980,049 for development expenditure. The activities to be funded in the department include solar, wind power and *Mulika Mwizi*.

Madam Speaker, the committee recommends that, the recurrent expenditure for the directorate of Energy and Natural resources, whose expenditure is independent, be reduced from Ksh. 36,058,063 to Ksh. 34,959,181 and the development expenditure for the directorate be increased from Ksh. 43,980,049 to Ksh. 95,350,305 to cater for wards *Mulika Mwizi* projects as proposed by the Hon. Members of this Assembly. The directorate should be realigned to the mother department.

#### *Tourism, Culture, Sports and Co-operative Development*

Madam Speaker, the proposed ceiling for the department of Tourism, Culture, Sports and Co-operative Development is Ksh. 111,892,946 comprising Ksh. 85,233,835 for recurrent expenditure and Ksh. 26,659,112 for development expenditure.

Madam Speaker, the committee observed that funding for tourism promotion and marketing was highly stated and recommends that the recurrent expenditure for the department of Tourism, Sports and Culture be reduced from Ksh. 85,233,835 to Ksh. 82,636,304 to fund development expenditure.

#### *County Public Service Board*

Madam Speaker, the proposed ceiling for the department of County Public Service Board is Ksh. 52,111,924, comprising Ksh. 45,797,069 for recurrent expenditure and Ksh. 6,314,855 for development expenditure.

Madam Speaker, the committee observed that Training and Capacity building activity was overfunded and recommends that the recurrent expenditure for the County Public Service Board be reduced from Ksh. 45,797,069 to Ksh. 44,401,387 to fund development expenditure---

**Hon. Speaker:** Hon. Chairman, as you proceed to the next one, please note to amend the first line.....Madam Speaker, the proposed ceiling for the department of County Assembly; County Assembly is not a department. It is an arm of the County Government of Machakos. You just delete 'for the County Assembly.' It means a lot when you call it a department.

*(Loud consultations)*

I was putting it so that when he gets there, he will have amended because it is going to be recorded.

**Hon. Ndambuki:** Okay. Thank you.

*County Assembly*



Madam Speaker, the proposed ceiling for the County Assembly is Ksh. 1,341,445,072 comprising Ksh. 1,088,395,072 for recurrent expenditure and Ksh. 253,050,000 for development expenditure.

Madam Speaker the committee recommends that development expenditure ceiling for the County Assembly be reduced from Ksh. 253,050,000 to Ksh. 237,500,000 to meet the development expenditure budget of the County Assembly (??) The committee further recommends that the County Assembly recurrent expenditure be reduced from Ksh. 1,088,395,072 to Ksh. 926,776,339 to meet the ceiling threshold.

Madam Speaker, the County Assembly recurrent budget includes other transfers amounting to Ksh. 95 million to cover mortgage and car loans for both Members of County Assembly and staff. It is important to note that according to circular from the Controller of Budget, vehicles, computers, furniture and other movable assets would now be procured through the recurrent budget.

### *Pending Bills*

Madam Speaker, the committee registers that the County owes contractors and suppliers pending bills which is a liability and which date back to 2013. Measures must be put in place to restrict the County government from borrowing through the procurement procedures. Every program and project of the county government has been well-budgeted for and allocated funds and the County government should accomplish its goals within the budgeted expenditure. The provision for pending bills was not provided for in the County Fiscal Strategy Paper.

Madam Speaker, the risk on the County Fiscal Strategy Paper is based on revenue collection and fails to disclose the expenditure and performance which have a greater risk on non-achieved targets. Thus previous incomplete and white elephant projects which pose a great risk, are ignored and may remain in the same status for many years.

The committee recommends that all incomplete projects should be budgeted for and completed. The previous projected expenditure versus actual incurred expenditure as per the budget estimates should be provided in reallocating more funds to the incomplete projects.

Madam Speaker, on policies to ensure sustainable development, a report on the status of our hospitals and stalled hospital projects in various sub-counties, is crucial for the County Fiscal Strategy Paper 2018/19. These are projects that should be reflected or reallocated funds for completion.

### *Compensation to Employees*

Madam Speaker, the committee recommends that a report of compensation paid to all county staff be availed for the 2018/2019 budget approval to adjust the wage bill level from 49 percent to the limit set by the PFM regulations at 35 percent. This Hon. Assembly should know where and how wages and salaries are allocated per department showing the category of employees, pay scale and the number.

Total development expenditure is Ksh. 4.0 billion translating to 33.62 percent and adheres to the fiscal responsibility set out in Public Finance Management Act Section 107(2)(b) which states that over the medium term a minimum of 30 percent of the County Governments budget shall be allocated to the development expenditure.

### *Revenue and Expenditure*

Madam Speaker, the sources of budget funding for the Financial Year 2018/ 19 are as follows;

1. Equitable share	8,321,000,000
2. Conditional grants	
i. Level V Hospital	383,583,815
ii. Compensation for user fees forgone	24,129,039
iii. Free maternity	00.00
iv. Leasing of medical equipment	200,000,000
v. Rehabilitation of Youth Polytechnics	54,295,000
vi. Road maintenance levy	219,084,689
vii. Loans and grants	1,308,952,409
3. County revenue	1,500,000,000
 TOTAL ALLOCATION	 12,011,044,946

Madam Speaker, the total expenditure is projected at Ksh. 12,011,044,946. The committee recommends that recurrent expenditure of Ksh. 7,776,047,274 amounting to 64.74 percent and development expenditure of Ksh. 4,234,997,672 amounting to 35.26 percent of the total revenue. Within the recurrent expenditure, personnel emoluments amount to Ksh. 5.9 billion which constitute 49 percent of the total revenue; the PFM Regulations 25(b) states that the County Government expenditure on wages and benefits for its public officers shall not exceed 35 percent of the County Government total revenue.

Madam Speaker, the committee is grateful to the office of the Speaker and that of the Clerk to the County Assembly for the support accorded during the committee sittings. I wish to express my appreciation to the Honorable Members of the Budget and Appropriation Committee who sacrificed their time to participate in the activities of the Committee and in preparation of this report

Madam Speaker, it is therefore my pleasant duty and privilege, on behalf of the Budget and Appropriations Committee to table this report of the Machakos County Fiscal Strategy Paper in this Hon. House for consideration and adoption. Thank you, Madam Speaker.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Chair, Budget and Appropriations Committee. Do you have a seconder to your Motion?

**Hon. Ndambuki:** Thank you, Madam Speaker. I call upon Hon. Mutinda to second.

**Hon. Speaker:** Hon. Mutinda.

**Hon. Mutinda:** Thank you, Madam Speaker. I stand to second the report. Thank you, Madam Speaker.

*(Applause)*

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

*(Question proposed)*

Hon. Members, I invite you to debate on the report that has just been read to the House. Hon. Museku, I know you sit in that Committee, I would wish you just wait that you hear the views of the others. Alright? Hon. Mueni.

**Hon. (Ms.) Mueni:** Thank you, Madam Speaker. The Committee has done a great job and I think the Governor is now going to agree on the whole issue. Now we are in one House, we can pass the County Fiscal Strategy Paper. So, I think, Madam Speaker, you are not going to have a headache because you are a very qualified Speaker, in Kenya and not only Machakos.

*(Applause)*

So, Members, let us not repeat ourselves. The thing has gone better and inside your pockets. So, we can finish the whole issue and stop quarreling about the issue. Mheshimiwa Kamitu, I think you have won, so we can go ahead and do the necessary---

*(Laughter)*

Madam Speaker, it will be better not keeping everybody saying yes or no.....Everybody is saying yes today on the whole issue.

*(Applause)*

So, Madam Speaker, on behalf of the House---

*(Laughter)*

I think we can finish the game. You can see Mheshimiwa Carol is seated waiting for the whole---

*(Laughter)*

**Hon. Speaker:** Order! Hon. Mueni, you do not speak on behalf of the House.

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

**Hon. Speaker:** Every Member speaks on their behalf. Next is Hon. Mitaa.

**Hon. Mitaa:** Thank you, Madam Speaker for granting me this opportunity to contribute towards this report. First, I wish to thank the Committee of Budget and Appropriations for work well done. As my previous recommendation about this Committee, I think it is one Committee which is coming out well; in fact, as a Chairman of Agriculture Committee, I feel being given a challenge on how to do and present well-elaborated job. Thank you, once more to the Committee.

*(Applause)*

Madam Speaker, I think as my predecessor said in her contributions, the Committee has done a good job and on a personal basis, I do not think whether we need to hustle much, we can give it the go ahead, pass it and as she always says, we are in a learning process. I believe as we progress, things will be better. Thank you, Madam Speaker.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Mitaa. Hon. Ndawa and then Hon. Ndalana.

**Hon. Ndawa:** Thank you, Madam Speaker. I also take this opportunity to congratulate the Hon. Member who has given this elaborate report and the Committee. I wish to support what Hon. Mueni has said; we do not have to waste a lot of time on this issue because everything is very clear and I am very sure we will not have any NOES. So, I would request, Madam Speaker, if you can propose the question we finish this thing. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Ndawa. Hon. Ndalana.

**Hon. (Ms.) Ndalana:** Thank you, Madam Speaker. I want to support what Mueni has said---

**Hon. Speaker:** Hon. Mueni.

**Hon. (Ms.) Ndalana:** Sorry. Hon. Mueni and I also thank God for today because every department has its own money. So, my prayer is, Madam Speaker, whoever has been allocated some money, let them be faithful and work for our people. Thank you, Madam Speaker.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Ndalana. Hon. Hellen Matee.

**Hon. (Ms.) Ndeti:** Thank you, Madam Speaker. I must say that this is a very well done report. However, I would like to comment on the pending bills. This animal called pending bills seems to be ambiguous in the sense that, we do not seem to know what the total pending bill for the County is. Members, I would like you to remember that, there are very many people from Machakos who have done jobs, who have given services, who have constructed hospitals and to-date some of them are even in hospitals with pressure and problems.

It is very important that we establish what the actual pending bills are and get the listing of the people who have done these jobs and have never been paid because it really hurts; it is not fair. So, let us, through the Budget Committee, try to establish the list of the people who are owed money by this County and see how that can be sorted out. Thank you, Madam Speaker.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Hellen. Hon. Kisila

**Hon. Kisila:** Madam Speaker, I would like to thank the committee for a well job order. Two issues; I have not seen money for people with disabilities. I don't know may be if you can clarify maybe it is there and if it is there maybe we can see it.

Also I want to see the money for bursary; I think it needs to come out very clearly. Bursary money is to come out by itself and Madam Speaker, with all the work we are doing on finance, I should, I disagree the county revenue Ksh. 1.5 billion is way below what we should be projecting to collect. We should come up with than very little plan. My estimate minimum Ksh. 3 billion is what this House should be pushing the executive to collect. Thank you, Madam Speaker.

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

**Hon Kisini:** Thank you, Madam Speaker. I also want to say that the committee has done a very great job for the reasons that they have considered in their budget more specially the priorities which are shown in page three; all sectors have been considered on improvement on infrastructure, maintain and improve accessibility roads, water, improve accessibility of health care, promote ECD and name it because you are there.

But then I also want to ask if there are also taken into consideration and more especially in Athi River, disaster management fund where we have had floods so much and fire outbreaks in Athi River and then lastly, it is not bad to ask; I would have liked to know, what is this thing called compensation for user fee foregone. What is that compensation? It is also good to know because what is that income? I just wanted to know which that is. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Mulatya. Hon. Deputy Speaker, you did not have your hand up when I looked that way right now. Hon. Mulatya.

**Hon. Mulatya:** Thank you, Madam Speaker. I will start by commending the committee of budget for job well done; they have been giving us very good, detailed reports. Mine is to support this report and just say one or two things. Reading the mood of the House, Madam Speaker, Hon. Members is that everybody is in support of this report.

Madam Speaker, I want to caution some members; if this report goes to the executive and they find that there some things which need to be rectified, let us rectify as a House. Not some members going behind others, taking money and doing funny things which they were not elected to here and do. So, if there is any problem, let us sit down as a House. I rest my case.

**Hon. Speaker:** I think Hon. Mulatya learned the lesson before you put your point of order. So, he has finished you cannot give a point of order; he has finished.

*(Laughter)*

Hon. Mark Muendo.

**Hon. Muendo:** Thank you, Madam Speaker, for catching the eye of your MCA. I will first start appreciating the committee and you can see the mood in the House because most of

what brought us here has been captured in this Paper. I would like to say that let us agree here as members of this House; Madam Speaker, you remember on the supplementary budget, we agreed as we have done now on this then the Minority side comes back and then their faces were down when we left this House after the supplementary budget we passed the faces were up.

Now, I don't think that it is going to happen again. That is where the Hon. Whip is coming from because we normally pass motions in this House and then I think the Minority side you are advised elsewhere then you come give us a lot of job, a lot of consultations. So, please, I urge the other side to adhere to this and be gentlemen and pass this not to come back. Thank you, Madam Speaker.

**Hon. Speaker:** Hon. Jeremiah.

**Hon. Munguti:** Thank you, Madam Speaker. Mine is concerning the issue of labor, public service and ICT. According to this report, it is well elaborated and I would like to congratulate this report from the committee which was doing it, but I have some concerns on the issue of labor. When you can look at that 3:2, you find that we have about Ksh. 588 million which has been allocated on recurrent expenditure *vis-a-vis* the Ksh. 21.735 million for development expenditure which I would like to say, according to me as the chair of labor committee, I am requesting that this House reduce the amount for the recurrent expenditure from Ksh. 549 to Ksh. 529 million and then add some one to the development from Ksh. 21 million to Ksh. 41.735 million reason being on the issue of public and ICT, we have our youth who are down there in our wards and these people are just being wasted there eating *Muguka* and taking some illicit brews.

If we can allocate this money for development then we create ICT centers for our youth the we are going to enable them to be able to access what we call investment portals or they have some work to do on the issues of ICT and by so doing we will create a job for our youth so that they may not be idle in the wards. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Jeremiah. Hon. Minority Leader Alex Kamitu.

**Hon. Kamitu:** Thank you, very much Hon. Speaker, our able Speaker. On a very sincere note, Madam Speaker, I am standing here as they eyes of the government and the same time inform the House that I am happy about the committee of budget because they used to invite me so that in case there was any brief, I was able to see exactly what was happening and I really appreciate that so without much ado, this is a well done report from the committee of budget and we should come out as some of the members are saying, the reflection should not be that it is the Minority side; we are not a minority.

What we are is that we are Hon. Members of this House and on a very sincere note, Madam Speaker, we should come out, as the report says, all of us should stand as a House of purpose and adhere to what this report has. So, I am standing here to support the report and say it is our praise that we move out and we move together as one team of Machakos County Assembly. So, I stand to support and say thank you very much to the committee of budget and be inviting me so that we go together.

*(Laughter)*

**Hon. Speaker:** Thank you, Hon. Minority Leader. Hon. Chair of the budget committee, please, reply.

*(Applause)*

**Hon. Ndambuki:** Thank you, Madam Speaker. I am grateful to the members of this House for their passionate contribution to this motion and it is my prayer that we shall do the same to the other motions presented to this House. Thank you, Madam Speaker.

*(Question put and agreed to)*

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

### **PROCEDURAL MOTION**

RESCINDING DECISION OF MONDAY, 21ST MAY, 2018 ON THE GOVERNOR'S  
MEMORANDUM ON THE MACHAKOS COUNTY SUPPLEMENTARY BILL 2018

**Hon. Speaker:** Hon. Kisila, you are very much out of order; what language is that? You remember you are in the House. Hon. Members under this Order, we one business as listed in the appendix and it is by the Hon. Chairman of budget and appropriations committee Hon. Dominic Ndambuki.

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

Hon. Speaker, that aware that the Assembly approved the Machakos County Supplementary Appropriation Bill on 2nd May 2018;

Aware that the Governor referred the Appropriation Bill back to the Assembly with a memorandum on 9<sup>th</sup> May, 2018;

Noting that the assembly met on 21st May, 2018 to consider the Governor's memorandum in a special sitting;

Aware that the Assembly voted to approve the memorandum and was not able to achieve a majority vote for its approval;

Further aware that the Assembly also failed to achieve two thirds vote required to veto the Governors memorandum;

Recognizing that the activities of the county have grounded for lack of a Supplementary Appropriation Act;

Aware that a solution needs to be found urgently to unlock a dead lock;

Acknowledging that, no motion can be moved in the House which is the same in substance as any question which has been resolved either in affirmative or in the negative within six months in the same session;

Aware that a motion to rescind a decision on such a question may be moved with permission of the Speaker;

Hon. Speaker, I wish to move the motion that pursuant to the provisions of Standing Order 46(1) this Assembly rescinds its decision on Monday, 21st May, 2018 on the Governor's memorandum on the Machakos County Supplementary Bill 2018.

Thank you, Madam Speaker. I call on Hon. Mutinda to second.

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

**Hon. Mutinda:** Thank you, Madam Speaker. I beg to second. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Mutinda. Hon. Members, I do very much appreciate that this is a procedural motion but looking at the importance of it, I am going to allow members just to express some views on the proposed motion.

*(Question proposed)*

Hon. Members, your views are invited. Hon. Kisila.

**Hon. Kisila:** Madam Speaker, I was very excited when I saw the chairman standing. First of all, I would like to thank you for providing leadership to this House. I remember on Monday, very late almost like this time after you made a ruling that you are going to make a ruling on the 5<sup>th</sup> June, 2018, I actually stood here and requested your indulgence into this matter and I am very happy together with the Clerk and the House leadership that you have considered my plea and the plea of many members who wanted to come up with a consensus-building procedure and I would like to thank everybody who has participated and cooled down their tempo and reasoned together.

I would like to say this House, as I have said many times, is composed of very intelligent members of this Assembly and I think there is nothing which can beat us if we all reason together. Let us realize that this county is greater than anyone, and the reason why we have been elected is to serve the people of Machakos and whatever we do, we must put any other interests outside this House and serve our people.

So, Madam Speaker today I am a very happy person and having participated in some very key negotiations; I faced a few challenges and I stood by the truth and I realize when you stand by the truth, something comes out of it. So, I would like to thank all the members for coming together with Minority Leader, Majority Leader and the entire House leadership for actually thinking alike and for putting differences which could actually jeopardize the position of this county.

I would like to thank the chairman for accepting to rescind the decision because that is the only way we could actually come back together but let us realize we have got five years here and we will be judged by the way we are going to walk together. I realize if we don't walk together, we are going to face a very serious obstacle and if you think you can do development in your ward, and you leave the other colleagues outside the development forum, obviously we will have another Kamitu come 2022. We just need to work together.

**Hon. Speaker:** Who is Kamitu?

**Hon. Kisila:** Mheshimiwa Kamitu.

**Hon. Speaker:** What has he done?



**Hon. Kisila:** He came back alone after five years and my intention, if I am going to vie for MCA position, I want to see the same members in this House and that can only happen if we build consensus and we trust each other and we believe in each other and above all supporting each other.

Madam Speaker, I fully support the rescinding and I am very sure that we are going to come up with a very good action plan when the House, the entire House resumes. Thank you, Madam Speaker.

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

**Hon. (Ms.) Nzioka:** Ahsante mheshimiwa Spika. Bi. Spika, kuna msemu wa Kiswahili husema mwenda mbizini kavu huuchunua uso wake. Pia kuteleza sio kuanguka. Mheshimiwa Spika, sisi kama Bunge tuliteleza lakini hatukuanguka. Nyumba nzuri ni ile nyumba ambayo hufaanikiana kila wakati. Ukijua kwamba umefanya makosa haurudii kosa tena, unairekebisha. Sisi kama Bunge tulirekebisha makosa yetu na vile ambavyo unavyojua kwamba sisi tuko hapa ni kwa ajili ya wananchi wa Machakos. Kazi ambavyo imetuleta hapa ni kuona wananchi wa Machakos wametumikiwa vilivyo.

Bi. Spika, sisi kama Bunge tulifahamikia tukaona makosa yetu; tumerekebisha sasa sisi tunaenda kama Bunge moja. Bi. Spika, ukipewa kazi na mtu ufanye, ukimaliza baadaye unaitisha malipo. Upewe kazi leo na hujafanya, utalipwa nini? Ndiyo maana kuchaguliwa, unachaguliwa unafanya kazi na unalipwa. Hata kazi nyumbani tukipea hawa wafanyikazi wetu, wanafanya kazi na tunawalipa.

Sisi tutalipwa na Mungu na tutalipwa na wale ambao wametuchagua. Kwa hivyo nasema mimi naunga mkono marekebisho ya bajeti ziada ama rekebisho bajeti ambayo tulileta na hatukupitisha. Kwa pamoja naomba tupitishwe maana hatuna mda ili tuone kwamba hizo pesa zimefanya kazi kwa wananchi wa Machakos.

Wananchi ambao wako Machakos ni wananchi ambao wana ufahamu zaidi; tukikataa kupitisha wanasema, hata sasa wanasema, kwamba tumekataa pesa, zirudishwe zifanye kazi mahali pengine na kwetu kama bunge itakuwa pigo. Naomba wabunge wenzangu, tushikane na tupitishwe ili kazi iendelee. Ahsante, Bi. Spika.

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

**Hon. Muia:** Thank you, Madam Speaker. Mine is to congratulate the chairman of the budget committee for the good job done and also to congratulate the Hon. Members of this House. As you know, this budget has gone through, but it is somehow it has already delayed so this is behind us now, and my humble request is to the chairman of the budget committee Hon. Dominic to move fast and start enhancing and planning for the main budget because I think we should be done in about three weeks' time; that is about 21st June.

So, let us not delay the main budget the way the supplementary had some delays. I think the main budget, we will be able to pass it on time so that we do not delay service delivery because service delivery to mwananchi is the number one priority. Anything else, any other interest comes second. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Nicholas. Hon. Irene.

**Hon. (Ms.) Mwende:** Thank you, Madam Speaker. I commend the committee and the chairman for Budget Hon. Ndambuki, I wish to state that change creates change. We cannot continue doing the same things and expect change. We are all here to change this county and we cannot continue fighting, majority and minority, you know; we won't go further and we must consider the break and make policy or process.

Whatever decisions we make today will either break for make us as Hon. Members for this county. So, I urge all of us to move forward or be sensitive enough to make the right choice because if we continue fighting the Governor, seriously we won't go far. If we say he---

**Hon Speaker:** Hon. Irene, you are very much out of order.

**Hon. (Ms.) Mwende:** I am sorry.

**Hon. Speaker:** You are very much out of order. Please just read the mood and move in that direction. Hon. Muthoka.

**Hon. Muthoka:** Thank you, Madam Speaker. I think this is a lesson learned; I think some people have not known this is the Second Assembly of Machakos County and not the First Assembly.

*(Applause)*

This is a House of reason; we do not need members to be bribed or to be coerced to do anything. When we sit down and reason we pass and we go on. Our main agenda as representatives of people of Machakos is to make sure they get their services and development, nothing else. There is nobody who is fighting the Governor so Hon. Kamitu, I think this is a lesson learned go and pass the message. The Governor does not need to use a member from Nasa to be carrying somebody there.

**Hon. Speaker:** Hon. Muthoka, you are through?

*(Laughter)*

**Hon. Speaker:** Hon. Muthoka also learned that he needed not to go further than that. Hon. Winnie.

**Hon. (Ms.) Mutua:** Thank you, Madam Speaker. Thanks also to the chairman of Budget committee; thank you for the good work that you have done. Mine is that I am urging the executive; I saw a lot of lethargy when the supplementary budget fell. The same energy, I am requesting we see it in service delivery to the people of Machakos. It will be good and we will be greeting each other when we are happy but when the service delivery is not there, be assured hatred will be there and we will not work together. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Winnie. Hon. Members, I believe now you have the communication that I gave this morning and that is the one that informed the motion that you

have at hand. And remember this motion is creating the way for another motion when you go into the committee of the Whole. That is the caution I am giving you.

*(Question put and agreed to)*

*(Applause)*

**(Then)**

## COMMITTEE OF THE WHOLE HOUSE

*(Order for Committee read)*

*[Hon. Speaker left the Chair]*

IN THE COMMITTEE

*[Mr. Chairman took the Chair]*

### RESCINDING DECISION OF MONDAY, 21ST MAY, 2018 ON THE GOVERNOR'S MEMORANDUM ON THE MACHAKOS COUNTY SUPPLEMENTARY BILL 2018

**Hon. Chairman:** Hon. Members, let us sit down let us settle down so that we can be able to complete this absolutely so it is going to take a bit of time. Hon. Chairman of the Budget committee; I can see he is moving out. Hon. Whip, can you please whip the members to come in please. Thank you.

Okay, Members, I think the only time.....order please. Hon. Caleb, order please! What I am saying is this, the only time when we are going to need to do a quorum check is when we will be doing the voting so for now, my proposal is that we continue with the notice of motion which is supposed to be moved by the Hon. Member for Mwala/Makutano, the one and only Hon. Brian Kisila.

**Hon. Kisila:** Thank you, Mr. Chairman. My seconder was trying to run away.

*(Laughter)*

Thank you, our chairman.

**Hon. Chairman:** Just a minute. Could you please close the door please, Searjant at Arms.

**Hon. Kisila:** Bw. Chairman, I intend to move the motion, the following amendment to the Machakos County Supplementary Bill 2018.

That an internal re-allocation in the Department of Public Works, Roads and Housing vote D0008 (schedule 2) of Ksh. 90 million be effected from the programme on construction of access roads to the programme on construction of non-residential buildings in addition to the Ksh. 60 million reallocation

recommended by the Committee to make a total of Ksh. 150 million for the purpose of the ongoing construction of county government buildings in People's Park and Matuu.

I call upon my brother, Chief Whip Mheshimiwa Tariq Mulatya Muema to second my motion; to second my amendment.

**Hon. Mulatya:** Thank you, Chair of chairs. I wish to second the amendment.

*(Applause)*

*(Question proposed)*

**Hon. Chairman:** Members, you may comment on this if anyone has a comment before I put the question for adoption. Hon. Francis Ngunga

**Hon. Ngunga:** Thank you, Chairs of chairs. I think in interest of time, Mr. Chair of chairs, you are aware that, as Hon. Brian put it this is a negotiated position so members if we agree, I think it will be quick for as to agree and say that everybody is aware of what is happening so if we agree unanimously, we would move on. Thank you, Mr. Chair of chairs.

**Hon. Chairman:** Thank you. Hon. Mark Muendo.

**Hon. Muendo:** Thank you. I concur with Hon. Member for Mua. I think we have come from far and we don't want to waste a lot of time now, because some of us were not sleeping, Hon. Kisila was not sleeping, you can see now he has become blacker. And we have now give him a new name Kofi Annan, therefore you can read the mood of the House and then, members are ready to do what you command, Chair of chairs. Thank you.

Hon. Kamitu, I had not seen your hand. Minority Leader, give him time please; he is the Minority Leader, he needs to address the committee. Thank you.

**Hon. Kamitu:** Thank you, Chairman. Hon. Members, we are now tired, we are happy that this is the reflection, this is the way the House should take. So, is on this strength, Chair of chairs, that we appreciate your office and is on this strength that that I say we move together and really as the amendment has been done as one team, we really supported. Thank you.

**Hon. Chairman:** Thank you so much, Hon. Kamitu.

*(Question put and agreed to)*

Hon. Members, I know read our Standing Order 69 on roll-call voting; as you are aware for these amendment to go through we will need to get a majority on it.

(1) When the Speaker directs a roll call voting to be taken, the Division Bell shall be rung for ten minutes.

- (2) The names of one teller for the “Ayes” and one teller for the “Noes” shall be submitted to the Speaker and the Speaker shall direct the tellers to take seats at a designated place.
- (3) At the end of ten minutes, the Speaker shall direct the doors to be locked and the Bar drawn and no Member shall thereafter enter or leave the Assembly until after the roll call vote has been taken.
- (4) When the doors have been locked and the Bar drawn and the names of the tellers have been announced, the Speaker shall put the question again and direct the Clerk to call out the names of Members in alphabetical order in the presence of the tellers.
- (5) When called out, each Member shall, thereupon rise in his or her place and declare assent or dissent to the question in the following manner “ **I vote Yes**” or “**I vote No**” or “**I Abstain**” or use appropriate Kenyan sign language.
- (6) After the Clerk has read the last name in the Division list, the tellers shall present the result of the roll call vote to the Speaker who shall thereupon announce the result of the vote to the House.

*(Quorum Bell rung)*

Hon. Members, since it is a negotiated position, we don't need to wait for the ten minutes and I would say if we have quorum in the House. If we have more than 40 members in the House, I would say we stop ringing the bell and we can proceed so that we can be able to save time.

Close the door and ascertain if we have 40 members in the House. If we do have then it is okay. Do we have 40 members in the House? We have.

*(The Clerk briefed the House on Division)*

Notice is hereby given, that the Chairperson of budget and appropriations committee, Hon. Dominic Ndambuki intends, to move the following amendments to the Machakos County Supplementary Budget 2018, on consideration of Governor's Memorandum on the Bill.

1. That the bill does not contravene Regulation 37(1) of the Public Finance Management (County Governments) regulations 2015.
2. That the committee did not contravene the doctrine of the separation of powers as enshrined in Article 185 as read together Article 183 and Section 104 of PFM Act as well as Section 8 and 36 of the County Governments Act.
3. That the committee did not reject payment and pending bills as proposed in the Bill and as advised by the Controller of Budget.

Hon. Members, for these to be taken to effect, as proposed by Hon. Chairperson of the budget committee in their report, we will need, we require a vote of two-thirds since they do not agree with the Governor's memorandum and therefore based on what I have read for you, in

terms of the Roll-call voting, I request the Clerk to proceed and conduct the roll call voting and the roll call voting is like this.

Those who obviously who agree with the findings as they were done by the committee of budget, they vote 'Yes.' In the event you are dissenting to that view, you vote 'No.' So, let us start; Clerk can we start with the roll call voting please? Thank you.

*(The Clerk informed the Members on voting for the items)*

*(Question put and the House divided)*

*(Question carried by 56 votes to 0)*

**AYES:** Ms. Mutunga, Mr. Kamitu, Ms. Nzioka, Ms. Mutuku, Mr. Mulu, Ms. Mueni, Ms. B. Nzioki, Mr. Mule, Ms. C. Koki, Ms. C. Nzioki, Messrs. Kieti, Masesi, Kiilu, Mbevi, Ndambuki, Kalumu, Ngunga, Muthoka, Kamulu, King'ori, Ms. Mutwiwa, Ms. Ndeti, Ms. Mwendu, Ms. Luka, Ms. Nziva, Ms. Nyawira, Messrs. Munguti, Kisila, Musyimi, Wambua, Kasyoka, Muli, Ndawa, Kiteng'u, Katumo, Ms. Ndalana, Ms. Mwikali, Messrs. Muendo, Maitha, Abdirahman, Mitaa, Muia, Kituku, Nyanzi, Museku, Ms. Mene, Mr. P.J. Mutiso, Ms. P. Koki, Kisini, Ms. Kanini, Messrs. Mwanthi, Mulatya, Mutinda, Kaloki, Ms. Mutua, Mr. Munyao.

Teller for Ayes: Hon. Mulatya.

**NOES:**

Teller for Noes: Hon. Kisila.

**ABSENT:** Ms. Munyasya, Messrs. Musembi and M.N. Mutiso.

**Hon. Ndambuki:** Thank you chair. I beg to move the motion that the committee do report its consideration on the Governor's memorandum of the Machakos County Supplementary Appropriation Bill No. 1 of 2018 and its approval thereof with amendments.

**Mr. Chairman:** Thank you, Hon. Chair.

*(Question proposed)*

*(Question put and agreed to)*

Hon. Members, we shall now go back to plenary as we wait for the Speaker. Thank you.

*(The House resumed)*

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

**Hon. Speaker:** Hon. Members, on resumption from the committee of the Whole, we are now in plenary. I call on the Chair of chairs for the report.

**Hon. Museku:** Hon. Speaker, I wish to report that the Committee of the Whole House has considered the Governor's memorandum on the Machakos County Supplementary Appropriation Bill No. 1 of 2018 and has approved the same with the amendments. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you Chair of chairs. I now call upon the chair of budgets and appropriation committee to move the motion.

**Hon. Ndambuki:** Thank you, Madam Speaker. My name is Hon. Dominic Ndambuki, chair budget committee. Madam Speaker I beg to move that the house do agree with the committee in the said report. Thank you, Madam Speaker. I call on Hon. Titus to second.

**Hon. Speaker:** Hon. Titus Kaloki.

*(Laughter)*

**Hon. Kaloki:** Thank you, Madam Speaker. I hereby stand to second that the House do agree with the committee in the said report. Thank you.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Titus Kaloki.

*(Question proposed)*

I invite the chair of budget and appropriation. Hon. Members, I now once again invite the chair of budget and appropriation committee to say something

**Hon. Ndambuki:** Thank you, Madam Speaker. Once again, my name is Dominic Ndambuki, chair budget and appropriation committee and I thank member for supporting the committee reports on the response on the Governor's memorandum and it is my prayer, this money will be put into good use for the betterment of Machakos County. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you Hon. Chair budget and appropriations committee.

*(Question put and agreed to)*

*(Applause)*

Hon. Members, let me just thank you for having just stood up to your oath of office and to the needs of the people of Machakos. It is a sign of great maturity and I am hoping it is going to be displayed going forward. Much more is still going to come your way, please don't allow any other interests to separate you from serving your people.

*(Applause)*

## ADJOURNMENT

**Hon. Speaker:** Hon. Members, I thank you for the patience you have shown, you have been sitting since morning but that is call of duty. May you have a blessed evening and I remind you that, we are resuming the next session on 5th June, 2018 at 10 a.m. Thank you.

The House rose at 6.11 p.m.