

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF MACHAKOS

OFFICIAL REPORT

Tuesday, 14th March, 2023

The House met at 3.35 p.m.

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

PRAYERS

PAPERS LAID

MACHAKOS COUNTY FISCAL STRATEGY PAPER 2023/24

Hon. Speaker: May I call Hon. Dominic Ndambuki to proceed and lay the Paper.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Thank you, Hon. Speaker. Pursuant to Standing Order 190(5), I beg to lay the following Paper on the floor of the House today, Tuesday, 14th March, 2023; the Report of the Budget and Appropriations Committee on the Machakos County Fiscal Strategy Paper 2023/24.

Hon. Speaker: Thank you, Hon. Member. May I call Hon. Vincent Mutie, Chairperson, Healthy and Emergency Services Committee to proceed and lay the Paper?

STATUS OF MACHAKOS LEVEL 5 HOSPITAL

Hon. Vincent Mutie (Upper Kaewa/Iveti, WDM-K): Thank you, Hon. Speaker. Hon. Speaker, I beg to lay the following Paper on the table of the House today, Tuesday, the 14th day of March, 2023; the Report of the Health and Emergency Services Committee on Status of Machakos Level 5 Hospital.

Hon. Speaker: Thank you, Hon. Member.

(The Papers were laid on the Table)

NOTICES OF MOTIONS

MACHAKOS COUNTY FISCAL STRATEGY PAPER 2023/24

Hon. Speaker: May I call Hon. Dominic Ndambuki to come forward and give the Notice of Motion.

Hon. Dominic Ndambuki (Kathiani Central, WDM, K): Thank you, Hon. Speaker.

Hon. Speaker, that aware that the County Fiscal Strategy Paper (CFSP) is a policy document that outlines the County Government's fiscal strategy and priorities for a given Financial Year (FY) and serves as a guide for the County Government's budget;

Aware that pursuant to Section 117(1) of the Public Finance Management (PFM) Act, 2012 the County is mandated to prepare and forward the Fiscal Strategy Paper to the County Executive Committee for approval and subsequently submit the approved CFSP to County Assembly, by 28th February of each year;

Further aware that Section 117(6) of PFM Act states that not later than fourteen days after submitting the CFSP to the County Assembly, the County Assembly shall consider and may adopt it with or without amendments;

Appreciating that, the County Assembly conducted Departmental Committees' interrogations on 6th and 7th March, 2023 and held public participations forums on 8th March, 2023 in all the eight (8) Sub-Counties; Madam Speaker, I beg to make a correction. In all nine (9);

Hon. Speaker, informed that the committee on Budget and Appropriations Committee retreated to Nairobi for further discussions with the County Executive Member for Finance, Economic Planning and Revenue Management and to compile a report of the Machakos County Fiscal Strategy Paper 2023/2024;

Hon. Speaker, I wish to give notice of Motion THAT this House discusses and approves the report of the Budget and Appropriations Committee on the Machakos County Fiscal Strategy Paper 2023/24.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Member. May I call Hon. Vincent Mutie, Chairperson, Healthy and Emergency Services Committee to come forward and give the Notice of Motion?

STATUS OF MACHAKOS LEVEL 5 HOSPITAL

Hon. Vincent Mutie (Upper Kaewa/Iveti, WDM-K): Once again thank you, Hon. Speaker.

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

Hon. Speaker, aware that Article 185(3) states that the County Assembly while respecting the principle of separation of powers, may exercise oversight over the County Executive Committee and any other County Executive organs;

Hon. Speaker, cognizant of the fact that Health and Emergency Services is established under Second Schedule and Standing Order 190 and is mandated to deal with all matters related to health services, firefighting and disaster management;

Aware that the Committee conducted site visits to ascertain the status of Machakos Level 5 Hospital held a meeting with the Hospital Management and compiled a report.

Hon. Speaker, I beg to give Notice of the Motion THAT, this honorable house discusses and approves the Health and Emergency Services report on the status of Machakos level 5 Hospital.

Thank you.

Hon. Speaker: Thank you, Hon. Member. At this point, I invite Hon. Nicholas Nzioka to give Notice of Motion.

APPOINTMENT OF MEMBERS TO TWO COMMITTEES

Hon. Jackson Ndaka (Tala, WDM-K): Thank you, Madam Speaker. I am not Hon. Nicholas Nzioka but Hon. Jackson Ndaka representing the people of Tala.

Hon. Speaker, that aware that pursuant to Standing Order 152(2), the Committee on Selection is mandated to nominate or substitute members to serve in Committees save for the Membership of House Business Committee and Committee on Appointments;

Further aware that Standing Order 155(3) provides that a Member shall not be a member of a committee of the House, unless the nomination of such Member into the Committee is approved by the House;

Hon. Speaker, I beg to give Notice of the Motion THAT, further to the resolutions of the House of Tuesday, October 4th, 2022 and Tuesday, November, 15th 2022, appointing Members into various Committees and pursuant to provisions of Standing Order 153, this House further approves the appointment of the following Members to the respective Committees as specified hereunder:

(a) Agriculture Committee

Hon. Rosina Kanini to replace Hon. Raphael Lucky Nzau.

(b) Tourism and Culture Committee

Hon. Joseph Mulinge to replace Hon. Evelyne Nzeki.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member.

MOTIONS

APPOINTMENT OF MEMBERS TO TWO COMMITTEES

Hon. Speaker: May I call Hon. Stephen Mwanthi, the Deputy Speaker to come and move the Motion?

Hon. Stephen Mwanthi (Ekalakala, WDM-K): Thank you, Hon. Speaker.

Hon. Speaker, that aware that pursuant to Standing Order 152(2), the Committee on Selection is mandated to nominate or substitute members to serve in Committees save for the Membership of House Business Committee and Committee on Appointments;

Further aware that Standing Order 155(3) provides that a Member shall not be a member of a committee of the House, unless the nomination of such Member into the Committee is approved by the House;

Hon. Speaker, I beg to move the Motion THAT, further to the resolutions of the House of Tuesday, October 4th, 2022 and Tuesday, November, 15th 2022, appointing Members into various Committees and pursuant to the provisions of Standing Order 153, this House further approves the appointment of the following Members to the respective Committees as specified hereunder:

(a) Agriculture Committee

Hon. Rosina Kanini to replace Hon. Raphael Lucky Nzau.

(b) Tourism and Culture Committee

Hon. Joseph Mulinge to replace Hon. Evelyne Nzeki.

Thank you, Hon. Speaker.

Hon. Speaker: I request that you call your seconder.

Hon. Stephen Mwanthi (Ekalakala, WDM-K): Thank you, Hon. Speaker. Before I call my seconder, I will give a brief on the issue. The two Members who are being replaced are Whips of the Majority and Minority Parties. Standing Order 151(4) requires that the Assembly in nominating parties to the House Business Committee to include its Whip into the membership.

It is for this reason that while nominating members of the House Business Committee for the Second Session that the Whips were included. To effect this, some two members who had been nominated to the House Business Committee during the First Session had to be dropped. Hon. Speaker, in the spirit of fairness, the two Whips brought to the Assembly relinquishing membership to the two committees.

The Committee on Selection met to exercise its mandate and as stated in Standing Order 152 and considered the resignations and the need to have Members distributed in committees fairly. Consequently, the Committee unanimously agreed to nominate Hon. Rosina Kanini to replace Hon. Raphael Lucky Nzau and Hon. Joseph Mulinge to replace Hon. Evelyne Nzeki in Culture and Tourism Committee.

Hon. Speaker, I wish to thank the two Whips for their magnanimity and generosity to ensure the Assembly was in harmony and all Members were fairly treated. Thank you, Hon. Speaker. So, I call upon Hon. Felix Ngui to second the Motion.

Hon. Speaker: Thank you, Hon. Member. Hon. Felix Ngui.

Hon. Felix Ngui (Katangi, WDM-K): Thank you, Madam Speaker. I am a member of the Committee on Selection and I second the replacement of those members in those two committees. In this regard, I wish to thank the Minority and Majority Whips for showing maturity and being fair enough to make sure that his House works in harmony on matters to do with Committees. So I second. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Member.

(Question proposed)

I now invite Members to debate this Motion. Hon. Mulinge, proceed.

Hon. Joseph Mulinge (Muvuti/Kiima Kimwe, MCCP): Madam Speaker, I want to thank the leadership on the Minority side because when the issue came up before they replaced my name, we had a discussion regarding the matter and I accepted so thank you so much.

Hon. Speaker: Thank you, Hon. Member.

(Question put and agreed to)

Next order.

APPROVAL OF THE REPORT ON MACHAKOS
COUNTY FISCAL STRATEGY PAPER 2023/24

Hon. Speaker: May I call Hon. Dominic Ndambuki to come forward and give the Notice of Motion.

Hon. Dominic Ndambuki (Kathiani Central, WDM, K): Thank you, Hon. Speaker.

Hon. Speaker, that aware that the County Fiscal Strategy Paper (CFSP) is a policy document that outlines the County Government's fiscal strategy and priorities for a given Financial Year (FY) and serves as a guide for the County Government's budget; Aware that pursuant to Section 117(1) of the Public Finance Management (PFM) Act, 2012 the County is mandated to prepare and forward the Fiscal Strategy Paper to the County Executive Committee for approval and subsequently submit the approved CFSP to County Assembly, by 28th February of each year;

Further aware that Section 117(6) of PFM Act states that not later than fourteen days after submitting the CFSP to the County Assembly, the County Assembly shall consider and may adopt it with or without amendments;

Appreciating that, the County Assembly conducted Departmental Committees' interrogations on 6th and 7th March, 2023 and held public participations forums on 8th March, 2023 in all the eight (8) Sub Counties;

Hon. Speaker, informed that the committee on Budget and Appropriations Committee retreated to Nairobi for further discussions with the County Executive Member for Finance, Economic Planning and Revenue Management and to compile a report of the Machakos County Fiscal Strategy Paper 2023/2024;

Hon. Speaker, I wish to move the Motion THAT this House discusses and approves the report of the Budget and Appropriations Committee on the Machakos County Fiscal Strategy Paper 2023/24.

I call upon Hon. Justus Mutuku to second.

Hon. Speaker: Thank you, Hon. Justus Mutuku.

Hon. Justus Mutuku (Wamunyu, PTP): Thank you, Hon. Speaker. I second the Motion.

Hon. Speaker: Thank you, Hon. Member.

(Question proposed)

I now call upon Hon. Dominic Ndambuki to come forward and give highlights of the report.

Hon. Dominic Ndambuki (Kathiani Central, WDM, K): Thank you, Hon. Speaker. If allowed, I am going to take Members through the abridged version of the same. The main report that is elaborate has been shared with the Members and it is available for public scrutiny.

Hon. Speaker, the County Fiscal Strategy Paper (CFSP) is a policy document that outlines the County Government's fiscal strategy and priorities for a given Financial Year (FY) and serves as a guide for the County Government's budget. The Fiscal Strategy Paper is an important document as it sets the overall policy framework for resource allocation and informs budgetary ceilings every fiscal year. It derives its legal basis from Section 117 of PFM Act, 2012 and its corresponding Regulations.

Hon Speaker, Regulation 37(1) of the PFM Regulation, 2015 stipulates that where a County Assembly approves any changes in the Annual Estimates of the Budget under Section 131 of the PFM Act, 2012, any increase or reduction in expenditure of a vote shall not exceed 1 per cent of the vote ceilings. Section 117 of the PFM Act, 2012 requires the County Treasury to Submit the CFSP by 28th February of each current and the County Assembly to approve with or without amendments within 14 days.

In the FY 2023/24, the CFSP was submitted on 28th February, 2023 and shows a resource envelope of Ksh. 12,448,697,379 and an equivalent expenditure. The resource envelope consists of

equitable share amounting to Ksh. 9,536,696,160.00, conditional grants amounting to Ksh. 431,009,004, own source revenue amounting to Ksh. 2,080,992,215.00, NHIF reimbursement of Ksh. 300,000,000.00 and asset disposal income of Ksh. 100,000,000.00. The proposed and recommended expenditure ceilings are as follows:

NO.	DEPARTMENT RECURRENT	TREASURY PROPOSED RECURRENT 23/24	CA RECOMMENDED 2023/24 R. CEILING
		KSH'	'KSH'
R0001	Office of the Governor	592,144,648.00	592,144,648.00
R0002	Public Service, Quality Management and ICT	0.00	0.00
R0003	Trade, Industry, Tourism and Innovation	199,759,271.00	155,759,271.00
R0004	Finance, Economic Planning and Revenue Management	579,914,840.00	527,414,570.00
R0005	Devolution	782,756,444.00	767,869,215.00
R0006	Agriculture, Food Security and Co-operative Development	362,710,808.00	347,710,808.00
R0007	Health	4,062,841,431.00	4,062,841,431.00
R0008	Roads, Transport and Public Works	208,036,258.00	198,036,258.00
R0009	Education	478,946,371.00	606,946,371.00
Hon. Speaker, that amount will include bursary allocations for Ksh. 5.2 million per ward. (Applause)			
R0010	Lands, Urban Development, Housing and Energy	259,182,271.00	200,182,271.00
R0011	Gender, Youth, Sports, and Social Welfare	122,739,769.00	122,739,769.00
R0012	Water, Irrigation, Environment and Climate Change	118,688,120.00	103,688,120.00
R0013	County Public Service Board	52,957,655.00	38,013,709.00
Hon. Speaker, it is worth noting that the County Public Service Board has ceilings stipulated by CRA and are given at Ksh. 38 million.			

			987,126,181.00
R0014	County Assembly	865,126,181.00	(Applause)
R0015	County Attorney	28,284,098.00	3,615,543.00
Madam Speaker, the discrepancy is brought about by the fact that the County Attorney ceilings are under the Office of the Governor.			
	TOTAL	8,714,088,165.00	8,714,088,165.00
	DEVELOPMENT		
NO.	DEPARTMENT	TREASURY PROPOSED DEVELOPMENT FY 23/24	COUNTY ASSEMBLY RECOMMENDED FY 2023/24 D. CEILING
		'KSH'	'KSH'
D0001	Office of the Governor	12,243,690.00	12,243,690.00
D0002	Public Service, Quality Management and ICT	0.00	0.00
3 D003	Trade, Industry, Tourism and Innovation	290,966,097.00	285,966,097.00
Part of that money is we have Ksh. 200 million which is donor money of matching fund of a shilling for a shilling as required by the national Government so that they can give us money for an industrial park.			
D0004	Finance, Economic Planning and Revenue Management	118,058,330.00	70,058,330.00
D0005	Devolution	66,934,618.00	66,934,618.00
D0006	Agriculture, Food Security and Co-operative Development	490,154,063.00	340,154,063.00
Part of that money is donor funds of Ksh. 292 million			
D0007	Health	610,828,156.00	740,000,000.00
Part of that money is that we have Ksh. 5 million which is donor funds.			
D0008	Roads, Transport and Public Works	644,490,070.00	666,000,000.00
Hon. Speaker, in getting that figure, the Committee considered that we have the ward grading programme that is currently ongoing and also we want to grade and murram some roads and also tarmack others.			
D0009	Education	175,729,112.00	130,729,112.00

Hon. Speaker, in arriving at that figure, the Committee considered construction of ECDE centres at two per ward and also gave some money for construction of vocational training institutes.			
<i>(Applause)</i>			
D0010	Lands, Urban Development, Housing and Energy	220,755,550.00	175,755,550.00
D0011	Gender, Youth, Sports, and Social Welfare	213,880,747.00	106,655,003.00
D0012	Water, Irrigation, Environment and Climate Change	568,456,030.00	818,000,000.00
Hon. Speaker, that money is to cater for drilling of boreholes, erecting weirs, water pumps and sand dams			
<i>(Applause)</i>			
D0013	County Public Service Board	20,112,751.00	20,112,751.00
D0014	County Assembly	292,000,000.00	292,000,000.00
D0015	County Attorney	10,000,000.00	10,000,000.00
	TOTAL	3,734,609,214.00	3,734,609,214.00

The Budget and Appropriation Committee made the following observations;

- i. That a re-arrangement of programmes have put Environment and Natural resources under Climate Change programme.
- ii. Some departments did not adhere to CRA recommendations on ceilings.
- iii. During the reorganization of the current Government, some sectors were moved to different departments from where they were in the previous budgets. For instance, Emergency Services from Health Department to Decentralized Unit.
- iv. That the Personnel emolument is at 51 per cent of the total Revenue against a set limit of 35 per cent as given by PFM Act.
- v. During sectoral interrogations, a number of departments presented a list of pending bills to be considered for budgetary allocation.
- vi. That the 2022/2023 half year absorption rates are too low especially under the development vote and stands at 5 per cent of the total development allocation as at today.
- vii. That the own source revenue target for the next FY 2023/24 is Ksh. 2.08 Billion.
- ix. That the budget documents were not submitted on time as required by the law.

Hon. Speaker, the CFSP 2023/24 provides an all-inclusive state of the County enabling the Budget and Appropriations Committee to properly scrutinize the proposed ceilings and draw proper recommendations. Some of the guiding areas include the criteria for resource sharing, half-year

departmental expenditures absorption rate, trends, views of the CECM, Finance and CRA recommendations on ceiling, views for Sectoral Committees and public participation, pending bills and county own source revenues. The Committee recommends as follows:

- (i) That Climate Change programme should be under Environment and Natural Resources which is the main programme and not vice versa.
- (i) The Budget and Appropriations Committee recommends that the moved programs should be transferred with their respective cost components and that is O&M, Staff Emoluments to where they are currently domiciled.
- (ii) The Committee recommends prioritization of the programs which impart directly to *wananchi* such as water, education, health, roads, agriculture and Energy.
- (iii) The County Treasury should come up with mitigation measure to control the wage bill which now stands at 51 per cent against a set limit of 35 per cent of the total revenue as per Section 107 read together with Regulation 25(a) of the PFM Act Regulations, 2015.
- (iv) That the pending bills taskforce finalizes its report to enable the county clear the eligible pending bills because some bills may lead to accumulation of penalties on the amounts due causing strain on the budgetary allocation.
- (v) That the procurement processes under the development budget should be initiated in good time to facilitate timely completion and payment of the projects. This will also aid in addressing the issue of pending bills as projects will be executed and paid for in the financial year in which they were initially budgeted for.
- (vi) That the County should keep on increasing the budgetary provisions for development budget estimates as this will lead to more and better services to the people. The committee recommends that the projected ceilings should greatly guide the preparation of 2023/24 Budget Estimates.
- (vii) That there are some key sub-programmes not allocated budget in the proposed ceilings for example the Departments of Agriculture, Environment and Lands among others. The committee in recommending the ceiling considered this fact and provided for some funds.
- (viii) That strategies be put in place to realize the own source revenue target as it has been on a declining trend over the previous years.
- (ix) That the County Treasury adheres to the 2023-2024 budget calendar.

Hon. Speaker, the Committee wishes to thank the Office of the Speaker and that of the Clerk for the support extended to the Committee by facilitating it to fulfill its mandate. I wish to acknowledge the Hon. Members of the Committee for their time as well as ideas in the meetings and in preparation of this report. Our sincere gratitude is extended to the County Treasury for being part of this critical process of preparing and reviewing the 2023/24 CFSP. It is therefore my pleasant undertaking, on behalf of the Budget and Appropriations Committee to table this report and recommend it to the House for adoption. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Member. I now wish to invite Members to debate this motion; Hon. Brian Kisila.

Hon. Brian Kisila (Makutano/Mwala, MCCC): Thank you, Madam Speaker. I would like to thank the Chairman and the entire Budget Committee and the House for taking this exercise with the seriousness it deserves. Members, you realize that budget ceilings form the foundation of any budget-

making process. If we do not crack the ceilings at this stage, it means in the budget making process, we cannot deviate above one per cent.

Madam Speaker, we need justice to this document; we prioritized our ceilings based on what the public told us and although we wanted more money for water; sometimes it is a give and take. I am sure the Chairman and his committee had to balance a few numbers here and there.

Madam Speaker, if we keep the money we have allocated for water and the water committee looks at radically ensuring that what we have given which I am a Member, goes down to wananchi, I can assure you 100 per cent of the Members who are here will come back.

Madam Speaker, before I sit down, there is a lot of concern on two items; one, if we are not serious about the wage bill because it has been a big issue even in the Second Assembly, we will eat a lot of development money. I am calling upon this House to radically look at the wage bill so that we keep it strictly within the guidelines which have been given and money for development should not be touched by recurrent.

Secondly, and I have been seeking a Statement of the same, is on internal revenue; we are not doing justice to that department. The money being collected is actually 50 per cent of our potential. I am calling upon this House to ensure that we put proper controls so that we can generate enough money. Members, realize that any money collected for own source revenue goes directly to development. So, the more we get interested in collecting more, the more we will get for development.

Hon. Stephen Mwanthi (Ekalakala, WDM-K): Point of information, Madam Speaker.

Hon. Speaker: Proceed.

Hon. Stephen Mwanthi (Ekalakala, WDM-K): Thank you, Madam Speaker. I think it is always good we put things correctly because later maybe some of the things that we say here might be taken as the correct position. Money left after spending recurrent monies is the one that goes to development; it is not true wholly that all monies collected from own source is the only money that goes to development. Thank you, Madam Speaker.

Hon. Speaker: Thank you.

Hon. Brian Kisila (Makutano/Mwala, MCCC): Madam Speaker, I am well guided but the point I was driving is that monies collected through own source revenue directly impacts on our development. That is a fact and the more we start making sure that the county collects money and we seal all the loopholes, the better for us. I would like to thank the interests Members have given this task; we were in Nairobi on Friday and I can see a lot of interest in what will impact directly on wananchi. Let us ensure the Executive delivers on its services and by doing so, those of us who are elected for sure will get back here and to me that is the most important part.

Let us do our oversight role and ensure the monies we have given departments especially these five; water, education, health, roads, agriculture and energy, that the committees who are in charge of these departments oversight these departments to ensure they deliver.

Madam Speaker, together with the Deputy Speaker, we will be bringing some amendments to our Standing Orders so that moving forward, CECM come to this Assembly and defend what they are doing. In the past, we normally vet CECM and they normally stand behind. We want them especially on these five critical sectors which impact directly on us, come here through the committee of the entire House and everyone goes to interrogate their areas one by one. So, I am sure Members will support that motion so that we can be able to succeed. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Brian Kisila. I really want to personally support what you have said in the last bit; something Hon. Ngunga had actually come to see me about and we had a discussion and we have to put do oversight properly by summoning those CECMs to come before us and do interrogations. Let us do our oversight properly and in the right way and implementation will take place if we go the way we are going. May I call Mheshimiwa Ngunga to say something and Hon. Ndeti to follow and Hon. Kavyu?

Hon. Francis Ngunga (Mua, MCCC): Thank you, Madam. I also want to appreciate the good work that has been done by the committee led by a very experienced schoolmate of mine, Hon. Ndambuki. Looking at these ceilings, this is a document that has been seriously canvassed and I am sure the whole House is aware that this is a product of a lot of consultation. If the House allows, Madam Speaker we can say two or three words about it and we agree because I am sure every Member is privy to what is ahead of us and these are ceilings, we are privy to.

Madam Speaker, I want to appreciate the good work and the guidance the committee has been able to give to this House in terms of aligning these ceilings so that the County Government functions as it is supposed to. I take note on the little variations that have taken place and they have taken place for the good of the county and therefore, if the House allows, maybe two or three statements and we should be winding up because this is a document that we all know and are aware. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Member. Mheshimiwa Ndeti.

Hon. Helen Ndeti (Nominated, WDM-K): Thank you, Madam Speaker. I want to congratulate the committee on budget and all the Members who burnt midnight oil on Friday; if they did not sit from morning to evening, this document would not have been as good as it is. I have seen that we have taken care of the most important areas in our county starting with water. Water and women are inseparable.

(Applause)

So, as a woman and the leader of Women Caucus, I am very happy. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Ndeti. Hon. Kavyu.

Hon. Francis Kavyu (Kinanie, MCCC): Thank you Madam Speaker. Thank you, Madam Speaker. First is to congratulate the budget team for the good work that they have done. Secondly, is just to encourage the Assembly; the Estimates that we have here these one provides a good foundation for us to perform the oversight role. My contribution was to encourage the House and probably the budget team to take a lead so that the Members of this House can be adequately taken through so that apart from now the ceilings, Members can understand properly what needs to be done, how it needs to be done so that especially on development side what is intended can be realized.

So we expect to have more reviews on this and even as a House we can have quarterly reviews to monitor and track how the budget that has been allocated is being spent. That will help to curb the issues of cases of where at the end of the financial year we have we are having cases of incurring huge pending bills and also will also help to monitor and also to explore opportunities where we can

increase revenue in terms of own source revenue. So it is a good job done and I support the report. Thank you.

Hon. Speaker: Thank you, Hon. Member. Hon. Majority Leader.

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Thank you, Madam Speaker. I would want to congratulate the Committee led by the Hon. Student of Father House; colleague or contemporaries for the work well done with setting budget ceiling. I take note of the deliberate way we set ceiling for very important departments like health, transport and water and irrigation.

I also take note that the absorption rate of some of these departments going by previous budget is very low and we run at the risk of not having capacity from the Executive side. So even as we set the ceiling, we need to make sure that the departments are enhanced capacity-wise to absorb the monies.

When I look at the department of water the proposed was Ksh. 568 million and I think there is additional Ksh. 250 million and then the next question you would want to ask is do they have the capacity. Our desire would be very good that we have as much amount of money in our Wards to take care of water projects but as legislators I do not know whether we go to the ground to do the real work. We leave it to the Executive side and I am not saying that we change this figure I am saying maybe we make sure the capacity on the other side is good enough to absorb the finances so that we do not just set a high ceiling and then the money is lost.

I want also to take cognizance and also applaud the Chairman of devolution within our Assembly because he is very consistent. His budget was Ksh. 66 million and nobody interfered with it. It remained at Ksh. 66 million but I have engaged him and he told me there are three upcoming municipalities; the municipality of Kathiani, Matuu and Mwala. So I think you dare not touch that money. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member. I had identified Hon. Felix proceed.

Hon. Felix Ngu (Katangi, WDM-K): Thank you, Madam Speaker---

Hon. Speaker: Then Hon. Maeke.

Hon. Felix Ngu (Katangi, WDM-K): Thank you, Madam Speaker. Madam Speaker, as I applaud the Chairman on budget and his team my eye has been drawn top two issues. I would want to thank the Chairman of the team and of cause the whole House for seeing it as important to set good ceilings for our core departments within the County. That is the departments of Health, Roads and Education.

Madam Speaker it is good to note that in future maybe we need to look on the department of Agriculture because the biggest challenge that our people are facing right now it is on food security. So I see that we have a ceiling of around Ksh. 340 million which I think to me it is not enough but my suggestion is that during the next budget then we can look on department of Agriculture maybe to put a good ceiling so that we can secure our people from the challenges they are facing at the moment.

Secondly, my attention has been drawn to the low absorption of the budget 2022/2023 that is at 5 per cent. I would wish to urge our County Executive Committee Members to move with speed and make sure that our people get development on the ground because at 5 per cent we seem to be too low and right now as we talk is on the month of March and we have only three months remaining for the financial year 2022/2023. So it is good for them to do something on the absorption rate on development.

Maybe to finish it must go on record that we have been having problems in Machakos County concerning the budget ceilings. That is why we are having very big pending bills within Machakos County because various departments have been working over and above their ceilings. We have to give a warning as a House that now the departments must now work within their ceilings.

(Applause)

This House is going to be very serious on that matter and we are dealing with quarterly reports and you find that departments have committed projects which are not within the budget. Such people will be liable and will be held to account and face the necessary consequences that they are supposed to face. So, Madam Speaker, I support this report and I applaud the Committee together with the Chair. Thank you so much.

Hon. Speaker: Thank you. Hon. Mulinge and then Hon. Maeke.

Hon. Joseph Mulinge (Muvuti/Kiima Kimwe, MCCP): Thank you, Madam Speaker. Madam Speaker, first I would like to thank the Committee for the budget. They have come up with a well-thought out budget, a budget that has taken consideration of the public when we were doing public participation and also the input of the House. Madam Speaker---

Hon. Francis Ngunga (Mua, MCCP): Point of information, Madam Speaker. I just want to inform the Member.

Hon. Speaker: Okay, proceed. Member you may be seated.

(Hon. Mulinge took his seat)

Hon. Francis Ngunga (Mua, MCCP): Thank you, Madam Speaker. I think I would like to encourage my brother Hon. Mulinge. I think today he has a lot of vigor and I want to correct him and tell him we are dealing with the County Fiscal Strategy Paper the budget will be coming later Mheshimiwa.

Hon. Speaker: Okay, point taken. Mheshimiwa proceed. Mheshimiwa Mulinge.

Hon. Joseph Mulinge (Machakos Central, MCCP): Well, I was saying it is a well-thought budget ceiling. There is a quote by Adam Smith which says this; everything is worth what the purchaser will pay.

(Applause)

I will say the ceilings we have I will say they are problem-solving tool. When I went through the department on the resources allocated to every department, the first five departments of health, water, agriculture are touching the problems the public have. Lack of water and that is why we have corona in our areas because of lack of food; cholera and you see in irrigation and water the department has reaped big so I support the ceilings we have. Thank you.

(Applause)

Hon. Speaker: Thank you. Very good contribution there. Hon. Maeke then Hon Katiti and Hon. Katiti you will sum up everything.

Hon. Musyimi Maeke (Kalama, CCU): Thank you Madam Speaker, I want to take this opportunity to thank the budget committee especially the chair for the good work they have done before this House. As the Hon. Member Mwala has put it, we went for public participation and at last the money that the County Assembly is spending on us and the Government is spending on us is seeing the light of the day in utilization.

We have seen prioritization of development in our wards and I know there has been a history that the health department get a lot of the big chunk as we had seen before but you are going to understand if people eat healthy they will not go to hospitals. Some of the problems we have are created because of lack of water. The agriculture sector that Hon. Katangi 001 is speaking about, the basic needs before agriculture is put to place is water. We may have tractors, we may have good mechanization, we may go to precision agriculture but without water it will just be effort in futility.

I am drawn to the point and recommendation of the able committee of budget that we have a ceiling of 35 per cent in terms of wage bill and as we speak, Madam Speaker, we have been for the past few weeks the same County Executive has been advertising jobs ranging from up to over 700 job vacancies and as County Assembly we are here complaining about the wage bill; I am trying to imagine if this trend is allowed. Probably our wage bill may even go up to 60 at the expense of development.

My prayer is that we seek the intervention of the Speaker, probably to direct the Appointment Committee because we are crying and saying we do not have money as a county. We have had and have seen also that there was a Committee which was set up to look into the issues of ghost workers and we were so happy because we knew by the end of the day probably there were ghost workers as it was alluded. Up to now I believe taxpayers money was used we have not received the report and that taskforce probably is just somewhere with information.

So my prayer is as a house let us come up with mechanisms and I am going to also agree with Hon. Katangi what he has said; we may be quick to give departments a lot of money and allocate them. Thank you.

Hon. Hellen Ndeti (Nominated, WDM-K): Point of information.

Hon. Speaker: Yes.

Hon. Hellen Ndeti (Nominated, WDM-K): Hon. Speaker, we do not have Hon. Katangi in this House. Can the Honorable member tell us who that is?

Hon. Musyimi Maeke (Kalama, CCU): Thank you. Hon. Felix Ngui, the people's choice from Katangi. Thank you, Hon. Member, for the information. Madam Speaker, I am saying this in regard to the water department. We have had a lot of stalled projects; we have a lot of projects that have been done. For example, I was looking in to one report of Kimutwa borehole, from the department, the report says that the borehole is 93 meters and the water intake is at 90. When we went when we were repairing it the water intake is at 50; definitely that borehole is going to dry up.

Something needs to be looked into especially as we give the water department money so that we do not give them money and they do not give us a value for the taxpayers' money. Thank you, Madam Speaker. I stand to support the motion.

Hon. Speaker: Thank you very much, Hon. Member. In so far as issues concerning wage bill there is a recommendation concerning that particular report that says the committee recommended that

there should be mitigating measures to control the wage bill to 35 per cent as it is at 51 per cent. So I think if these reports are implemented we will get there. Thank you Hon. Member. Hon. Katiti proceed and make your contributions.

Hon. Boniface Katiti (Muthetheni, UDA): Thank you, Madam Speaker. Mine is just to talk about the departments that I am a member to and one is about Youth and Sports. Madam Speaker, if we want to see the future, we must see it in our children so the proposed budget was Ksh. 213 million but it has been sliced down to Ksh. 106 million and some so I do encourage that in next year so that if we want to empower the youth and the women who are the core people in our County, we need to increase that amount even to a tune of Ksh. 213 million that was proposed by the Treasury.

The other thing is that in other departments like water and irrigation. When we were in committee and when we were interrogating the Chief Officers in environment and climate change, they were telling us that there were no pending bills because those departments maybe were not there in the last regime. So I want to request that now we have added almost Ksh. 250 million to water and irrigation and climate change committees and departments that is environment and climate change may be apportioned some percentage so that they can have independence of doing their work.

The other thing is I want to applaud the chairman and committee of budget because you have seen it right that the climate change should be subordinate to environment and resources because it is time every talk of the town or in this country is about climate change but we should agree that climate change is subordinate to environment and natural resources.

The other thing is about the chairman, He has told us we want to build the ECDE centers to two. I want to expand a little bit; we should build two classes in every ward a year so that at the end of five years in every ward can have the ECDE centers about 10. So I support the document.

Hon Speaker: Thank you very much, Hon. Member. On the issue of reduction of ceilings for the youth and sports and gender welfare, I am sure the chairman has supported justification for the reduction and maybe during his reply he can comment on it. Lastly and not least, Hon. Deputy Speaker you can sum up this debate.

Hon Stephen Mwanthi (Ekalakala, WDM-K): Thank you, Madam Speaker. As a member of the budget committee, I will say that as members we have done our best to this document but there are things I think we need to ask ourselves also as we give these departments these monies. Madam Speaker, on 6th January, 2023 we passed a supplementary budget here at this Hon. House and today, it is two months down the line but some of these departments have never, and even are not showing any signs of advertising any projects on the ground.

(Applause)

We are in the month of March today and we only have two more months for this financial year yet we passed a supplementary budget hoping that we will see projects happening in our wards. As I have just said we have never seen projects happening in some of the departments; I believe up to date, only two departments have already advertised some projects on the ground. So the question is when we give some of these departments such chunk chunks of money, are we again now we are that we might end up again supplementing all these monies to another department that ought to have done something to our people, giving an example to that Department of Youth and Sports?

As Members, we still have interest in sports and we have our youths whom we expect to nurture it is just last week when we had our youths from Kwanthanze going to Morocco and we need to also to support those youths in nurturing their talents. When we prepare such budgets and kill those

departments, yes, we might need a lot of water in our wards but we can balance all things and see these monies and see our county moving in all directions.

Let us also be careful especially when we are dealing with recurrent expenditure because in most cases recurrent funds always go to salaries Madam Speaker, and as a county, we will have a motion here from some of us insisting or requesting for the county government employees probably to be upgraded their positions. When we change these yet we are not in those departments, especially in the area of each of our recurrent expenditures, what drives us at that, Madam Speaker?

We need to ask ourselves such questions because in our Second Assembly, we were here and sometimes we had similar budgets. When we deal with recurrent expenditure we need to ask ourselves serious questions and be sure when we are changing this recurrent expenditure from one department to the other what are the implications because we might find that a certain department will not be able to pay its employees and we expect that department to perform. So, those are some areas that we need to check on.

Let us always balance our budgets to fit all the departments. We had all the departments here with us and gave the COs and CECMs the mandate to perform to undertake their projects on the ground and will be asked by youth on the ground; what do you have for us to nurture our talents or maybe to support them in their programs? We will be asked; I can tell on the health sector we are okay but some departments have been so much pressed. We will also need to give our farmers summers and farming men some training and such like things, so if we balance will be balancing our budget, I believe we can do well. Otherwise, I support the document. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Deputy Speaker. May call upon Hon. Dominic Ndambuki? Proceed.

Hon. Francis Kitaka (Ndalani, WDM-K): Thank you, Madam Speaker. I just want to echo some of the sentiments that the Deputy Speaker has mentioned and then critically, I am emphasizing on the Department of Finance, where I chair. We are all fighting and saying that we need to collect more money on our own source revenue but again, we have to facilitate the department. That is the truth. So looking at the document, you will find that the proposed amount was slashed by 50, around Ksh. 52 million and yet, we need to move up and above the Ksh. 1.6 billion that we have been looking at.

(Applause)

So, Members, it is critical to consider funding this department because we will also be questioning the CECM finance whether he has achieved the Ksh. 2.0 billion. We want to move this figure to more than to above Ksh. 2 billion, but we cannot do it when we are not facilitating this department. So I call upon Members that we consider the key departments that are of help so that we can achieve our goals.

However, we have considered water and all other departments that we have allocated money but again on the matters of absorption like now, we have very little time before the financial year 2022/23 ends; what are these departments doing to absorb the monies that we put in the supplementary budget? If we will reach a point whereby we are calling out for some tenders to be done but they will not be paid because the time will have lapsed. So we need also Hon. Members to put all these things and balance them so that at least we can move in the right direction. Thank you very much, Madam Speaker.

Hon. Speaker: Thank you very much, Hon. Member.

Hon. Brian Kisila (Makutano/Mwala, MCCC): Please allow me, Madam Speaker. I just want some information from the Chairman.

Hon. Stephen Mwanthi (Ekalakala, WDM-K): Point of order. Madam Speaker, a point of order, Madam Speaker.

Hon. Speaker: Okay, proceed.

Hon. Stephen Mwanthi (Ekalakala, WDM-K): Madam Speaker, I think it is a norm for the House in fact, and if at all we are ready to follow the law and the way it is supposed to be, when a member finishes submitting, you cannot stand on a point of order over the same. So let us check on that and I believe the Hon. Member here is---

Hon. Francis Ngunga (Mua, MCCC): Point of information. Madam Speaker. Madam Speaker, on the same on the same strength, Madam Speaker, I think again, even when debates are in this House, Madam Speaker, I think it is also prudent that we also observe our Standing Orders. It says; if a Member has spoken on the issue, then that member may not raise to discuss on the same issue. Thank you, Madam Speaker.

Hon. Speaker: Let us adhere to our Standing Orders; if you have spoken, you don't speak again. Thank you. So can I proceed and request the mover to respond. Proceed and respond.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Thank you, Hon. Speaker. I take cognizance of remarks made by Hon. Members and their passionate contribution. I would like to clarify on the matter that Hon. Kisila and Hon. Kitaka seeks to address and especially---

Hon. Speaker: And Hon. Katiti.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Yes recurrent budget, especially on the Department of Finance, Economic Planning and Revenue Management. Madam Speaker in arriving at these figures, the committee considered the actual absorption rates for the previous budgets in the three consecutive years and we gave an increment on those fingers of 5 per cent adjustment annual adjustment. So, we are within the absorption rates and we have given the committee has given a 5 per cent increment on that figure. So, Hon. Members on the issues of personnel emoluments, operations, and maintenance, the committee has factored that for each department.

Hon. Speaker, of essence to the Executive is on absorption rate especially on the development monies, on the ceilings that the House will adopt that the House has given and, I believe that the House is going to adopt. It is my plea that the Executive adheres to the ceilings and ensures that they improve on the absorption rate. So that, Madam Speaker, at the end of 2023/24 financial year, we do not see monies that have not been spent and returned back to the County Revenue Fund and not spent under development but allocated to other things. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Member.

(Question put and agreed to)

ADJOURNMENT

Hon. Speaker: The House adjourns to Wednesday, 15th March, 2023 at 10.00 a.m.

The House rose at 1.12 p.m.