

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Tuesday, 17th October, 2017

The House met at 3.44 p.m.

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

PRAYERS

Hon. Speaker: I greet you Members this evening and I thank you for being available for today's business.

COMMUNICATIONS FROM THE CHAIR

WELCOMING NOTE

Hon. Speaker: Hon. Members, the Chair has some communication. First one is to welcome you Hon. Members back to this session. We had taken a break on 29th of September, 2017, and during the recess we had the opportunity to be trained particularly on the operations of committees. We are going to continue with the trainings so that you are able to discharge your duties with full capacity and I believe that the little skills that you got during that training that we had during the recess is going to enable you to start undertaking the basic functions of you in the different committees that you are serving and I trust that you have resumed now with vigor and zeal so that we can carry on discharging our mandates. Welcome back.

(Applause)

MACHAKOS COUNTY FINANCE BILL 2017

Hon. Speaker: Hon. Members, I wish to do a further communication, that as we were breaking for that recess, we received a communication from the Governor, the Executive, the Finance Bill 2017, was brought on the 2nd October, 2017 and that is from the department of Finance and Revenue Collection, that is pursuant to Section 133 of the Public Finance Management Act 2012. I just want to notify you that, that particular law states that, 'not later than ninety days after the passing of the Appropriation Bill, the County Assembly shall consider and approve the Finance Bill with or without amendments.'

The Appropriation Bill was passed before this Assembly was sworn in and we are mindful of the time running and because of that urgency, we committed it to the relevant committee, so that they are able to look at it and I believe the Committee is already seized of the matter. We are waiting for a report of the Committee back to this House.

NOTICE OF MOTION
POLICY ON COUNTY ANNUAL CLEANING PROGRAM

Hon. Katumo: Thank you, Madam Speaker. Pursuant to Standing Order 44 (1), I wish to give notice of the following motion, That, this Hon. House discusses and approves that the County Government of Machakos draws a policy to set up a County Annual Cleaning Program to tap the effort of residents of Machakos County environmental cleaning. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Katumo. Mr. Clerk, proceed.

STATEMENT
BUSINESS FOR THE HOUSE FROM 17TH TO 19TH OCTOBER, 2017

Hon. Ngunga: Thank you, Madam Speaker. Pursuant to Standing Order 41 (2)(a), statement of the House Business Committee on the Business coming before the House this week.

Madam Speaker, I am reading a statement of the House Business Committee. So, I stand under Standing Order 41 (2)(a), where during the statement hour, a Member of the House Business Committee designated by the Committee for the purpose shall, every Thursday or on the last sitting day for not more than ten minutes present and lay on the table a Statement informing the House of the Business coming before the House in the following week.

Madam Speaker, the House Business Committee met today Tuesday 17th of October, 2017 and pursuant to the provisions of the Standing Order 151, balloted business for the week starting today, Tuesday, 17th October, 2017 and ending on the Thursday, 19th October, 2017 as follows;

Tuesday, 17th October, 2017

Afternoon;

Motion requiring the County Government to draw a policy to set up County Annual Program to tap on the effort of residents of Machakos County environmental cleaning. This is by Hon. Justus Katumo, nominated MCA.

Wednesday, 18th October, 2017

Morning;

Motion on takeover of the Management of the Kibauni Water Project by the County Government of Machakos from TANATHI Water and Sewerage Company. By Hon. Annastaciah Mutuku, MCA, Kibauni Ward.

Wednesday, 18th October, 2017

Afternoon;

Motion requiring the County Government to draw a policy to set up an Annual Tree Planting Week during the short rains of October to December. By Hon. Justus Katumo, nominated MCA.

Thursday, 19th October, 2017

Afternoon;

Motion on adjournment for recess. By Hon. Francis Ngunga, MCA, Mua Ward.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Majority. What is it Hon. Ndawa?

ADJOURNMENT ON DEFINITE MATTER OF URGENT COUNTY IMPORTANCE

Hon. Ndawa: Point of order, Madam Speaker. Madam Speaker, I am standing on a point of order according to Standing Order 30, which seeks permission to adjourn on a definite matter of urgent County importance. Madam Speaker, I seek permission to move a motion for the House to adjourn business for today in order papers, to discuss the delay in the forming the Cabinet and issues of Human Resource which have affected County Program thus hindering delivery of service and Development. Thank you, Madam Speaker.

Hon. Speaker: I know, Hon. Members, you are waiting for my directions. I must say that I need to look at the relevant orders so that I can guide you appropriately. Hon. Members, the Hon. Member, Mr. Ndawa, has sought an adjournment of the business of this House so that, there can be a discussion of a matter that is definite urgent and of the County importance under Standing Order 30. I notice that Hon. Members under Standing Order 30(2), and I wish to draw your attention to it, 'a Member who wishes to seek leave to move the adjournment of the House shall, at least two hours before the commencement of the sitting, hand to the Speaker a written notification of the matter but the Speaker shall refuse to allow the claim, unless the Speaker is satisfied that the matter is definite, urgent and of County importance and may properly be laid on a Motion for adjournment of the House.'

I have looked at the Statement placed before me, pursuant to this request for the adjournment of the Business of the House, because it was placed on my table in the time that is

required, that is not less than two hours before this sitting. I went through it and I am convinced that the matter is definite, that it is urgent and that it is of County importance and I do allow it.

(Applause)

However, I wish to notify the Members of the provision of Standing Order 30(3) and (4). 'If the Speaker is satisfied in terms of paragraph (2) and not less than ten other Members rise in their places in support, the Speaker shall nominate a time on the same day at which such Motion may be moved.' I am moving step by step. Hon. Ndawa, do you have any not less than ten Members standing in support?

(Members stood up in their places)

Hon. Speaker: Okay sit Members. The Speaker takes cognizance that nearly three quarters of the House was on their feet. The requirement of not less than ten Members is satisfied.

Members, I have no option but to allocate time so that this motion can be moved and I allocate it right away. The only thing I wish to draw your attention Members is that when it comes to debating the motion, your attention is drawn to Standing Order 30(4), that no Member speaking on a matter under this Standing Order shall speak for more than five minutes without the leave of the House, except that the mover may speak for ten minutes.

(Applause)

Hon. Ndawa: Thank you, Madam Speaker. On behalf of Hon. Kiteng'u, Kivaa Ward, I would like to move this motion.

Madam Speaker, that aware that several programs in the County Government including provision of drugs, garbage collection, tractors, boreholes and seeds programs have stalled;

Aware that this has affected delivery of services to Machakos County residents thus affecting development; noting that most of the members of the Cabinet of the County Government of Machakos have resigned and aware that the Cabinet is currently constitutes of members not approved by the Assembly;

Aware that the Governor has been slow in reconstituting his Cabinet thus delaying operations of the County Government;

Acknowledging that the Governor submitted five nominees for approval of the County Executive Committee Members;

Aware that the Assembly requested the Governor to submit the remaining five names of the Executive Committee Members for vetting by the Assembly but the Governor has been away for close to three weeks to an unknown destination;

Aware that this affected delivery of services;
Further aware that the County Government of Machakos has for three months operated without officers in the department of Finance and Revenue Collection, and accountants and procurement officers in all other departments;
Aware that this has paralyzed revenue collection and procurement of goods and services in the entire County Government of Machakos.
Aware that the County Government has been addressing the issues of Human Resource in an uncoordinated manner and has not been paying employees;
Aware that officers from other departments without training on revenue collection have been deployed to collect revenue and aware that this revenue has been going into some officers' pockets thus hindering development;
Madam Speaker, I wish to move the motion that Pursuant to Standing Order 30, this Assembly adjourns the business of the day and discuss the issues of delay in submitting a full list of CECs to the Assembly, failure to collect revenue and procurement of goods and services, diversion of county revenue, suspension of staff, failure to pay county workers or employees their salaries since August and frequent long foreign travels of the Governor which are affecting development of the County.

Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Hon. Ndawa, do you have a seconder?

Hon. Ndawa: Yes. I call upon Hon. Museku to second.

Hon. Museku: Madam Speaker, I second that motion. Thank you.

(Applause)

(Question proposed)

I welcome Members to debate. Can I have Hon. Katumo.

Hon. Katumo: Thank you, Madam Speaker. I want to applaud the Hon. Member who brought this Motion, I think the Motion is timely considering the hue and cry from our sisters and brothers who are working with this County, also those Members and residents of this County who are suppliers, tenderers doing some works with this County. But let me say this Madam Speaker, Hon. House it appears in Machakos, it is a one man show where it must be you and you alone for

things to work, now I have been observing lately, that it seems there is no need for a CEC, there is no need for a CO, because I think the Governor is able to do everything.

You remember, Madam Speaker, Hon. Members we were stuck just some few days ago because there was no money, that notwithstanding, most of the County staff have not been paid since August.

(Applause)

Now, we should loudly wonder together whether we should continue leading a County that behaves as if things cannot work the way they are supposed to work. Madam Speaker, you find, because I come from Mavoko, Mavoko used to collect revenue to the tune of around Ksh. 2 million per day but for the last one month or so, revenue collection has not been taking place. Why? Simply because the Governor saw it fit to send these members unceremoniously home and then of course recently you find, that also that there are other members, the other category of staff who have come through the back door and are collecting revenue and we do not know how much revenue is being collected.

What am I saying? I think it has reached a time that we should smoothen things in Machakos County. We cannot continue to be treated as an arm of the County Government that has no teeth, that has no voice even to say and we cannot just sit here and watch things go haywire and things get wrong and we represent people from all the corners of this County and it is very saddening not to speak of these people. You know Hon. Members, I represent a Constituency that touches every Ward in this Machakos County, those Persons with Disabilities, I think they are the most affected people in this Machakos County.

If things do not work, then you know it is even worse for them because we have that category of the poorest of the poor among them who are my constituents. So, I want to support this motion and categorically say, the exercise you have been carrying here with five Members of CEC who have been here, and then you wait for others.

I remember Madam Speaker, you told us, when you spoke to the Governor about the other rest of the members, he said he is looking for them. From where? From where? Are you looking for them from the market? Are you looking for them from abroad? Madam Speaker, I think it is the high time that this House should be respected because we are the makers of the law and we hold a high stake in the County Government. Actually if you see the CECs here, we are the ones employing them---

Hon. Kaloki: Point of Order!

Hon. Speaker: Five minutes, Hon. Kaloki.

Hon. Kaloki: Thank you, Madam Speaker. I stand here on a point of order to just make some corrections to the Hon. Member, Katumo. I think the issue of delayed salaries and having a

County which is cash strapped is all over the Country it is not only in Machakos County, it has been all over the news, in the newspapers---

Hon. Speaker: I suppose Hon. Kaloki that would not be a point of order, you can do your debate, you can do your contribution when the time comes. Please resume your seat.

(Applause)

Hon. Kaloki: Thank you, thank you, Madam Speaker.

Hon. Speaker: Hon. Katumo, I draw your attention to the fact that you do not have all the time....five minutes are nearly over.

Hon. Katumo: Yes, I know I have done three minutes, I have two minutes. I have been watching. But I want to conclude really...but what I am saying is---

Hon. Masesi: Point of order!

Hon. Speaker: Point of Order?

Hon. Masesi: Yes. Madam Speaker, I am wondering whether is it is order for this House to discuss the matter which is before us as a Committee because we have a petition on the unpaid salaries which we were to meet the Chief Officers both Finance and Labour, so I am wondering whether it will be in order for us to discuss that issue when we have not tabled back the report on that issue.

Hon. Speaker: Not in order. Indeed I thought that was the point of order that Hon. Kaloki was raising. So, it is good that you are alert to that. What is it? Point of order? Point of information? When you put up your hand please say what it is that you want to say.., point of order from Hon. Francis Ngunga.....contribution...Not yet, he had not yet finished. Let him finish.

Hon. Katumo: Thank you, Madam Speaker for that guidance. I just want to finish because I think there are so many points of order. But what I am saying finally, you find this Motion touches on something very important that the Governor has been out for three weeks to a month without even telling us and living us alone just like that and this is as usual.

The other time he went for three months and left us wondering where he was and of course when you leave and you do not inform, you do not let people know where you are they start guessing and many rumours come along and we start to wonder. But what I am saying, you do not leave a County that has no CECs, no staff, work cannot continue, I think it is the high time of course this House raises to the occasion and puts relevant laws to make sure that we work together

and make sure we co-ordinate to make this County a better place for each and every one. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Katumo. Hon. Francis Ngunga.

Hon. Ngunga: Thank you, Madam Speaker, thank you, Mheshimiwa Ndawa for reading the mood of Machakos County. Madam Speaker, I am here to contribute on this motion and say that, Machakos County is headed to a crisis. I say this Madam Speaker because going by the ongoing, you realize that we have been sitting here as Appointments Committee Madam Speaker for the last two days and we have been looking at the Nominated CECs.

Unfortunately, Madam Speaker, out of the CECs that were presented to the Committees, none of them was in the docket of Finance. Madam Speaker, I want this House to appreciate the importance of the CEC, Finance and this House must be put in knowledge that the CEC, Finance is not in existence and you are aware Madam Speaker, that it is law that for any transaction to be there, the signature of a CEC, Finance, is required.

Madam Speaker, I understand that we do not have a nominated CEC, Finance and there is a crisis before us because Madam Speaker, there are requirements by the Treasury that for there to be transaction, there must exist a substantive CEC. Madam Speaker, going from the program, if we are to get a CEC in place, the least we can have in place is the next 21 days, if we have the CEC, with us today here, I am looking at it from the point of view of service delivery, the absence of a CEC, Finance is going to hinder service delivery in this County. So, it is upon this House Madam Speaker, to put mechanisms to ensure that the relevant Authority is made to understand the importance of that.

Madam Speaker, I am aware of a communication that came from the PS, Finance that was reacting to a Press Statement that came from the Governor. You realize on the 27th, there was a statement that said, the Governor issued a statement saying,.....In order to protect the vulnerable members of our business Community and to grow our local economy, after consultations with the various sectors, I have today on the 27th June, 2017, directed the department of Finance and Revenue Management and all revenue collection and enforcement agencies of my Government to stop collection of the following revenues from tomorrow Wednesday the 28th June, 2017;

1. Hawkers fees.
2. Small scale vegetable retailers.
3. Small scale vendors.
4. Market cess for livestock.
5. Bus park fees for matatus, nissans, tuktuks, marutis and bodabodas.
6. Fees charged to mitumba traders.

Upon receipt this statement by the PS, this was response that the PS gave.

PRESS STATEMENT, MACHAKOS COUNTY GOVERNMENT POLICY ON PROTECTION OF TRADERS.

Reference is made to the above mentioned press statement that was issued on the 27th June, 2017, a copy is attached here. As you may be aware, Article 210 of the Constitution of Kenya 2010 bars the imposition, waiver, or variation of taxes, fees or charges except as provided by the Legislation. Further, section 159 of the Public Finance Management Act 2012, gives power to the County Executive Member of Finance to waive or vary taxes, fees or charges provided by such waiver or variation has been authorized by an Act of Parliament or County Legislation.

In light of the above, we are writing to seek clarification of the legal basis of your directive to waive taxes, fees and charges approved by your County Assembly as communicated in the Press Statement referred to above.

Madam Speaker, therefore, I am communicating this to say that this, in my opinion, Madam Speaker, might have been the reason why the county assembly coffers are now empty because I am sure upon realization that we are not collecting revenue then I am sure the central government has a right to withhold disbursement. So Madam Speaker, I seek the indulgence of this House in giving direction on what to be done now that we are in this kind of stalemate. Thank you, Madam Speaker.

Hon. Speaker: Hon. Ngunga, you are not going to table that document? We may as well not relay on it because it will be hearsay.

Hon. Ngunga: Thank you, Madam Speaker. I table this document to the House. Thank you.

(Applause)

Hon. Speaker: Hon. Kalumu.

Hon. Kalumu: Thank you Madam Speaker. I would like to support the motion of today which requires the county to have a CEC on revenue and finance. Madam Speaker, the county cannot be run without cash and without collection of cash or revenue the county cannot have money. If you go to some wards, for example in my ward, Kithimani ward there are some services whereby when you ask about a simple thing like a repair of a tractor you are told that there is no money for that repair. Without the CS finance I do not think that problem will be solved anytime soon.

Hon. Speaker: Are we talking of a CS finance?

Hon. Kalumu: CEC sorry. So I support the motion and I wish it could be done now. Thank you.

Hon. Speaker: Thank you Hon. Kalumu. Hon. Museku.

Hon. Museku: Thank you Madam Speaker. I would like to support that motion which has been tabled today by Hon. Ndawa because Madam Speaker, when we saw the list of the CECs who had been floated to be vetted my expectation was that among the first ones to be put there was the docket of finance because everything in this county revolves around finance. Why would you be bringing CECs who will be depending on the CEC for finance for them to be able to execute their duties to be vetted before you vet the CEC for finance?

(Applause)

That to me Madam Speaker, shows that there was something more to this list than met the eye because the Hon Governor knowing very well the importance of this position knowingly omitted presenting to this House that position early enough. I believe that all the projects which are stalling throughout this county as you have heard from Hon. Kalumu tractors do not even have spares, we do not even have...boreholes have stalled as you heard about projects which have stalled on the health centers. All this is as a result of there not being a CEC, a substantive CEC in place.

We cannot continue to have people acting in acting positions on such key positions unless they have been vetted by this House. If you put somebody in an acting capacity in any of those positions and they have not been vetted by the House, that means they have not been vetted by the people so I believe I support this motion and say that it is imperative for the Governor to present before this House the full list of all the nominees of all the key positions so that when we are doing this job we do it once and for all. Thank you.

Hon. Speaker: Thank you Hon. Museku. Hon.. Mueni. I am still waiting to catch for this side to hear them so let us hear Hon. Mueni I will look back that side.

Hon. (Ms.) Mueni: Thank you, Madam Speaker. I support the motion and ask the Governor if there is any family which goes without finance and all that money which is collected I think all those CECs they all have problem with anti-corruption even I do not know whether there is anyone who is not having a file in anti-corruption.

Hon. Speaker: That is out of order. That is a matter that is pending before the committee for this House. Please members do not debate on issues that are pending before committees.

Hon. (Ms.) Mueni: I withdraw---

Hon. Speaker: Thank you.

Hon. (Ms.) Mueni: But you have heard so Madam Speaker, mine is to ask the Governor to be very fast because even we are suffering when we do not see people collecting money and we need the money. Thank you, Madam Speaker.

Hon. Speaker: Hon. Mark Muendo.

Hon. Muendo: I stand to support this motion. In fact as we are talking now there is no water in the county. As we are talking now the people who are collecting revenue now they are the people who are not competent. Madam Speaker when this motion was read I was feeling that now this is the time we should talk as leaders.

(Applause)

We must inform the community and our people the suffering from the members of this house. It is not that we are not able, it is because the executive have not given us the CEC finance. Members and Madam Speaker, the law is very clear the CEC finance has a signature where he or she normally signs a form before you draw money from the Exchequer from the Central Bank.

It is not that there is no money. People are talking that there is no money for every county. Let me correct my brother here, member of Kangundo. There is money it is only we are suffering because the executive has not given us the CEC for finance who is supposed to sign for that form to draw money from Central Bank. Let me say, Madam Speaker, now this House and the members of this house have started to feel the heat of the last house. That is why the 39 went home.

Why am I saying so? This is the time when we are planting. This is the time when our people are expecting tractors. This is the time when our people are expecting seeds and this is the time when the county is saying there is no money because of the executive not giving us a CEC in finance.

(Applause)

For how members of this house are we going to be in this scenario. Madam Speaker, it is known that other counties which surround us; Kitui, Makueni...we do not live in heaven we know their services are being...people are receiving services in Kitui. Makueni they are receiving services. Here is a Governor who travels for three weeks after formation of the house. Here is a Governor who does not even want to talk with the members of parliament. How are we going to work members of parliament? Let me tell you, today is a day we must put our foot on floor and say we must get the CECs all of them.

(Applause)

You are now forming committees, members of this house---

Hon. Speaker: Hon. Member mind about time, 5 minutes only.

Hon. Muendo: Thank you, Madam Speaker. Why are you making all these committees? Chairmen of what? Where are you going to raise the reports from? There are no CECs in Machakos County even the ones who are there, they are illegally in office they were never vetted by anybody. The former MCAs they found them in office which is an illegality. The law is very clear they must be vetted. They must have relevant education not just to be a CEC so thank you Madam Speaker, I support.

Hon. Speaker: Thank you, Hon. Member Mark Muendo. Hon. Brian Kisila.

Hon. Kisila: Thank you, Madam Speaker. I stand here to support the motion on the basis of we are united as a house.

(Applause)

When an issue comes which affects all of us we should discuss it. Let me remind everybody in this house that we are elected to serve our people. And the minute service to people is not being delivered all of us as members of County Assembly we should be able to stand up together and ensure things are stream lined. My point Madam Speaker, is only one that I have gotten information for my ward that there are some people who are collecting revenue even not issuing receipts and there are claiming to be members of our finance department.

(Applause)

We need to stream line our processes and procedures. We need to ensure that this county is run professionally and I call upon our members of various committees to work tirelessly to ensure that we deliver the service. It is not about which side of political divide you come from.

(Applause)

It is about the issues which are at hand. We have got boreholes which have broken down. In my ward I have several boreholes which have broken down. When I talk to officers in charge I am told there is no money. Now obviously my people at home are asking me, including my own home area, my borehole has been down for the last two months. They are asking me mheshimiwa sasa wewe umeenda hapo. You have gone there and the boreholes are breaking down what are you doing about it. So we need to stand up and say; let us stream line this county,

let us work as a team to stream line this county and if something is not right let us say it is not right.

(Applause)

I want to say one thing under your leadership Madam Speaker we have seen professionalism coming to this house and I am calling all members here to become professionals. Let us not start supporting something which is not there. If something is not right it is not right and we will stand up for our people if we stand united and say issues are not right. I suggest Minority Leader is not here, I am Deputy Minority Leader. I am volunteering myself to engage the executive on the basis of minority side to ensure that things are working the way they are supposed to work. I volunteer to push that agenda.

My last point is, we were here on Sunday as appointment committee. We sacrifice our Sunday to come and ensure we do our work very fast. I am also calling upon members of various committees please volunteer yourself so that we can stream line things in this county. I support this motion and I think we need to make sure that things are working well for the betterment of our people. If something is not right let us say it is not right. If something is right as members let us say it is right. Thank you very much.

(Applause)

Hon. Speaker: Thank you Hon. Brian Kisila. Hon. Paul Nyanzi.

Hon. Nyanzi: Madam Spika, kabla sijakua MCA nilikuwa natetea wafanyikazi East and Central Africa. Na mimi nina shida ambayo nimeiona na macho yangu na kwanza na support hii motion mia kwa mia. Mimi naongea juu ya wafanyikazi ambao nilikuwa nikisimamia wengine huko. Vile niliona, ata duniani hakuna pahali wafanyikazi wengi kama mia tano. Kama hii tunaongea juu yake wamesimamishwa wote na wako na watoto. Watoto wao wako shule na wanakula, wamekodisha nyumba ile wanakaa na wamefukuzwa---

Hon. Speaker: Hon. Nyanzi...point of order. We agreed that that issue is before a committee isn't it? Let us deal with it in the committee so that we do not mix things. Just avoid that bit of this motion that touches on the issue that is pending before the committee. I know we have a labor committee, we have a finance committee actually a joint committee right?

Hon. Nyanzi: Madam Speaker, nakubaliana na hio lakini nauliza---

Hon. Speaker: Ukikubaliana na hio hakuna lakini.

(Laughter)

Umekubali asanti. Ni mwongozo ndio tuende vizuri. Hon. Mitaa.

Hon. Mitaa: Thank you Madam Speaker, for giving me the opportunity to contribute to this motion. First I stand to support it and go with the majority in the house that time has come to call a spade a spade. We are not here at the assembly to fight the executive but we are here at the assembly to serve our people. So what I would request the executive, we know some things have been happening, there has been hue and cry from our residents in Machakos. Services are not being offered well the way they expect them to be offered but when it comes to the media they are told we are county number 1.

Mine is to request because we are here to serve the people of Machakos in the right way. Let us have transparency in all the deeds we are doing. Let the assembly play its mandate well and also the executive play its mandate well. So what the motion says, indeed there is a lot and as it stands now Machakos is behind other neighboring counties. We have seen Kitui working. We have seen Makueni working but at the moment everything at Machakos is at standstill. So mine is to request the Hon. Members as Hon. Kisila has requested we work as a team we do the best for the county and people will appreciate our deeds. Thank you.

Hon. Speaker: Thank you Hon. Mitaa. Hon Margaret.

Hon. (Ms.) Mwikali: Thank you Madam Speaker for this wonderful moment that you have given to me. I take this opportunity to thank and congratulate the member who has brought this motion. Indeed it was very timely; it was a matter of definite importance for a county. It is a business that has really affected a whole lot of these hon. members in this house.

Out there Madam Speaker, is serious awe and cry of our mothers who have been waiting and expecting rains and our tractors which are there most of them are not in good working condition. Some cannot even fuel the tractors. We are also having serious problems of water and you know our county has serious problems when it comes to this time of drought. Madam Speaker, each and every member in this house agrees that something is very wrong with our county especially in the finance side of the county.

You understand and I know each one of us knows that CEC finance is the vein that puts and pumps blood in our county. When there is no CEC for finance, Madam Speaker, while I congratulate our appointments committee under your chairmanship I am not a member of that appointment committee but I made sure I came and sat while they were being vetted. Madam Speaker, this house has very serious members who are so professional they have no side. They are not taking sides and therefore I take this opportunity on behalf of the public who are seated there with me to congratulate the members of the appointment committee under your chairmanship.

When I was seated there Madam Speaker, I wished that in that list would have been a member for finance department. Because you would have done what you were required to do.

You would have vetted that member and this house would have had peace knowing that there is hope in the house. Because the CEC member had been vetted. Madam Speaker, I pray and believe that at the end of this debate some way will have been found to have His Excellency the Governor do the most important thing that he should have done and give priority to CEC in finance.

In fact I thought he should even bring two or three for your vetting so that after the whole vetting we will not have anybody missing in that important docket. It is because we do not have finance person---

Hon. Speaker: Hon. Member, your time is running out.

Hon. (Ms.) Mwikali: Madam thank you because I have only 3 and a half now I have 1 and a half thank you Madam. If we had this person there would not be any awe and cry about people having no grain, people having no water and people having nothing to do and these members I tell you they cannot sleep. In their houses women and children are coming. Mtoto wangu amefukuzwa, I have no fees, I have no bursary and because we do not have a CEC Madam Speaker, thank you for allowing this very important definite business for our county I rest my case.

Hon. Speaker: Hon. Mulatya. I will give as many of you as possible time to ventilate on this issue.

Hon. Mulatya: Thank you Madam Speaker, let me start by going straight to the motion and strongly support it because of a few things which have come across when we went for our recess. Madam Speaker, it is a big shame on the executive the way it operates on the ground. When I went there to my office, there is no link between the MCA office and the executive. For example when I went there for the list of the poor people who are supposed to be supported by being given the tanks.

The list I found there I am so ashamed to say that it belonged to the strong supporters of the *Maendeleo Chap Chap* and these people are able. Madam Speaker, when I talk about my ward it is also another crisis there especially in Masinga market and other markets where I come from. When I made my own follow ups with my personal assistance I found that we have market sweepers. Those toilets are in a mess. They are pathetic and hence I am being told there are workers there in those markets who are supposed to be sweeping and cleaning the toilets.

I am being told they strongly belong to this party so I am wondering are we going to work on basis of the parties or are we going to just join up and work for our people who chose us. On the other side when you go to my area there is a road and I think this is the second time in this assembly Madam Speaker; I am talking about Kivandini-masinga road. Which when we were campaigning it was claimed to have been finished.

We have a lot of tanks in schools they are just idling there, in people's homesteads and they are just getting rusty there. So I do not know what the county government executive is trying to do about that. Also Madam Speaker...I would like to request the executive if it is possible for this house Hon. Members from each and every ward to get a list of all the people working for the government of Machakos in their offices. Because when you call the county administrator he will tell you no it is a certain officer. When you call that officer...until there is even messengers.

There is a lot of weird working pattern going on in our wards and these Hon. Members I think they are aware of that. So it will be very convenient for us to get this list and contacts of those people working for our wards in our offices so that in case of any mess we know exactly who to address. Also I believe Madam Speaker, my ward is neighboring Kitui ward and these people are working extremely nicely because they are way ahead of us. No we have been talking about...even went to Mombasa we were talking about ward development fund. Madam Speaker, hon members how we can get ward development fund without a CEC in finance. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Musyimi.

Hon. Musyimi: I stand to support the motion reason because yesterday I visited Kangundo agricultural office and in fact to me it was a worry because I was to request tractors for the farmers around who wanted the tractors to cultivate their shambas but in fact none of the tractors are working. The only tractor that was working is only one from the West ward and it was busy because I found so many farmers there trying to get it.

So there is a very great competition there for farmers trying to get the tractor but the services are never done because in other wards like Kangundo North, Kangundo East and the other wards the tractors are not working. So I stand to support the motion, because we are here to fight for our people and we need services. So whatever is hindering the services if it is the money, why can't we put the person who is able and is supposed to give proper services so that our people can get the services? So I stand to support that.

The other thing I met with some officers who are working in the forest. In Kangundo we have some forests like Katunga and others. So I met some from the Katunga forest. In fact those officers are claiming they have never being paid for the last six months. I wondered how they survive. I request these Hon. Members to actually fight for all officers and even our people on the ground to get what is due to them. Thank you.

Hon. Speaker: Hon Musyimi we will take it that we did not hear that bit on the unpaid workers because that is a matter which is being deliberated upon by a committee. But we heard everything else you said. Can we have Hon. Kamitu?

Hon. Kamitu: Thank you very much. Madam Speaker, it is very important that the voice of these Hon. Members be heard, members who have been elected in their respective wards, when they air sentiments touching the welfare of Machakos electorates, they should be heard. It is on this note Madam Speaker that, maybe if you were not aware, I walked out when this motion was brought to do some consultation and I have been told that workers pay were given out to banks on Friday and in regard to the banking system maybe some of the workers have not received their pay up to now.

I support revenue officers who have not been returned to their respective areas. It is the work of this house to pursue why these workers were laid off why they have not been paid- because as members have put their sentiments; it is true that the workers are family members, they have rented house and they are supposed to feed themselves because they are employees of this county.

So, in regard to that, it is a concern of this house to follow why these revenue officers have not been taken back and if it is a question of vetting not all those employees were wrong. If there were few elements in the county in the respective revenue departments that are suspected to have misappropriated funds, then those few should be dealt with. Otherwise a bunch of 430 employees of revenue; three quarter I believe they were not guilty for that.

Again, Madam Speaker, procedurally when an officer does wrong, there is a disciplinary procedures that are supposed to be taken, because you cannot wholly take all the 437 revenue collectors to be wrong. So what I am requesting is that we should air those sentiments and again Hon. Speaker, my humble request is that we have the leadership of this house your presence is required, the Majority, Minority Leader and other leaders, we are supposed to be given a day, we make an appointment with the Governor so that we go there and he should be able to listen to our sentiments because we are voicing these concerns for the sake of Machakos electorates.

That is why we have been elected by those and I am in support that anything touching the welfare of Machakos personnel should be taken seriously. I really support the mover of this motion because we had to stop all other business so that this concern should be taken seriously.

Again, Madam Speaker, through the Executive, they should also tell us the money that were given in regard to development, because there is the development fund and there is the recurrent fund, how much was given- so that we may know why the employees were not paid in time. In regard to development fund, how much was given because the position is, the tractors are not moving the dispensaries are not getting drugs, water is not being pumped, there is no fuel for the ambulances and the like.

So, Madam Speaker in regard to welfare of Machakos County we are not going to reserve anyone, we are saying Machakos people should be served because that is their duty and that is why we were elected. Thank you Madam Speaker.

Hon. Speaker: Thank you Hon. Minority. I did not stop you when you mentioned workers who are said not to have been paid because you came first by saying that you have confirmed that

they are going to be paid and money is already in the bank. But while you were away, we agreed that matters of staff who are said not to have been paid or dismissed, let it be dealt with by the committee to which we referred.

Hon. Kisila: Point of order.

Hon. Speaker: Hon. Kisila, you do not interrupt the Chair when she is speaking so you are out of order and for that reason I will not allow you to speak. So who else would wish to contribute?

Hon. Kamitu: Thank you Madam Speaker for that information.

Hon. Speaker: Hon. Mutiso

Hon. P.J. Mutiso: Thank you Madam Speaker. Mine is simple. I want to say that this county is in a pathetic situation. I can remember the former President Mwai Kibaki said something that a country cannot run unless people pay taxes. Now I am wondering, because here we are arguing about money- that the county has no money but the money is there, the only problem is that people are willing to pay but when they go to the offices there is no one to collect that money. Now my question is; people want to pay ground rent -for example, what will happen in the future or after this year? Will they pay the money they had not paid at this time? It will be whose problem because they are ready. Money, all of us know about moneys, if I have money today, tomorrow i have nothing.

Maybe at that time they will have no money. Who will pay for them? Because i know members for this assembly maybe will fight for their people but there will be problems with officers. They will go for their money from the people but it is not their problem, it is our problem. Before we go further, let the Governor bring the other nominees all the CECs all of them, let them be brought here for that committee of Appointment to vet them so that we may not reach into problems. What I know is that the county is given money from the exchequer as they collect; if you collect Ksh. 10 ten million and another county is collecting Ksh. 5 million, they are not given the same. You are given as per your collection.

Now my query is what will be given to us if that is the trend. So I think that is a problem and let the Governor know that we need people in place for the CEC of Finance in that office. I went to those offices to pay my ground rent but I didn't pay because what I was told is that they are not collecting money. I also request you to go round and you will see what is happening down there, they have already closed the road, there is no access to the market because people have come from other counties because we are not paying taxes in this county.

So members, let us stand because we are one. It is not about parties here, it is about our people, because they are suffering. If you read chapter one of the Constitution, you members, have

powers, more than the President. Read it and you will see. We must stand on our feet and fight for our people. Thank you Madam Speaker.

(Applause)

Hon. Speaker: Hon. Members, you do not have powers more than the President.

(Laughter)

I know what he meant, I just want to clarify the point- the President is elected just like you and you are elected just like him - sovereign power belongs to the people and the people have donated that power to you and the President to exercise it on their behalf.

So you could say you have the same powers as the President because you are both elected but you don't have more powers than the President. Thank you. Can we have Hon. Johanna?

Hon. Munyao: Thank you Madam Speaker. I stand to support the motion. Our earlier communication to the house when the five members were being presented, the head of Executive expressed the feeling that that number was enough to make quorum to run the operations of the county of which the delays has proved things wrong. When projects stall in all wards where we were elected and giving my case were I was elected by people who never even minded the party- we are here to address the issues from the point of view of the Executive not parties so as we also contribute, we are looking at the head of Executive not as a party leader but the head of Executive.

So, I wish to say that when we lack order in the offices, when we lack the key officers who can approve the operations for us to deliver what we promised our people, it is affecting all our wards and we have no option other than to demand that the relevant officers are in place, competent professionals who can run the county and can deliver to the expectations of the residents of Machakos County. So, I support the motion. Thank you.

(Applause)

Hon. Speaker: Thank you mheshmiwa Johana.

Hon. (Ms.) Ndeti: Thank you Madam Speaker. I support the motion because what we are discussing is very important for our county. We have men and women who own companies who have supplied or given services to this county and for the last three years they have never been paid. These are men and women who have also employed your brother and my brother and if they are not paid then there businesses are bound to close.

So the entire county has not really been doing a good job with their public finance management. Let us agree that this is something as an Assembly we need to look into and ensure that there is prudent management of these public funds.

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

Hon. Kieti: Thank you, Madam Speaker, for giving me this chance to support this important motion. I want to thank the Hon. Members, we have been sitting on a time bomb for some time and I want to thank the members for the support they are giving this motion because it is touching on the lives of people who brought us here. I want to say that in the past we have been painting the top, but it is good we are exhuming what has been hidden. The future of service delivery in Machakos is in our hands and at the moment it is in trial. Because when we talk of lack of very key officers in our offices, then it means that people are not getting important services that they need.

I have heard members talk about stalled projects, ambulances that are not working, we have no medicine here and there and also the case of workers although Madam Speaker you have told us not to talk about it but is important for this members to get clear information very fast so that we see those workers back in their offices and we see services been delivered.

At the same time, I want to say that the Governor needs to give us the list of the remaining five members so that they are vetted because I don't see the sense why he had to advertise the 10 vacancies and when he starts giving us the nominees he starts with a list of five. Maybe he doesn't know the kind of people he is dealing with. We are people who need to be understood as we are; we need to work with him in a courteous manner. But when he tries to try our minds, then it beats sense.

So, unless there is any deliberate move we need the remaining members of the CECs and at the same time this house needs to move fast so that those members are vetted and the people who need the services on the ground get those services very quickly in the near future. So Madam Speaker, I support the motion that was brought by Hon. Ndawa so that our people continue getting the services they need.

Hon. Speaker: Hon. Members, I want to ask two more members to say something provided it is not anything that has already been said so that I can call the mover to respond.

So make sure it is not anything that has been said and it is not anything which we have agreed should be dealt with by the committees and is already with the committees.

Hon. (Ms.) C. Koki: Thank you Madam Speaker. I would like to support the motion moved by Hon. Ndawa and I would like to start by congratulating him for the motion because for the first time since we began our sittings the public has been brought to light on who has been sleeping on their job. Many questions have been asked, what are the MCAs doing in the House, why isn't anything being done on the ground. Those are the questions that the public have been asking and now the public have been brought to light on who has been sleeping on their job and definitely it is not this house, it's not the MCAs, definitely it's the Executive. And i think that there is confusion maneuvering over the Executive and I am appealing to the Executive that they perform their duties

well, that they do their job right so that the great people of Machakos County can get the services they deserve.

Finally, I am appealing to the public, I know they will get a clip or the updates of our motion today and I am appealing to the clergy; to all those who pray, as they pray for the county, they have to direct much prayers to the Executive so that the confusion depart from them. And then we can move on and work for our people and do business and development. That is all I have. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: I will have Hon. Maitha.

Hon. Maitha: Thank you, Madam Speaker, for giving me this opportunity to contribute. I want to thank Hon. Ndawa for bringing the motion that we are talking about. I also want to thank the Leader of Minority and his deputy for supporting the motion because some of us might have thought that they will not support because they are on the other side of the house; but it is a good show, when something important like this is on the floor for everybody to catch up and talk because without the CEC for finance as it has been said, this county of Machakos cannot function.

If I were to be asked I would say the next set of nominees should not be discussed if there is no nominee for finance.

(Applause)

Therefore, I am urging His Excellency the Governor to put his house in order and bring us that very important person- the CEC for finance so that the operations of the county can start working properly. Thank you Madam Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Maitha. I made a ruling that I will have two people but in this house it is only me who can undo my ruling so I am undoing my ruling and giving the very last two people. I see the desire in members to contribute but I indicated that it has to be something that has not been said and I want to believe that all the hands that I am seeing is something that has not been said. Is that so? Can I have Hon. Kisini.

Hon. Kisini: Thank you, Madam Speaker, for giving me this opportunity to also raise my point. I want to start by thanking the Hon. Ndawa for that motion. Let me see if I can stick to

what you have guided us and say that; since all the members have stood by that we bring the other list of the members who are remaining, I want to give a time frame and say that can the other remaining members be brought to the floor of the house latest this week Friday.

Number two, as we wait and we don't want to go on that line, for that report of the finance committee, I wanted to see if we can add to the terms of reference which they were to bring about the status of the employees. I would request as they are doing that, they give us the status of this county that is the debtors and the creditors. Members, it is also important to know what is the worth of this House and to finish up, I want to say I have been affected by the failure of this appointment of the CEC Finance because I had a slum which got burnt completely and we could not get the fire engine because of the fuel and the tyres. Thank you.

Hon. Speaker: Thank you Hon. Member.

Hon. (Ms.) Mutwiwa: Thank you Madam Speaker and the house. I support the motion and also congratulate the members because if we remember Governor's speech, he pointed out that our predecessors went home because they used to be bribed and in that motion most of the Members tried to play a clean game that it was right. I want to remind these Members that the same axe which sent our predecessors' home it will fall unto us if we joke around.

If we remember back in our villages, you are being stopped by electorates questioning you probably about a dam; probably you are saying that we are still learning, simply because you don't know what to tell them. You don't know what that docket is. We are talking about committees sitting down,-yes, we will sit down. What are we going to talk about?

If we remember our able Governor said that come 2022 he will be vying for the president- we are the people to elevate him from a Governor to a President. There is that saying over there; Kidole mmoja haiui chawa.

(Hon. Member referred to the county emblem)

(Applause)

If our able Governor has got problems, it would be prudent if he can share with this House because we are one to support our electorates who also elected Him. So mine is to request Members of this House, when such motion comes, we all look at the contents and speak out of hearts not to pretend that all is well. So we are sitting on a time bomb if we joke around with this kind of action. Thank you.

Applause

Hon. Speaker: Hon. Cosmos and Hon. Dominic in that order.

Hon. Masesi: Thank you Madam Speaker for catching the eye of the chairman Finance Committee. I do appreciate. I support the motion and to being to the awareness to this house that for both committees to give comprehensive and informed reports on the same, we must engage the CEC finance and chief officer finance- those are key persons on our report which we are to table back to this House.

Madam Speaker, aware that this Hon. House has not yet given its recommendation on the way forward on the issue of the suspended employees, I am aware and certain that a vetting process has just been completed on the issue of employees and I am sure that we have some employees in place. So my worry is, what will be the purpose of us now giving the recommendations when a vetting process has already been done on the same.

Again, aware that our Governor did away with the income from bodaboda, matatus and mama mbogas, how does the Executive again intend to do in order to fill the gap on the same where those income was going.

Finally, I wish to support and say thank you to the Hon. Member. We are aware that our trip was delayed due to the signatories of the same CEC of finance, so I urge the Governor to do what is needed and bring the names of the CECs/nominees as early as yesterday. Thank you Madam Speaker.

Hon. Speaker: Hon. Dominic and then I will call the mover to reply.

Hon. Ndambuki: Thank you Madam Speaker for this chance to contribute to the motion that has been tabled by Hon. Ndawa on behalf of Hon. Kiteng'u. I am supporting the motion and Madam Speaker, Machakos County prides itself as the place to be. But going by the current trend, this seems to be fading away slowly, and it would be the duty if this Hon. House to come to the rescue of Machakos County and as Hon. Ndawa was moving the motion, he mentioned that there are some members of county government who have been collecting revenue.

I wish to request that you direct the relevant committee to investigate the matter whether there have been people collecting revenue on behalf of the county---

Hon. Speaker: Hon Dominic. Don't give directions to the Chair, just contribute.

Hon. Ndambuki: I withdraw my remarks. Madam Speaker, it will be prudent that this House gets to know whether there have been members out there collecting money on behalf of the county government of Machakos and to know who the accounting officer has been, knowing that we do not have a CEC finance in place. Thank you Madam Speaker.

Hon. Speaker: Hon Majority, I asked you when you put up your hand say what you want.

Hon. Ngunga: Thank you, Madam Speaker.

Hon. Speaker: What do you want before I give you the permission? You want to contribute?

Hon. Ngunga: Yes Madam Speaker. Thank you Madam Speaker, let me start by thanking Minority Leader, for appreciating the fact that it is urgent that what we are discussing be discussed and mechanisms be put in place. Today Madam Speaker, when I came here I was called by a resident in Vota alleging that the "*Mulika Mwizi*" there was not working and so, when I called the officer that is related to that field he told me that, he was ready to move there and fix the problem but the challenge was that he didn't have the means to take him there. So Madam Speaker, I had to donate my vehicle to ferry the officer to Vota and he fixed that.

So in other words what I am trying to say is that officers are ready to work but they are not facilitated. This house Madam Speaker. Has committees to the tune of 18, 21 committees. Those committees cannot be able function Madam Speaker if we don't have the executive in place. For example, if we want to question a CEC, a committee for example, a committee of health cannot be able to move because the CEC health will have to constitute the department. So in other words what we are saying Madam Speaker, it is very urgent.

It is a matter of county urgency that the other nominees be brought before this house because if they are not done that, it means again that this house also will be rendered ineffective, because if our committees work, or rather, if the house works through committees and the executive is not formed, that means therefore the house will have no business in the near future. Madam Speaker in my submission I did mention that there is a lot of confusion, if you look at the MCA Machakos Central ward, should be telling you that if you went to the bus park, the confusion is so much because vehicles are flooding from all over because we are not collecting revenue.

The vehicles that are there are from the other counties but when vehicles move from our county to the other counties they are being charged. Madam Speaker **it's** our prayer that a solution be sought immediately we have this government in place. This is a composition of wise men and ladies. Ladies we need to move together, gentlemen we need to move together and where necessary we consult, so that we have the Machakos County back to our feet.

I am suspecting that if we don't have the CEC finance in place, salaries for even this officers for the county assembly, salaries for even the executive will not be available. Thank you, Madam Speaker. Thank you again, thank you members for appreciating the fact that it is urgent that we discuss this issues. Thank you.

Hon. Speaker: I call upon the mover of this motion to reply. Hon. Ndawa.

Hon. Ndawa: Thank you Madam Speaker. Thank you Hon Members. I want to take this opportunity first of all to thank Madam Speaker for allowing this motion to be discussed or to be

debated. I also want to thank members, because for the first time since we came to this house no body, this is the first motion that has never been opposed,

(Applause)

I have presented the motion and no single member has opposed. So I want to say thank you, thank you so much for that. Madam Speaker, I want to appreciate members have seen the need of supporting the motion and they have seen the danger ahead which can occur if we do not take the respective or the required action. Issue of finance this is the kitchen where food is prepared. Wise men say you place a pot on stones after you have lit the fire.

Applause.

I understand today members of the appointment committee were seated in this house vetting CECs from other departments forgetting that without the finance, even if we get the CECs for the other departments, those departments cannot access funds to do business. so we are supposed to ensure that the CEC for finance is brought for vetting. The other issue that I want to say, you have mentioned about tractors and that is what I captured in that motion, we are told that we have over 40 tractors which are supposed to be in every ward.

I believe most of the wards do not have tractors and those who have tractors, the tractors are not in good condition and are not serviceable. I want to set an example of my ward, the tractor which was there, when we were in Mombasa it was detained by this government check unit. These officers who check government vehicles (GVCU) and the permit that they used was confiscated so the tractor now cannot move.

You know the officers cannot pick the permit without a reason, there must be a reason. May be the tractor was missing some things which are supposed to be there, and I believe the cause of that is the lack of finance. So the rains are around the corner. If we do not move---

Hon. Speaker: point of information

Hon. Ndawa: Yes.

Hon. Muendo: Thank you, Madam Speaker. Let me inform the member the tractors are not there actually they have not been there---

Hon. Speaker: We dealt with that Hon. Member.

Hon. Muendo:because they were bought from China.

Hon. Speaker: Hon. Member you are out of order so we did not hear what you said. Continue mover.

Hon. Ndawa: Thank you, Madam. The other issue that I would like to talk about madam speaker, these Members were brought here by electorates, and they were voted in. those who queued for long periods to make sure they cast their votes they had a lot of trust on the Hon Members who are here and I believe they picked the best, and they expect a lot from these Hon Members.

So I am urging this house, we don't want to go the previous route which the previous assembly went, and the wise men said if you are wise you are not supposed to be eaten or to be consumed by something which consumed your father.

(Applause)

You know last assembly members the electorates had a lot of expectations but they never saw those expectations come true. So this assembly because we have learned from the previous assembly, kindly let us not make mistakes. If things are done the way they are not supposed to be done, I urge this Hon House to correct the abnormality and have things done the way they are supposed to be done.

The other issue that I would like to talk about today, you have supported the motion without considering the party that you come from. I want to appreciate the parties that we used were just only vehicles which brought us to this assembly and the moment you enter that door, we forget about the party and we concentrate with business which has brought us to this house, and I believe today you have shown that you are committed in doing what you were brought here to do.

The other issue is about the issue of revenue collection, the sacked workers. I believe they have already been assigned committees but there is something we need to understand. I am not going to talk about the sacking, but we need to understand the people we are talking about have families which they need to feed. They have families that they need to pay fees, they have other financial obligations may be they have facilities in the bank, and the banks are threatening to take them to Credit Reference Bureau (CRB) and members you know the predicament when you are taken to (CRB), it means that you cannot access any finance. So I would request the house and the respective committees to move with speed to ensure that the matter is settled to save those brothers and sisters.

The other issue, there is what we call law of tort, and law of tort is concerned with negligence, defamation and trespass. I am talking about negligence, negligence can be either commission or omission, if you don't do something that you are supposed to do, and you are liable of negligence.

If you do something that you are supposed to do and you do it the wrong way, you are also liable of negligence. In this issue we are talking about, I want to say the executive are in that issue if negligence, and they are in both omission and commission. Why I am I saying so? When the list of the nominees were brought to this house, instead of bringing 10 names, only five were brought.

So, instead of giving the whole list for the appointment committee to do away with them so that when they retreat, they don't have to retreat another time, so the county government of Machakos may be required to spend funds which are not supposed to be spend. Suppose they brought the whole list may be the committee would have done with whole list, they go make a report come back. I think now they might go to make a report of five, another list is brought they go again instead of going once they spend twice. So because of that the assembly and the county government is making loss.

The other issue is about omission, because of failure of the executive to appoint that CEC for finance the other departments have been held hostage because they cannot move. We have the department of water, I don't know whether other members have the same challenge that I have. Whenever I go to Matuu, on reaching Matuu, the first question, instead of electorates asking me how you have been, they ask me about water. That is the first question where is water?

(Applause)

Right now we are being rated county number one, but to me surely, if we are county number one we don't have drugs in the hospitals, we don't have water in our homes, and residents are looking for water. We don't have good markets like in Matuu you are all aware that we do business in between latrines and you are aware that things are just around the corner the moment the rains pour that water is going to enter in the latrines and the latrines will be full and the water will start flowing. So we expect and we anticipate if something is not done we might have an outbreak of cholera.

So I am asking this Hon House, to come up with a collective measure to ensure that we don't find ourselves spending monies that we ought not to have spent. The wise men says we need to be proactive instead of reactive. If we do what is required and we don't get this anticipated cholera, we will have been proactive, but if we wait for the cholera to come, we will start firefighting and might be costly and it can cause some people to lose life. So to finalize because I have spoken so much, I want to request the Hon. Members, the future of Machakos County lies in our hands.

Applause

Kindly, let us all be sober and we do what is required to ensure that Machakos goes to the next level and ensure that the people who send us to this house get the expectations that they had during the time of voting.

Lastly, I would request the two arms of government, because we have the executive and we have the assembly, let each party do its part and do it correctly and do what is supposed to do in the right time to ensure that we don't have problems in future. Otherwise if one party fails to do what is supposed to be doing it means it can affect the other party, so members let's do our part. There is a saying in kikamba which says; *mukusya wa mwitha aekaa ukusya watwika*.

(Laughter)

Hon. Speaker: Hon. Ndawa is that a language of this house? It is not, can you withdraw it.

Hon. Ndawa: It is a quote Madam, it is a quote.

Hon. Speaker: Yes you put it in English, Kiswahili or sign language. Yes let me put it in English it says 'the puller of the tail stops pulling it when it comes out.'

(Laughter)

I don't know whether you understand what I mean, when you slaughter a cow you consume the meat and you sell the skin, but that tail has other use. If you use it properly you will get something to put in the handle of your knife, so unless you pull it well until it comes out you cannot get that handle so that what means that is the meaning of it. So, Madam Speaker because I have spoken so much I want to rest there and may be request you to advise us on the way forward.

(Applause)

Hon. Speaker: Thank you, Hon. Ndawa, and as a matter of fact for that light moment at the end of it. Members this is a business that was brought under Standing Order 30 you appreciate there is no voting, the purpose was for this house to ventilate on this issue but the Speaker will give directions.

The directions are that, this matter which is urgent and important, is going to be referred to the joint committees of finance and revenue collection and public finance and ICT who are also handling the petition on the issue of county finances and the staff that are said to have been dismissed.

I further direct that this matter be fast tracked because of the urgency and that a report be brought back to this house within 14 working days of the house. What that means is that you

look at the house calendar and you understand what working days means so that the house deals with the matter as is necessary.

I also want to give other directions members, you noticed that under this business the business of the house was adjourned at a point when we had a motion. I direct in the interest of time that, that Business the notice of motion by Hon. Katumo is going to be deferred to Thursday the 19th October, 2017 at 2.30 p.m.

ADJOURNMENT

Hon. Speaker: At this point Hon Members the house stands Adjourned and we are going to have our sitting on the 18th October that means tomorrow Wednesday at 10.00 am. Thank you members.

The House rose at 5.34 p.m.