

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

**OFFICIAL REPORT**

**Tuesday, 19<sup>th</sup> June, 2018**

The House met at 2.55 p.m.

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

**PRAYERS**

**Hon. Speaker:** Good afternoon, Hon. Members? There is a time I was left feeling with a half House or quarter House, there was hardly any Member on this side. At least, I am happy I am seeing Members now on both sides of the House.

*(Applause)*

Hon. Members, we have our business and I will ask Mr. Clerk to proceed.

**COMMUNICATIONS FROM THE CHAIR**  
**MISCONDUCT IN THE HOUSE**

**Hon. Speaker:** Hon. Members, under this Order, I have two communications. The first one is in relation to the conduct of some of the Members. It happened in the morning sitting when we were seated at a point when there was no quorum and I was taking action as per the Standing Orders and two of the Members behaved in an disorderly manner which in my view cannot be condoned; we have to maintain the dignity of the House.

I am addressing myself to Hon. Titus Ikusya and Hon. Nziva and I just want to remind you.....I can see Hon. Nziva is not here but this will be communicated to her when she comes. Hon. Members, I want to refer you to Standing Order 34 when quorum is not present, Hon. Members, when the quorum bell is ringing Members shall maintain order in the House.

I also refer you Hon. Members to Standing Order 98, when the Speaker rises, Members be silent whenever the Speaker or the Chairperson of Committee rises, any Member then speaking or offering to speak shall resume his or her seat and the House or Committee shall be silent so that the Speaker or the Chairperson maybe heard without interruption.

Hon. Members, I am also referring you to Standing Order 103, it gives different areas where you could be cited for disorderly conduct and I am only interested in those which I deem to be relevant to the issue at hand; one of which is 'otherwise abuses his or her privileges under

the Privileges and Immunities Act' and the other one is (h) 'commits any serious breach of these Standing Orders or (i) acts in any other way to the serious detriment of the dignity or disorderly procedure of the House.

Hon. Members, under Standing Order 103(2), 'the Speaker or the Chairperson of Committees shall order any Member whose conduct is grossly disorderly to withdraw immediately from the precincts of the Assembly.

- a. On the first occasion for the remainder of that day sitting.
- b. On the second or subsequent occasion during the same session for a maximum of 3 sitting days.

That is what Hon. Members I consider to be relevant on this matter.

I did not take action at the end of the sitting in the morning because I had already adjourned the House but Hon. Members, Hon. Titus Ikusya and Hon. Nziva behaved in a manner in the face of the Chair that to me amounts to disorderly conduct which I cannot condone and I called the two Members to the Chambers.

I am normally a very patient person; I do not like using the power that is given to me whimsically. Whimsically means without a reason or without analyzing the course and effect and I talked to those two Members and I told them much as I appreciate something needs to be done about generally the business of the House, Members must remain orderly throughout and indeed I asked the two Members to write to me and tell me about it.

Up to this moment they have not written to me and for that reason I am ordering Hon. Titus Ikusya immediately withdraw from the precincts of the Assembly for the remainder of today's sitting.

*(Applause)*

Hon. Nziva who is not here will serve her sentence for the next sitting; not today because she is not here already. Hon. Ikusya, can you withdraw immediately from this Assembly?

*(Hon. Kaloki withdrew from the House)*

*(Applause)*

#### FINANCIAL STATEMENT FROM THE COUNTY TREASURY FOR FINANCIAL YEAR 2017/2018

Hon. Members, another communication under the Order at hand and this is about third quarter Financial Statements for Financial Year 2017/2018. Hon. Members, the Assembly today received the third quarter Financial Statements for the Financial Year 2017/18 from the County Treasury County Government of Machakos.

The report is submitted to the Assembly pursuant to;

- a. Article 183(3) of the Constitution of Kenya which provides that the County Executive Committee shall provide the County Assembly with full and regular reports on matters relating to the County.
- b. Section 166(1) of the Public Finance Management Act which provides that an Accounting Officer for a County Government entity should prepare a report for each quarter of the Financial Year in respect of the entity and Section 166(4) of the same Act which requires that not later than one month after the end of each

quarter, the County Treasury shall consolidate the quarterly reports and submit them to the County Assembly.

Hon. Members, this report is hereby committed to the Finance and Revenue Collection Committee for interrogation under Standing Order 190 and the committee should table a report before this House the soonest possible and not later than the 22nd of August, 2018. Hon. Members, kindly take note of that. Mr. Clerk, proceed.

### STATEMENT

#### POOR SERVICE DELIVERY AT MACHAKOS LEVEL V HOSPITAL

**Hon. Speaker:** Hon. Members, under this Order, there is one business by the Hon. Peter Mutiso, it is not in the appendix because it is a matter that was brought under urgency and I approved it. Hon. Mutiso.

**Hon P.J. Mutiso:** Thank you, Madam Speaker. Hon. Speaker, pursuant Standing Order 41(2)(c), I wish to seek the following Statements;

1. What the County Government of Machakos is doing to ensure that service delivery in Machakos Level V hospital is efficient noting that the facility lacks key supplies like drugs, food rations and non-pharmaceuticals.
2. What the County Government is doing to resolve the go slow in Machakos Level V Hospital occasioned by non-payment of salaries. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Mutiso. This is a matter of a Statement; it will not call for a seconder. Hon. Members, I will just want to have you ventilate on the issue, matters of health are matters of life and death and this is the main Hospital in the County, Members can discuss so that we can look for a way forward on the matter. Hon. Muthoka.

**Hon Muthoka:** Thank you, Madam Speaker. I want to thank my colleague Hon. Mutiso because this thing, this statement is very important. Last night but one, one of my uncleS suffered a mild stroke and I was called when I was in Mitaboni at 2 a.m. I moved from Mitaboni from 2 a.m. that means I was here in Machakos and I found him even not attended to; there is even no machine to check pressure, there is no machine to check sugar levels and we had to move him in Shalom Hospital and already he had suffered the stroke and the pressure was 190. Can you imagine a Level V hospital, the hospital which all residents of Machakos who cannot afford this Aga Khan and Nairobi Hospital they do attend there and we do not have a machine to check sugar levels, we do not a machine to check pressure and the person who was attending who they found there in the reception just looked at the man and told him..... and the man is almost 70 years he has never touched cigarette he has never touched alcohol but the person who they found him there told them, 'tell the *mzee* to reduce alcohol.'

*(Laughter)*

He has never taken beer in his entire life and we had to move him to Shalom. If you go now to Shalom Hospital the queue is from here I don't know to where, too congested because Machakos Level V is not working. Can we know what is the Governor doing, what is the Executive doing about this thing? Thank you, Madam Speaker.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Muthoka. Hon. Kiteng'u.

**Hon. Kiteng'u:** Thank you, Madam Speaker. Madam Speaker, I would like to applaud the Member who moved this Statement because it is of importance of our people of Machakos because you realize that it is the only referral hospital we have in Machakos and I am going to give an example. We always get patients from our Level III and dispensaries being referred to Machakos Level V hospital but if there are no drugs and the nurses and doctors have gone months without salaries, now is a big worry to this to the health of the people of Machakos.

Since we started the business in this House, this is I think third Statement having some complaints on the same Level V hospital the only referral hospital in our County and Madam Speaker, I think there is less been done by executive because I remember in the implementation Committee we tried to interrogate the Accounting Officer Health, Hon. Nthanga and you remember I mentioned here that he told us that whatever he is doing, he is doing his work up to his best but his hands are tied.

When his hands are tied that means the problem we have is on Finance Department and as a House we raised the same issue here and I am worried.....are we all the time when we have a complain we come then try to deliberate the same Statement and nothing is being done.

When we try to deliberate as a House and nothing is being done Madam Speaker, I seek for advice and I seek for guidance; what else can it be done because we cannot be all the time.....this is a matter of health of our people of Machakos and nothing is being done and we always hear complaints of the health workers having the strike and I think I had rumours of the same, yesterday there was the same and these people they speak the truth because they have not been paid and there are no drugs there and whenever you try to follow up like my Level III hospital Madam Speaker, Kithyoko Level III hospital, there has been no electricity for the last one week.

I tried to follow up with Kenya Power and I found that, there is a bill of Ksh. 104,000, you realize Madam Speaker that there are those drugs which need to be refrigerated or they need to be put in the cold or a cold room or maybe in a fridge and this needs electricity.

Now, if these drugs are there and there is no electricity you find that they are going to expire and now this is money which belongs to the people of Machakos. So, Madam Speaker, as I end, my comment is, I would request for guidance, what else can it be done because it seems now the executive they are seriously sleeping or in slumber because if all the time we will be here coming to deliberate this and this and then at the end of the day we go home again we come tomorrow and go home there is nothing we are doing and you see Madam Speaker we are trying to do our oversight. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Kitengu. Hon. Museku.

**Hon. Museku:** Thank you, Madam Speaker. I would like to comment on this issue. I think Hon. Members it is a appalling, the list at least, to see our people who depend on this hospital coming from far and wide only to end up losing their lives as they wait to be treated in this hospital here. Yesterday we were interrogating the CO and the CEC for the department of

health and they came to the Assembly and nobody mentioned that there was a go slow, they did not mention anything about the problems that are being faced in that Level V hospital.

You are meeting the health Committee, you have come from an area where there are issues and you do not even mention that there is a problem. We learnt of these problems immediately after they left and I was with Hon. Peter Mutiso from Machakos Central and we were asking; how come they did not mention anything about these issues that are going on there? I want us to understand that the FIF in this hospital, everyday this hospital collects more than Ksh. 500,000; in a month it collects more than Ksh. 10 million.

A facility which is collecting Ksh. 10 million in a month lacks drugs, does not have food, does not have lab equipment; when that money is collected and we know the 2015 Health Regulations Bill which was passed by this House said that we need to be ploughing back all the funds collected from FIF need to be ploughed back to that institution; were is that money going?

*(Applause)*

How can funds which are collected from a medical facility not be ploughed back to the same facility? It is being diverted to other areas. We are also aware that our Level V hospital, like all Level V hospitals, this year and last year was allocated Ksh. 150 million from the Central Government as a grant. You have FIF, you have grants, you have the budget and yet nothing is happening in the hospital.

What this tells me is that instead of the hospital being an area for treating our people and make sure they get what they are supposed to be getting. It is being utilized as a conduit for siphoning money. People are siphoning money from a health facility because you cannot tell me Ksh. 10 million every month, Ksh. 150 million grant and the normal money allocated by the budget; this year we have allocated Ksh. 3.2 billion to health and yet our people continue dying.

We lost a relative of Hon. Jacinta Luka; she came there and stayed a whole day without being attended to by anybody, by the time she was being admitted after almost 18 hours, she lost her life. It is not something to joke about and we call on the Executive, instead of walking around saying you have Ksh. 15 billion for elections, why don't you use that Ksh. 15 billion to help people who are sick.

Instead of helping our people who are sick with the funds that were meant to help them, we are going around politicking and as a House we need to come out with strong measures of ensuring that the health of our people is put first. Something must move, we cannot continue repeating the same things over and over again. If the current system is not working, then a different system which will enable our people to get the proper health care they deserve must be put in place. Thank you, Madam Speaker.

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

**Hon. (Ms.) Mueni:** Thank you, Madam Speaker. If the Level V hospital is not working, what about the hospitals which are down there in the bush from where you come from? If these people die, who will vote for you what are you doing and Hon. Kamitu is there ready to defend that the hospitals are working. Madam Speaker, I think---

*(Laughter)*

**Hon. Speaker:** Hon. Kamitu, let Hon. Mueni finish.

**Hon. (Ms.) Mueni:** Let me finish. Madam Speaker, the opposition party have to think otherwise and not to be defending the things which are not right. If the hospital is not working go to Governor Mutua and tell him to work; it is very important for his people. Leave alone this thing of going to open houses or give keys to people who are in Nyeri. It is very unfair. Let him work and work very hard because I think what is coming might eat him. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Mueni. Hon Ndawa; I was going to ask Hon. Kamitu but he seems not to have anything to say now.

**Hon. Ndawa:** Thank you, Madam Speaker. The Statement which has been sought here is timely because when you talk of life, life is a right that is provided for in the Constitution. Article 43 of the constitution talks about life and about health care; every Kenyan has the right to the highest attainable health care.

Madam Speaker, the issue before this Hon. House is something very serious and is something which touches everybody because all of us even as Hon. Members, Level V hospital Machakos is the only facility we have in this county; we don't have any other Level V hospital and the problem which is in Level V hospital is also in other levels. In Level IV hospitals, we have the same problem. Madam Speaker, I would request, if that the bill which was passed in by this Hon. House in 2015, I am requesting that, that Bill can be recalled and will revisit that Bill.

I think there is no point of collecting money in a certain facility and take it elsewhere and wait for it to come back. Why don't we allow the facility to use that money which is collected in that particular hospital?

*(Applause)*

The only thing we are supposed to get is to get the AIE, the authority to incur expenditure then the facility will be able to take care of itself and am very sure if we go that way will never miss drugs in our facilities. So, the two Statements which are sought here they are very simple, clear; let even the county know what the county government is doing to ensure that we are out of this mess otherwise this Statement is timely. Thank you, Madam Speaker.

**Hon. Speaker.** Thank you, Hon. Ndawa, Hon. Kamitu.

**Hon. Kamitu:** Thank you very much, Madam Speaker. Madam Speaker, you saw me moving out of this House and in relation to this Statement, it is very valid and as we stand here this is one area that I normally say that we should approach issues soberly and with no emotions and the truth is, Madam Speaker when I went out I called the Chief Officer of health who is also in charge of Level V hospital and by good chance, I would not stand here to lie to this Hon. House.

I was with one of my nieces Hon. Agatha, I just met her outside and I told her, I mean Hon. Angela I told her it's also important that you listen to what am going to say. I am standing here, I cautioned the Chief Officer and he told me fine there was a delay and they are also happy

that they got the money in regard to the supplementary budget that we did but I cautioned him apart from the supplementary money that we had, he should be preparing; when we are talking of cases of hospitals because they are emergency cases.

I also asked him about the money that patients are paying and so in that regard Madam Speaker and on the strength of that and as a concern of this House as what Hon. Ndawa has said, we should also revisit what the Bill in regard to the Level V hospital so that we may see what is the best method and best measures that we can take as an Assembly and as a County so that cases of Machakos Level V hospital may be taken in seriously because as we know, things to do with peoples life is a very big concern to the community and to Kenyans.

In regard to that, I would say, in the second Statement I also queried about it and I was told it is not the salaries. I asked him again, tell me what it is because I understand there is a go slow, non-payment of salaries in Machakos and he told me it is just arrears of last year that the staff were not paid.

So, in they got their salaries, it is just some arrears that they were supposed to be paid last year. I told him I don't want to hear that thing again so make sure that these things are running so as an Assembly---

**Hon. Speaker:** Point of order from Hon. Mulatya.

**Hon. Mulatya:** I would like to inquire from Hon. Kamitu; if he has any evidence he has made these follow-ups or it is just verbal to mislead the House or make us comfortable.

**Hon. Speaker:** Hon. Kamitu, please proceed.

**Hon. Kamitu:** Madam Speaker, I am talking with a lot of confidence in the sense that I am not going to give directions to the Hon. Speaker because she normally gives directions in regard to committees but I will humbly request Hon. Speaker that, after this meeting, the Chair or some Members of health committee we can go together in that hospital and find out because I am told it is not salary---

**Hon. Speaker:** Hon. Kamitu, I will do what you are saying; you are doing what you said you will not do. So please don't do it, that Hon. Speaker will give directions. Have you completed?

**Hon. Kamitu:** I have not. So, as I say I am only confirming to Hon. Mulatya I cannot stand here to lie to the House but that is the position and the answer I was given but it is always good to confirm. So in this sense I am also concerned about this statement made by Hon. Mutiso, it is something concerning the whole country, so that is the position and I am going to follow as the Minority leader of this House and as the eyes of the Government. Thank you Madam Speaker.

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

**Hon. Munguti:** Thank you, Madam Speaker. I think this statement is timely and yesterday night, I was with Hon. Mutiso after interrogating the CO and the CEC and the Director of Health, I went on my way home and since some of the people within Machakos

County happen to know me and I was stopped by a good Samaritan and he told me; now that you are the chairman of Labour in Machakos County Assembly, are you aware that the doctors are on a strike. I told him no because right away, I am coming from a meeting where we were interrogating the CEC and the CO concerning the budget of Machakos Level V and the health sector in Machakos County and they have hinted to us that there was something wrong in the Lever V hospital.

I called Hon. Mutiso, we went to the hospital at 8.30 o'clock and to my surprise, this was very true that there were no services given to patients. When we got inside we found a new born of two weeks who had an emergency, she had a problem of heart beat and they were referred to come the following day and you can imagine a newborn of two weeks and the mother being told to just go home and come tomorrow.

We were wondering and we tried to find why; when we consulted several people who work in the hospital, we were told what we have is insufficient of consultant services because the pediatrician who is supposed to see such cases was one and had worked from morning 6 a.m. to 7 p.m. and had left for the day.

My concern is that as Machakos Assembly, we should ensure with the bloated wage bill that we have in the health sector, majority of the people who are working there are cleaners and nurses who override their duties yet there are some sectors which lack consultants especially the doctors who can help our people get the right medication.

Madam Speaker, I am in full support of this statement that we ensure that our people get good services that they deserve and this will come through this House when we have solidarity and seek more consultants who can help our people but not to employ cleaners and other nurses who are of less importance to our people.

I can see that last month, our Governor imported doctors from Cuba dermatologists; we need more pediatricians than dermatologists because a life of young one is more important than a person who has a skin disease. Therefore, it is prudent for this House to see what is important for our people and make sure that we see our people get the right services. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Jeremiah, I hope that you recall you are the chair of the labor committee; you have a duty cut out for you in that, matter. Don't you? Hon. Cosmus Masesi we will be winding up the submission. Hon. Cosmus Masesi and Hon. Kalumu; in that order.

**Hon. Masesi:** Yes, thank you, Madam Speaker. Madam Speaker, this Statement is timely and as I put in my input, I would like to correct the Hon. Member, chairman labor committee that all lives are important; there is no life which is more important than the other. Secondly, the issue of Machakos Level V hospital has been coming to this House every time and then and it is the high time this House looks for other ways for the guys or the CEC and Chief Officer health, if they have a budget which I would believe that matters of health are of important and priority to this House.

We have always given a good budget for the health sector and if those are guys, the heads, cannot perform with the budget we give them, we need to go by the law and push those guys out and some other new fresh blood comes in.

Madam Speaker, also the issue of wages; this county is spending almost half the budget. In fact, Ksh. 400 million goes to wages and to be precise, Ksh. 200 million goes to wage bill on



the side of health sector. I do not see how this House will be talking of issues of salaries where we are sure that Ksh. 200 million is going to health sector every month. Madam speaker, we have time and again said that in our hospitals we have some services which are not offered during the night like x-rays and pharmacies, they are not opened, also as we seek the Statement on this issue of full and non-payment of salaries, we need to make it clear that services should be offered all through. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Cosmas only that it is not parliamentary language to refer to some officers as guys, three times; I counted. Hon. Kalumu.

**Hon. Kalumu:** Thank you, Madam Speaker. I will be very short; mine I would like to start by saying everybody saw the Governor on TV, I think it was last weekend and he confirmed to the people of Kenya not even in Machakos that everything is well in Machakos including health in Machakos County and I am wondering that now we are getting another Statement indicating that there is a failure in the Level V hospital in Machakos County.

I want to 70 per cent of the wage bill we are told it goes to pay doctors and nurses, it has been reported by our colleague that we have only one pediatrician in Machakos county, question is, if that budget 70 per cent is used to pay doctors, how is it that we are now getting having one pediatrician?

Another question is Ksh. 3 billion is given to that department which is also used to pay services and paying doctors; where is that money? We need now to come to the people who have or who give services and those who head those ministries like the CECs and COs, and this Assembly has never cracked any whip to one of the COs or CECS to show how serious we are to our people of Machakos because a healthy county is a productive county and there is no way we will relent when our people are suffering in Machakos Level V hospital.

I would like to revisit the same sentiments which were used by Hon. Ndawa that those monies which are collected from those hospitals should be repatriated to the hospital because what was created was created out lee way of embezzling money because those monies we do not know where they go. I think one time we were reported on the issue of Kangundo hospital what happened and those monies were not yet repatriated to the hospital.

Madam Speaker, those monies which are collected we need to check and look into the Public Finance Act on how we can repatriate that money to those hospitals. Other hospitals like in my ward they don't have electricity; the electricity is already disconnected and they cannot even keep some drugs which use electricity to be stored.

So, I would like to tell or to urge them that it is the high time for them to show us those abilities and core competencies of protecting our people because we can give money to people and those people we cannot see services are we going to sit back and keep quiet? The answer is No and this is the House which should talk or fight for the people who elected us. Thank you, Madam Speaker.

**Hon. Speaker:** Thank Hon. Members, I believe that even those who wish to say something, they would say something in more or less the same lines as has been expressed by the different members and I think it is high time like one of the members said that this House took action and real action. For this reason, this matter is referred to the committee on health and emergency services and this is very critical because it is about health, it is about lives of the people in the county.

That committee does not have a lot of time to make this report because the report is required in this House on 27th of June, 2018 at 2.30 p.m. If the committee is not able to do its work within that time it must come to this House and seek an extension of time and on very good reasons. It has to put aside all other matters that it is handling and address this issue and bring the report.

Upon the report being tabled before this House, the House I believe will not hesitate to take whatever action that is necessary against whoever is found to be culpable because we cannot play any more with the lives and health of the people in Machakos County.

*(Applause)*

Hon. Members, in the same breath Hon. Ndawa appeared to be very passionate about revisiting the issues of the regulations and for record purposes Hon. Ndawa, you are also given work by this House to work on what you need to bring to this House for purposes of revisiting the provisions of the Public Finance Management (Machakos County Health Services Management Fund Regulations, 2015); the secretariat of the Assembly will assist you where necessary. Thank you, Hon. Members.

### **MOTIONS**

#### **REPORT ON TAPPING WATER FROM YATTA CANAL TO MATUU TREATMENT WORKS**

**Hon. Speaker:** Hon. Kisini.

**Hon. Kisini:** Thank you, Madam Speaker. I would like to move this motion on environment lands and natural resources committee.

Madam Speaker, the Constitution of Kenya 2010 Article 43(1)(d) stipulates that every person has the right to clean and safe water in adequate quantities:

Further, Madam Speaker, aware that access to clean water is a basic human right and depriving people the same affects their social, physical and economic well-being;

Madam Speaker, aware that in December, 2017 a motion seeking to tap water from Yatta Canal was moved in this House and was committed to the committee on Environment, Lands, Energy and Natural Resources for their findings and reporting to this Hon. House;

Madam Speaker, I wish to move the motion that this Hon. House discusses and approves the report of the committee on Environment that the County Government of Machakos taps water from Yatta Canal (Mamba Area) to Matuu treatment works.

I would request my vice Hon. Koki to support the motion.

**Hon. Speaker:** Hon. Koki. Hon. Kisini, just rest briefly here; you do not need to go far.

**Hon. (Ms.) C. Koki:** Thank you, Madam Speaker. I second the motion.

**Hon. Speaker:** Thank you, Hon. Koki. Hon. Kisini, proceed.

**Hon. Kisini:** Hon. Members, let us share this report on Environment, Lands, Energy and Natural Resources committee. The task is the County Government of Machakos taps water from Yatta Canal (Mamba Area) to Matuu treatment works.

### **PREAMBLE**

Madam Speaker, the Constitution of Kenya 2010 article 43 (1) (d) stipulates that every person has the right to clean and safe water in adequate quantities. Further, Madam Speaker the Fourth Schedule of the Constitution of Kenya mandates both the Counties and the National Governments with matters of water.

The National Government is responsible for water protection, securing sufficient residual water, hydraulic engineering and the safety of dams whereas the County Governments are bestowed with the responsibility of storm water management systems in built-up areas and water and sanitation services.

### **BACKGROUND**

Madam Speaker, on Wednesday, 5th December, 2017, a motion seeking to tap water from Yatta Canal (Mamba area) to Matuu treatment works was moved in this Hon. House. The motion was referred to the Committee of Environment, Lands, Energy and Natural Resources for detailed findings and reporting to this House.

The committee managed to have a site visit at Yatta Water Canal on 19th March, 2018 whereby they had opportunity to meet some residents of Matuu and also visited Yatta Water Company Board of management. The committee further visited the water treatment plant to ascertain the viability of the project. The committee had an opportunity to retreat at Nairobi Sunstar hotel on 11 to 14th April, 2018 to compile a report on the task given.

### **MANDATE OF THE COMMITTEE**

Madam Speaker, the Committee on Environment, Lands, Energy and Natural resources is a sectoral Committee established under Standing Order 190 and the Second Schedule with specific mandate to all matters related to the implementation of specific national government policies on natural resources and environmental conservation, including soil and water conservation and forestry and control of air pollution, noise pollution, other public nuisances and outdoor advertising; land survey and mapping; boundaries and fencing; electricity and gas reticulation; energy regulation; water management systems in built up areas and water sanitation services.

### **COMMITTEE MEMBERSHIP**

Madam Speaker, the membership of the aforementioned committee is as follows:

- |                           |                 |
|---------------------------|-----------------|
| 1. Hon. Robert Kisini     | - Chairperson   |
| 2. Hon. Christine Koki    | - V/Chairperson |
| 3. Hon. Alex Kamitu       | -Member         |
| 4. Hon. Brian Kisila      | “               |
| 5. Hon. Cosmas Kieti Muia | “               |
| 6. Hon. Dominic Ndambuki  | “               |
| 7. Hon. George King'ori   | “               |
| 8. Hon. Hellen Ndeti      | “               |
| 9. Hon. Jacqueline Nziva  | “               |

- |                         |   |
|-------------------------|---|
| 10. Hon. Jane Nyawira   | “ |
| 11. Hon. Joseph Musau   | “ |
| 12. Hon. Mark Muendo    | “ |
| 13. Hon. Michael Mutiso | “ |

## LEGAL FRAMEWORK

Madam Speaker,

- Article 20(2) of the Constitution provides that every person shall enjoy the rights and fundamental freedoms in the Bill of Rights to the greatest extent consistent with the nature of the right or fundamental freedom. Further, Article 43(1)(d) provides that every person has a right to clean and safe water in adequate quantities.
- Section 22(c) of part 1 and Section 11(b) of part 2 of the Fourth Schedule of the Constitution provides that protection of the environment and natural resources with a view to establishing a durable and sustainable system of development, including, in particular water protection, securing sufficient residual water, hydraulic engineering and the safety of dams is a function of the national government while county waterworks and services including water and sanitation services is a function of the county governments respectively.

(?) shall include the assumption by either the county government, joint committee, Water Resources Authority or water services provider who shall be responsible for paying loans or liabilities of the waterworks.

Further, until all repayment of loans and discharge of any outstanding liabilities, ownership of the Water shall remain in the waterworks development agency.

- Section 77 of the Water Act provides that the county governments shall establish water services provider which shall be a body corporate. In establishing the said water services providers, the county government shall comply with the standards of commercial viability set by the Water Service Regulatory Board.
- Section 154 of the Water Act provides that the existing water services providers shall continue to operate as the county water services providers or cross county water services providers as the case may be within the period specified in the transfer plan published by the Cabinet Secretary.
- The Machakos County Water and Sanitation Act, No. 1 of 2014 makes provision for water and Sanitation services, creation of Machakos County Water Board and water service provider, water works, storm water management systems, water conservation and related purposes. However, the provision of the said Act are yet to come into operation as the Executive Committee Member responsible for matters relating to water, irrigation and sanitation is yet to issue a commencement date for the said Act to date.

## MEETING WITH THE RESIDENTS OF YATTA- MATUU

Madam Speaker, Article 196(1)(b) of the Constitution of Kenya, 2010 stipulates that, a county assembly shall facilitate public participation and involvement in the legislative and other business of the Assembly and its committees.

The Committees met the residents of Yatta/Matuu over this agenda on 20<sup>th</sup> March, 2018. Madam Speaker, from the public forum the following came up clearly on the Tapping of Water from Yatta Canal (Mamba area) to Matuu Treatment Works.

- The canal only flows 30 kilometres downstream during dry seasons and as a result no water flows to treatment works hence the people of Matuu town and its environs do not get access to clean adequate and affordable water for their consumption as envisaged under Water Act 2016 and the Constitution of Kenya 2010.
- The provisions of the Water Act number 43 of 2016 seeks to regulate manage and develop water resources, water and sewerage services for connected purposes. The Cabinet Secretary responsible for water and irrigation vide legal notice No. 59 of 2016 appointed the 21st day of April, 2016 as the commencement date of all provisions of Water Act 2016 except sections 152 and 153 in so far as it relates to water services board. Further vide legal notice number 160 of 2016 the Cabinet Secretary also while exercising the powers conferred by section 156(3) of Water Act revoked the provisions of section 156(3) as long as such revocation does not apply to the Water Appeals Board and to the Water Service Boards.
- Section 65 of the Water Act establishes the Water Development Agency which shall be composed of —
  - (a) Chairperson, who shall be appointed by the Cabinet Secretary from a county within the basin area;
  - (b) Four other members who shall be appointed by the Cabinet Secretary from counties within the basin area; and
  - (c) The Chief Executive Officer whose establishment shall be determined by the Cabinet Secretary in consultation with stakeholders.
- Section 152(1) of the Water Act provides that the Water Development agency shall take over all property, assets, rights, liabilities, obligations, agreements and other arrangement existing concerning the operations of water services Boards when the Water Act shall come into operation and vested in, acquired, incurred or entered into by or on behalf of the Waters Services Boards established under Water Act 2002.
- Section 68(b) of the Water provides that the powers and function of the Water Development Agency includes the operation of the waterworks and provide water services as a water service provider, until such a time as responsibility for the operation and management of the waterworks are handed over to a County Government, joint committee, authority of county governments or water services provider within whose area of jurisdiction or supply the waterworks is located;
- Section 68 of the Water Act provides upon commission of the waterworks, the waterworks development agency shall enter into agreement with the county government within whose jurisdiction the water works is located.

The agreement;

- 40 per cent of the canal remains dry almost throughout the year especially during dry season and as a result Matuu town and its environs lacks adequate supply of water however at the proposed abstraction point (Mamba area) there is always sufficient flow of water throughout the year.

- There is Conflict between farmers who irrigate using water in the canal especially during dry seasons when levels of water go down.
- The residents unanimously supported the proposal that the county government taps water from Yatta canal (Mamba area) to Matuu treatment works since by so doing their economy would improve drastically.

### **MEETING WITH YATTA WATER COMPANY OFFICIALS**

The Committees also had an opportunity to hear from Yatta Water Management on 19<sup>th</sup> March, 2018 and they gathered the following information:

- Yatta Canal was constructed by the British colonialists as an earth canal between 1953 and 1959 by using colonial detainees with the purpose of conveying water from River Thika to serve the Yatta area of Matuu and the south Yatta area of Kitui.
- The project area lies in Machakos County; Yatta Sub County and it is approximately 80km from Nairobi city along Thika-Garissa road.
- The sub-county covers a total area of 531 km<sup>2</sup> and Kithimani is the administrative Centre of the Yatta sub-county.
- Yatta Canal is the source of livelihood of the people of Yatta Sub-County and also conveys water to Kithimani, Ndalani and Matuu towns and their environs where it is used for domestic, irrigation and livestock water purposes.
- The canal supports over 74,836 people, 35,000 livestock and generates Ksh. 662 million from sale of farm produce and other commercial activities annually.
- The Canal is 58.8 km long from the intake in River Thika to terminal point that is the border of Machakos and Kitui counties and the overflow flows to river Mwitasyano. The canal commands more than 180 km<sup>2</sup> (18000 ha) of irrigable land. The current maximum abstraction of water is 3m<sup>3</sup>/s.
- The domestic water supply is managed by Yatta Water Services Company Limited under Machakos County Government and recharges flow into other several streams along its way.
- The first major rehabilitation of the canal was done by National Youth Service at a cost of Ksh. 500 million in 1996.
- In 2012, de-silting was done through Kazi Kwa Vijana at a cost of Ksh. 8 million. Other de-silting has been done recently through Machakos county government and the local CDF.
- Lining of the canal with reinforced concrete by National Government at cost of Ksh. 2.2 billion through Tanathi Water services Board was done recently.

### **PROJECT OUTCOME AFTER COMPLETION**

Madam Speaker, it is expected that potential positive socio-economic impacts shall be realized, that is:

- Growth of secondary businesses that is hotels in Matuu, Maiuni, Ekalakala, Ikombe and Kithimani towns.
- Improved water supply, sanitation and Health within the project area.
- Improved well-being of women and children.
- Reduced conflicts among users of Yatta Canal.
- Enhanced growth of business in neighboring towns.

## PROJECT DETAILS

Madam Speaker, the project involves trenching of 17km, pipe laying, backfilling of 160mm pipelines, construction of chambers for sectional air valves, sluice valves, wash outs, stand pipes at Sofia market and other works as directed by the engineer. The project cost is Ksh. 34,761,500 as per the attached Bill of Quantities.

## COMMITTEE OBSERVATIONS

Madam Speaker,

- The committee observed that the main objective of the project is to improve reliability, accessibility of enough quantity of water for domestic and commercial uses for Matuu town, Yatta, Kithimani, Ikombe, Ekalakala and the environs.
- The committee observed that both the Yatta/Kithimani residents and Yatta Water Company management were in full support of the proposal citing that it will improve the livelihood of the said communities.
- The committee observed that the distance from the connection point to the treatment works was long and bumpy and no prior piping works had been done. The committee was further informed that currently there was no budget for the project.
- The committee observed that there was need to excavate the Kateki dam which is located near the treatment plant, although neglected, to increase the water storage.

## COMMITTEE RECOMMENDATIONS

Madam Speaker, pursuant to Section 77 of Water Act 2002 that provides that the County Governments shall establish water services provider which shall be a body corporate;

Further aware that Section 154 of the Water Act 2016 provides that the existing water services providers shall continue to operate as the county water services providers or cross county water services providers as the case may be within the period specified in the transfer plan published by the Cabinet Secretary;

In view of the above and considering that, most of the assets and obligations in water sector are yet to be transferred fully to the County Government, the committee recommends the following;

- Pursuant to the Fourth Schedule of the Constitution of Kenya on the functions of National and County Governments, storm water management is a function of County Government. In line with this, the County Government of Machakos in the financial 2018/2019 should budget to rehabilitate the existing Kateki dam in Matuu Ward. This will reduce shortage of water and also complement the water supplied by the Yatta Water Service Company.
- The County Government needs to set money aside, Ksh. 34,761,500 for the project in the financial year 2018/2019.
- The Machakos County Water and Sanitation Act, 2014 to be reviewed so as to align with provisions of Water Act, 2016.

## CONCLUSION AND ACKNOWLEDGEMENT

Madam Speaker, the Environment, Lands, Energy and Natural Resources Committee is grateful to the office of the Speaker and that of the Clerk to the County Assembly for the support accorded during the committee sittings and visitations. I wish to express my appreciation to the

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Hon. Members of the Committee who sacrificed their time to participate in the activities of the Committee and in preparation of this report.

Madam Speaker, it is therefore my privilege, on behalf of the Environment, Lands, Energy and Natural Resources Committee to table this report and recommend it to this Hon. House for consideration and adoption. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Kisini. I note that you had called your seconder much earlier. Hon. Kisini.

*(Laughter)*

I am addressing myself to you. I note that you had called your seconder much earlier than now; it does not do any harm for our records but because of procedure, please call your seconder to second your motion.

**Hon. Kisini:** Thank you, Madam Speaker. I once again call my vice chairman Hon. Koki to support the report.

**Hon. (Ms.) C. Koki:** Thank you, Madam Speaker. I second the report, Madam Speaker.

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

*(Question proposed)*

Hon. Members, I invite you to debate the motion. Hon. Kieti.

**Hon. Kieti:** Thank you, Madam Speaker. I stand to support the report by the environment committee owing to the fact that the said project or the said canal is from an area that needs water. It is from Yatta and we all know that Yatta gets very little rainfall if any and most of the areas are very dry and also the population within Matuu and Kithimani and the environs the population is growing so I stand to support the motion that the County Government of Machakos comes in and builds the canal from Mamba so that the people of Yatta may get that important facility. Thank you, Madam Speaker.

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

**Hon. Masesi:** Yes, thank you Madam Speaker. First of all, I want to thank the environment committee for a thorough and well searched report although I have some concerns; we have realized that from the observations of the committee, we realize that there was no budget for such an event and again on their recommendations they said that we need a budget for the same in the financial year 2018/2019.

Madam Speaker, when you check when the matter came to this Hon. House on 5th December, 2017 it will be good for the committees to work on the timeline because we have seen that there is a lot of delay from December to now whereby they are finding the budget is in fact within the committees.

So, I am urging this House to work within the timelines we are given so that we can make the work easier for us to include some monies for budgets within our budgets. Thank you.



**Hon. Speaker:** Thank you Hon. Cosmus. I was going to make my comment at the end but at least you have started it; the time keeping. Thank you. Hon. Ndawa.

**Hon. Ndawa:** Thank you, Madam Speaker. I want also to take this opportunity to thank the committee, the chairperson and the Hon. Members of that particular committee for coming up with this report. When the report was being read, Matuu was mentioned several times and since I am the member representing that area, I have to say thanks because the committee has recommended that Matuu residents get water.

The issue that I would like to raise in this report is that when we have this project done, the distance from the intake to the treatment works following the canal is 58.8 kilometers. When the water levels go down, the only water in the canal is only witnessed in few kilometers. The area that we are proposing to tap water there is always water. Once we tap at that particular area that is Mamba area, the distance will be only 17 kilometers so we will have cut that distance by more than half.

The other issue is if this project is implemented, it is not only going to benefit the locals of Matuu ward alone. We have several wards which are going to benefit from this starting from Kithimani where the canal starts; the other wards that are going to benefit is Ndalani, Matuu, Ikombe and Ekalakala. Why am I mentioning these other wards?

There is a water line which was build last year by the then Member of Parliament Masinga with intention to get water from Matuu treatment plant at Ekalakala. The only problem we have now they don't get water at the moment because the water we get in Yatta Canal or the water that is received from treatment plant is not enough.

I am very sure if this project is actualized, water will be sufficient and on its way to Ekalakala, it will go through Kivingoni which is in Ndalani ward, so Ndalani ward will also benefit. We have a line from Matuu to Maiuni town. Maiuni town that is co-shared by three wards; one third of the town is in Kithimani ward, the other third is in Matuu and the other third is in Ikombe ward.

So, once we have water going to Maiuni residents of Ikombe will also have an opportunity to get water, residents of Kithimani will also have an opportunity to have water and residents of Matuu will also have an opportunity to have water.

So, Madam Speaker, I kindly and humbly request this Hon. House to save the residents of Matuu. If we approve this motion I am very sure this problem that we have been talking about for many years even when I was in school, Madam Speaker, this problem of water in Matuu was still the same. I kindly request the honorable members to save the area MCA and also the residents of Matuu and I request both sides; if I say both sides, you understand what I mean. This is the high time now Hon. Ndawa is kindly and humbly requesting to be rescued. Thank you, Madam Speaker.

*(Laughter)*

**Hon. Speaker:** I think Hon. Ndawa, you did read the mood and spirit right the Members are all supporting the motion the way am seeing it. Hon. Mulatya.

**Hon. Mulatya:** Thank you, Madam Speaker. First, I stand to congratulate the committee for a job well done. Madam Speaker, you will note that Matuu is a town which is growing very fast and holding businessmen and women from almost all over the Lower Eastern region. Madam Speaker, I am a witness of water problem; my mother also happens to come from the same area and that is where we used to go when we were young but the water canal which used to pass through my grandfather's farm, that water is not there anymore and we have heard the area MCA talk about shortcuts which can give this area water by harnessing the water from the Mamba area to Matuu.

I fully support this because in my area which is around 18 kilometers from Matuu, I happen to be blessed with a borehole which have given to the communities there and have witnessed several times people coming from Matuu with water bowsers and even pickups to fetch water from my area.

I humbly request the house to save Hon. Ndawa, both sides to save him by passing this report. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Members. Allow me to call the mover of the motion to reply.

**Hon. Kisini:** Madam Speaker, I want to say thank you Hon. Members for staying and waiting until the end of this motion. I want to request you to support the motion as requested by the area MCA I think it's also good for him to reciprocate at another time you can also from where you are sitting where Hon. Members are many and whatever so thank you---

*(Laughter)*

Honestly, Hon. Members, if you pass this motion it will really and seriously assist the people of Matuu because I was there. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Kisini. I am thanking you for moving the motion not for other remarks you are making.

*(Question put and agreed to)*

*(Applause)*

Hon. Members, I believe you will draw the attention on this motion to the implementation committee chairperson and his members so that the implementation can be done the soonest possible taking note the concerns that were raised by Hon. Masesi about the matter being included in budget but the budgeting process is still ongoing; it is not complete. Alright, so there you go. Thank you, Hon. Members. Next motion.

PRESENTATION OF REPORTS OF PUBLIC PARTICIPATION ON BUDGET ESTIMATES 2018-19 TO SECTORAL COMMITTEES

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

That aware that this Hon. House approved the annual calendar of business pursuant to Standing Order 25(1);  
Aware that Standing Order 25(4) provides that the Assembly may by a resolution alter its calendar or the adjournment dates;  
Noting that the County Assembly received the Machakos County Budget Estimates for the financial year 2018/2019 on 30th April, 2018;  
Aware that the Assembly undertook public participation on the estimates from 6th to 8th June, 2018 pursuant to Article 196 of the Constitution of Kenya 2010;  
Aware that sectoral committees interrogated the budget estimates pursuant to Standing Order 190 (5)(b) and 206(3);  
Further aware that the sectoral committees need to present their reports to the Budget and Appropriations committee as required under Standing Order 206(4).  
Hon. Speaker, I wish to move the motion that this Hon. House adjourns the sitting of the Assembly of 20th June, 2018 to allow presentation of reports on public participation and sectoral committees interrogations for the Machakos county budget estimates for the financial year 2018/2019 to the Budget and Appropriations committee.

Madam Speaker, before I call my seconder I would like to request the members that once this motion is passed you should be able to come tomorrow and ensure you go through all the sectoral committees and confirm that the projects which were proposed by your people during the public participation in conjunction with thaw ADP which we prepared earlier on have been properly captured to enable the budget committee when it retreats from Thursday to ensure that it has got everything which is from your ward.

This is a very important exercise tomorrow; let us make sure we all come here and confirm things from Kola ward and from other wards have all been properly included in this section. Thank you, Madam Speaker. I would like to call Hon. Peter Mutiso to second my motion. Thank you.

**Hon. Speaker:** Hon. Peter Mutiso.

**Hon. P.J. Mutiso:** Thank you, Madam Speaker. I stand here to second the motion; it is an important motion and I think it will be good for us to relate and every member make sure that all the presentations which were done last week are captured in the statement. Thank you.

**Hon. Speaker:** Hon. Members, I know this is a procedural motion where you hardly debate because of the nature of the motion is good that Members ventilate a bit on it.

*(Question proposed)*

Hon. Members, I invite debate on that motion; Hon. Chairperon of the budget committee.

**Hon. Ndambuki:** Thank you, Madam Speaker. I wish to thank the mover of the motion you will remember that in our schedule, as budget committee, we had a projection that we would table the budget proposals and the report for the financial year 2018/2019 by 20th of this month, that is tomorrow but we were not in time.

However, Madam Speaker, as a committee, we are endeavoring to see to it that latest next week we deliver on our mandate as a committee noting that by law we are required to have reported to the House by 30th of June.

Therefore, this is very timely and I request Members to be present tomorrow so that they may give suggestions and add to what we have as a committee. Thank you, Madam Speaker.

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

**Hon. Mitaa:** Thank you, Madam Speaker for granting me this opportunity. I stand to support the motion by Chair of Chairs.

**Hon. Speaker:** Hon. Mitaa, just a moment. Hon. King'ori what is the problem?

**Hon. King'ori:** The House doesn't have enough quorum.

**Hon. Speaker:** The House is without quorum?

**Hon. King'ori:** Yes, Madam Speaker.

**Hon. Speaker:** Mr. Clerk, can you confirm for me the position. Thank you, Hon. King'ori. Hon. King'ori is being told that there is quorum.

*(Applause)*

Hon. King'ori, what quorum did you have in mind?

**Hon. King'ori:** I missed one person and I can see the quorum is full.

**Hon. Speaker:** It is understandable; we have been here the whole day so the eyes get tired. Hon. Mitaa, please proceed.

**Hon. Mitaa:** Thank you, Madam Speaker. I think that an indication that age is catching up with Hon. King'ori.

*(Laughter)*

I stand to support the---

**Hon. Speaker:** Hon. Mitaa, age is catching up with all of us so can you withdraw that remark.

**Hon. Mitaa:** Madam Speaker, I think every day, every time passes age is catching up with us.

**Hon. Speaker:** I asked you to withdraw the reference to Hon. King'ori. Hon. Mitaa.

**Hon. Mitaa:** Madam Speaker, I withdraw and apologize. So, I stand to support the motion to enable us to engage on the issue to do with budget and interrogate and check whether that is what our people gave back at home. So, Madam Speaker, on behalf of Kangundo Central people, I stand to support. Thank you.

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

**Hon. Masesi:** I stand to support the motion although my concern is it is not indicated whether it will be the committee of the Whole House or how will the other members come in because I want to believe that all Members will be present throughout the day. Thank you, Madam Speaker.

**Hon. Speaker:** That is a point that may need clarification from the mover of the motion.

**Hon. Museku:** Thank you, Madam Speaker. I have actually just come from discussion with Matthew concerning the same; what have requested him to be done is for a tent to be put outside here where we normally put tents and to have Clerk Assistants positioned in the various areas so that each Member will move from one desk to the other desk confirming that the projects which you had proposed and the things which were put in the ADP have been captured by that specific Clerk Assistant for that specific sector then you go through all the ten sectors of the twelve sectors you will have accomplished your role for tomorrow. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon Museku and thank you Hon. Masesi for having that eagle's eye. Hon. Ndawa.

**Hon. Ndawa:** Thank you, Madam Speaker. I also stand to support that motion to have the House adjourned so that we can confirm whatever was given by the members of public is exactly what is captured in the budget. This is a great honor even us as Hon. Members to have an opportunity and come to confirm.

Previously, Madam Speaker, we used to attend public participation but later on we come to realize that all that was captured is not exactly what was captured. This is a great honour, we will be able to go round and see if it is the department of water, like in Matuu, the report that has just been passed by this Hon. House was the first thing to be given the CIDP and it was also the same thing to be given the ADP and in the finance in the budget, the Chair of Chairs presided over the public participation in Matuu and the first item was given is this project that we have just approved.

So, Madam Speaker, this is very noble motion and I am requesting everybody to support that we adjourn and have this done. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon Ndawa. Hon. Mark Muendo.

**Hon. Muendo:** Thank you, Madam Speaker. I will like also to support this motion for the adjournment so we can actually finalize with our projects. What I might request, may be Hon. Members since we are going to have tents which we have discussed with the Deputy Speaker and we agreed we can have tents and then the Clerks Assistants will be seated in different benches.

I will request may be our PAs can accompany us tomorrow because most of them are the custodians of our projects; if they may be allowed there they can come interact and know the projects which actually because sometimes you may find a Hon. Member might forget one of the project and you know our PAs actually they have the projects.

So, I was requesting whether that can be allowed for the personal assistants to be around and maybe we can have some tea and some snacks around there because it will be a tedious business. Thank you, Madam Speaker.

**Hon. Speaker:** That is a bit interesting; who has a point of information. Hon. Masesi.

**Hon. Masesi:** Madam Speaker, my concern was; do we have to be accompanied by our personal assistants. We have been given that mandate by the members of our wards and I want to believe that we should be fully informed with the requirements of our wards.

So, Madam Speaker, I stand not to go with the words of our Majority Leader that our personal assistants should be around. I want to believe that we are more than enough and maybe he can inquire from his personal assistant if he is not well-versed with his area; we can be full conversant with the information. Thank you, Madam Speaker.

**Hon. Speaker:** Hon. Members, I allowed the digression of this motion because all that has been submitted in the latter part of this session is irrelevant to the motion. Hon. Members allow me to put the question that.....sorry before I put the question the mover of the motion would wish to respond noting the nature of the adjournment.

**Hon. Museku:** Thank you, Madam Speaker. Mine is to first of all, thank Members for active participation in my motion. I think this adjournment as most of you have pointed out is necessitated by the fact that we need it interrogate our budgets properly. We need to make sure that we have captured each and every item which our people have requested for through the CIDP, through the ADP, through the public participation and ensure it is captured in the budgets so that when the budget committee retreats, we come out with a document which is representative of the wishes of the people of this County.

It is critical for us to come up with a budget which is representative of the wishes of the people of this County and therefore the need for us to get this time to be able to do that so I thank you all and urge you all to support we pass the motion. Thank you.

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

*(Question put and agreed to)*

**Hon. Speaker:** Hon. Members, just before I pronounce the adjournment of the House there is a part that I ruled is not relevant; this is the right time to talk about that part. Obviously, members would need to be facilitated in the most lawful manner as much as possible and the Clerk's office will take up that challenge so that members are comfortable tomorrow when they come to interrogate that process.

## ADJOURNMENT

**Hon. Speaker:** Hon. Members, at this juncture the house is adjourned to the Tuesday, the 26th of June, 2018 at 10.00 a.m. Have a good evening.

The House rose at 6.34 p.m.