

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF MACHAKOS

OFFICIAL REPORT

Tuesday, 25th April, 2023

The House met at 2.51 p.m.

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

PRAYERS

STATEMENT REPLY

Hon. Speaker: May I call upon Hon. Ndaka, holding brief for Hon. Vincent Mutie, to make a Statement.

Hon. Jackson Ndaka (Tala, WDM-K): Madam Speaker, the Member who requested the Statement, Hon. Eric Winzi is not in the House so I ask this House to defer this Statement to a certain date, Madam Speaker.

Hon. Speaker: In the absence of the Member who had requested the Statement, the response will be deferred to a certain time when he is available. Thank you, Hon. Members.

(Statement Reply deferred)

MOTION

APPROVAL OF REPORT ON CONSIDERATION OF
NOMINEES TO WARD BURSARY COMMITTEES

Hon. Speaker: May I at this point invite Hon. Grace Bahati chairperson education and social services committee to proceed and move the motion.

Hon. Grace Bahati (Kyeleni, IND): Thank you, Madam Speaker.

Hon. Speaker, that aware that the purpose of the Public Finance Management (Machakos County Bursary Fund) Regulations, 2019 is to provide financial assistance to the needy students and aware that Regulation 11(1) establishes the Ward Bursary Committee consisting of-

- a) One person with at least a diploma in the relevant field, with experience in matters relating to education who has ordinarily been residing in the Ward for at least five years preceding the appointment and who shall be the Chairperson;
- b) The Ward Administrator;

- c) The County officer from the Education Department and who is responsible for matters relating to education in the Ward and who shall be the secretary of the Committee and an *ex-officio* member with no voting rights;
- d) A woman and a man who have ordinarily been residing in the County for at least five years preceding the appointment with experience in public administration, education, public affairs or management;

Aware that Regulation 11(3) confers the County Executive Committee member with powers to forward the nominees for the Ward Bursary Committee to the County Assembly for consideration and approval and further aware that the said nominees were forwarded vide a letter dated 17th March, 2023;

Acknowledging that the forwarded nominees were committed to the Committee on Education and Social Services and aware that the Committee scrutinized the forwarded documents in line with Regulation 11(2)(a) and (d);

Hon. Speaker, I wish to move the motion THAT, this House approves the Report of Education and Social Services Committee on consideration of nominees to the Ward Bursary Committees.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member. You may call a seconder.

Hon. Grace Bahati (Kyeleni, IND): Thank you, Madam Speaker. I would like to call the Vice Chairperson Education committee Hon. Phoebe Koki to second.

Hon. Speaker: Hon. Phoebe Koki.

Hon. Phoebe Koki (Nominated, MCCP): Thank you, Madam Speaker, and the House as a whole. I second. Thank you.

Hon. Speaker: Thank you, Hon. Member.

(Question proposed)

Before I invite Members to debate this matter I will invite Hon. Grace Bahati to come and highlight the report. I wish to guide as follows; that you go straight to background information. Proceed to read all the names there, then skip committal of names to the committee, proceed to the verification of nominees and committee observation, then committee recommendations in that order.

Hon. Grace Bahati (Kyeleni, IND): Thank you, Madam Speaker.

2.0 BACKGROUND INFORMATION

2.1 Establishment of the Ward Bursary Committee

Section 11(1) of the Public Finance Management (Machakos County Bursary Fund) Regulations, 2019 establishes the Ward Bursary Committee consisting of-

- a) One person with at least a diploma in the relevant field, with experience in matters relating to education who has ordinarily been residing in the Ward for at least five years preceding the appointment and who shall be the Chairperson;
- b) The Ward Administrator;
- c) The County officer from the Education Department and who is responsible for matters relating to education in the Ward and who shall be the secretary of the Committee and an *ex-officio* member with no voting rights;
- d) A woman and a man who have ordinarily been residing in the County for at least five years preceding the appointment with experience in public administration, education, public affairs or management;

The functions of the Ward Bursary Committee as provided by the Public Finance Management (Machakos County Bursary Fund) Regulations, Regulation 12 includes:

- i. Receive and consider applications for bursaries;
- ii. Conduct public participation on matters related to bursaries;
- iii. Compile and approve lists of applications for bursaries for forwarding to the County Bursary Committee;
- iv. Oversee the disbursement of bursaries, including the distribution of cheques to the approved applicants;
- v. Prepare and forward reports on the Fund to the County Bursary Committee;
- vi. Undertake such other activities as are necessary for the effective application of the Fund.

2.2 Nomination of the Ward Bursary Committee Members

Regulation 11(3) of the Public Finance Management (Machakos County Bursary Fund) Regulations, 2019 confers upon the County Executive Committee Member the power to nominate and subject to approval by the County Assembly the following persons:

- a. One person with at least a diploma in the relevant field, with experience in matters relating to education who has ordinarily been residing in the Ward for at least five years preceding the appointment and who shall be the Chairperson
- b. A woman and a man who have ordinarily been residing in the County for at least five years preceding the appointment with experience in public administration, education, public affairs or management.

2.3 Submission of Nominees for the Position of Ward Bursary Committee

In line with Regulation 11(3) the County Executive Committee Member (CECM) in charge of the County Department of Education, Skills Training and Social Welfare vide a letter dated 17th March, 2023 (*Annexure 1*) forwarded to the County Assembly, for consideration and approval, the list of the following persons for appointment to the position of Ward Bursary Committee.

Yatta Sub-County

Ndalani

George Nthenge

– Chairperson

Annastacia Mulevu – Member
David Wambua – Member

Katangi

Felix Kyalo – Chairperson
Peter Mutuku – Member
Jane Muthikwa – Member

Matuu

Benjamin Mutisya – Chairperson
John Mbatha – Member
Nancy Kambua – Member

Kithimani

Samson Kioko – Chairperson
Ann Mueni – Member
Samuel Musyoka – Member

Ikombe

Muasya Kiambi Ndolo – Chairperson
Jane Kyalo – Member
Isaia Mumo – Member

Masinga Sub-County

Kivaa

Francis Maithya – Chairperson
Al Haji Mwanza – Member
Agnes Peter – Member

Muthesya

Christopher Kituku – Member
Christine Mutuku – Member
Peter Mutuku Mutua – Chairperson

Ekalakala

Patrick Mwanza – Member
Benedicta Mutungi – Member
Rev. Stephen Kyanui – Chairperson

Ndithini

Nicholas Mwanja – Member
Victoria Wayua – Member
James Mulei – Chairperson

Masinga Central

Philip Muthini – Member

Rachel Musangi - Member
Fidelis Musyoka Mulwa - Chairperson

Mwala Sub-County

Makutano/Mwala

Dr. Gregory Muia - Chairperson
Damaris Wambua - Member
John Munyao - Member

Muthetheni

Justus Ngumbau - Chairperson
Nicholas Kasimu - Member
Mwende Mutinda - Member

Mbiuni

Francis Munziu - Member
Dorothy Ndunge - Member
Regina Munyao - Chairperson

Kibauni

Rose Kiptui - Member
Jones Mbalia - Member
Morris Musila Mwanthi - Chairperson

Wamunyu

Richard Kitema - Member
Anna Muthini - Member
Benson Kisinga - Chairperson

Masii

Felix Mbindyo - Member
Margaret Musyimi - Member
Peter Mwatu - Chairperson

Kathiani Sub-County

Kathiani Central

Felix Kitili - Chairperson
Mutisya Musau - Member
Joyce Ndunge - Member

Mitaboni

Nicholas Maingi - Member
Victor Mutinda - Member
Redempter Mukuvi - Chairperson

Lower Kaewa

Stephen Mutuku	- Member
Catherine Kimeu	- Member
Morris Kilonzo	- Chairperson

Upper Kaewa/Iveti

Fredrick Mumo	- Chairperson
Philomena Kisengi	- Member
Nicholson Nzombe	- Member

Mavoko Sub-County**Kinanie**

Timothy Kilonzo	- Chairperson
Dishon Matolo	- Member
Angelina Muthoka	- Member

Athi River

Victor Masila	- Chairperson.
Joseph Kimatu	- Member
Marieta Mutheu	- Member

Muthwani

Lucy Mutheu	- Member
Bernard Kiio	- Member
Moses Mulandi	- Chairperson

Mlolongo/Syokimau

Francis Nzioka	- Member
Grace Mwikali	- Member
Mutiso Kivuva	- Chairperson

Matungulu Sub-County**Matungulu East**

Joseph Mbai	- Chairperson
Grace Mbeke	- Member
Joel Nzuki	- Member

Matungulu North

Nicholas Kaunda	- Chairperson
Francis Kiswili	- Member
Benedicta Muthio	- Member

Matungulu West

Nicholas Muli	- Member
Juliana Mwikali	- Member
Boniface Kivuva Ndeti	- Chairperson

Kyeleni

Aaron Ngumbi	- Chairperson
Mbithi Nzenge	- Member
Zipporah Mutuku	- Member

Tala

Daniel Sila	- Member
Nzioka Syokau	- Member
Richard Mutuku	- Chairperson

Kangundo Sub-County**Kangundo Central**

Rev. Johnson Makau	- Chairperson
Rose Ndambuki	- Member
Simon Nzioki	- Member

Kangundo North

Barnabas Muindi	- Chairperson
Immaculate Nzioki	- Member
Benjamin Mutune	- Member

Kangundo East

Wifred Mutua Musau	- Chairperson
Rose Muthoka	- Member
Paul Mutinda	- Member

Kangundo West

Joseph Mutie	- Member
Margret Kiseli	- Member
Shadrack Mutune	- Chairperson

Machakos Town Sub-County**Kola**

Elizabeth Mueni	- Chairperson
Anastacia Wavinya	- Member
John Kamba	- Member

Machakos Central

Grace Mutuku	- Chairperson
Kituli Harrison	- Member
Josephine Mutiso	- Member

Mumbuni North

Magdalene Ngina	- Member
Fredrick Musau	- Member
Jackson Musau Mbila	- Chairperson

Mua

Mbinya Christine	- Member
David Kieti	- Member
Francis Muia	- Chairperson

Mutituni/Ngelani

Erastus Mulwa	- Member
Florence Koki	- Member
Michael Ngei Muindi	- Chairperson

Muvuti/Kiima Kimwe

Stellamaris Syombua	- Member
Richard Munuve	- Member
Charles Wambua	- Chairperson

Kalama

John Wambua	- Member
Esther Musyoka	- Member
Benjamin James Kithuka	- Chairperson

VERIFICATION OF NOMINEES AND COMMITTEE OBSERVATIONS

The Sectoral Committee on Education and Social Services held several sittings to verify the academic certificates for the forwarded nominees pursuant to Regulation 11(2)(a) and (d) of the Public Finance Management (Machakos County Bursary Fund) Regulations, 2019 and the following were observed:

1. That all the nominees for the positions of ward bursary committee as presented by the Department of Education met the required criteria as outlined in Regulation 11(2)(a) and (d).
2. That the forwarded nominees for the position of the ward bursary committee are equal to the task based on their roles and the nature of their work. Disclaimer: some of the nominees were unable to provide their academic certificates in support of the forwarded curriculum vitae.

COMMITTEE RECOMMENDATIONS

Having considered the forwarded nominees for the position of Ward Bursary Committee in line with the Public Finance Management (Machakos County Bursary Fund) Regulations, 2019 and for the interest of Machakos County needy students, the Committee on Education and Social Services recommends the Ward Bursary nominees to the House for approval. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member. I now invite Members. The floor is yours to debate the motion. Hon. Lucky.

Hon. Lucky Nzau (Matungulu West, WDM-K): Thank you, Hon. Speaker. I support the motion given that it is long overdue for the service to our electorates. I actually move the idea that you put the question and end the stalemate. Thank you, Madam Speaker.

Hon. Speaker: Hon. Mwonga.

Hon. Joshua Mwonga (Masinga Central, WDM-K): Thank you, Madam Speaker. I am not rising to oppose the request by Whip of the Majority party. Madam Speaker, I want to start by congratulating your office and that of the Clerk; this matter was committed to the Education Committee and if my mind serves me well, about two months ago. It has dragged in the committee and it even reached to a stage where Members were complaining whether this committee and especially the Chair is competent.

Madam Speaker, I want to say the Chairperson education is very competent.

(Applause)

She is very competent. It reached a point where she was even sweet talking the Members of this committee and that is why we went to an extent of saying yes, the Speaker keeps telling us that we should follow the law but where we have reached now we should put the interests of our pupils first. Why am I saying this? There is a bullet that says that 'some of the nominees did not present their academic credentials or papers.' Madam Speaker, with the guidance of our Chair, we had to overlook that for the interest of our kids.

Lastly and not the least, Madam Speaker, I want to thank the Members of that Committee including myself although I wonder how one thanks himself and say this; they are Members of independent minds. They did their work despite the pressure that somehow at one point their work was almost been taken away by the whole House.

Madam Speaker, I want to finish by quoting Christopher Hitchens, he was an atheist in America and this is what he said; the essence of independent mind does not lie in what it thinks but lies in how it thinks. Thank you, Madam Speaker. I support.

Hon. Speaker: Thank you so much, Hon. Member. Hon. Maeke.

Hon. Musyimi Maeke: Thank you very much, Madam Speaker. I stand to support the Motion that the House adopts and considers the report from Education Committee. However, I want to inform the Chair that Kalama is a sub-county and it is a mistake that has been repeatedly done in this House. Kalama is a Sub-County and we are no longer under Machakos. Kalama Sub-County has Kalama Ward and Kola Ward and from the report, they have categorized us as Machakos sub-county.

However, that notwithstanding, Madam Speaker you understand that education as we have been told is key to success and education for our children is very important especially at a time where we need people to make independent decisions. We have seen what has befallen our country even in the saga of Shakahola in Kilifi. I believe if education in those areas was much considered people would not be swayed the way we see them swayed and tossed left, right and center.

I want to applaud the Committee on Education for taking their good time. We pray that other businesses will not take longer like that Committee took but we believe at last they have

brought good names. For me in Kalama we had good amendments and I support the Motion. Thank you very much.

Hon. Jeremiah Kaloi (Athi River, WDM-K): Thank you, Madam Speaker. Madam Speaker, today we are going back to our wards happy. Our electorate has been asking us questions with no answers. I thank the Committee, the able Chair and the Members for a great well-done job. I support and my only request is that the other processes for this to actualized is to be hastened so that at least when our kids open school for second term they go back with the cheques to school. Thank you so much, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member. I now invite the Member to reply.

Hon. Grace Bahati (Kyeleni, IND): Thank you, Madam Speaker. Totally I am in support. It is important we put the needy students in Machakos County I being one of those kids who were able to study through bursary funds so I do understand the importance of these kids getting bursaries. I support and thank you Members for your cooperation. It has been long overdue but we had to do what was right that every person had to be comfortable and also make sure that we deliver to the people of Machakos County. Thank you so much, Madam Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Member. That was quite elaborate and very articulate. Thank you.

(Question put and agreed to)

STATEMENT REPLY STATUS OF KOLA LEVEL III HOSPITAL

Hon. Speaker: I am informed that Hon. Eric Musembi is in the House. We welcome him; we had deferred response to take care of you so that you can be present when the response is made, I therefore invite Hon. Ndaka to respond to the Statement.

Hon. Jackson Ndaka (Tala, WDM-K): Thank you, Madam Speaker, Thank you Hon. Winzi, Hon. Speaker, Standing Order 41(3) provides that where a Member requests for a Statement from the Committee Chairperson relating to matters under the mandate of the Committee, the Speaker may either appoint a day for the Statement or direct that the Statement sought must be restricted to a matter within the mandate of the Committee and which has been exhaustively dealt with and concluded by the Committee or where the Chairperson is authorized by members to issue preliminary reports to the House.

Hon. Speaker, on 5th April, 2023 during the morning plenary sitting, a Statement on status of Kola Level III health facility by Hon. Eric Musembi, MCA, Kola ward, was sought seeking the following:

- (i) Why Kenya Power in Kola Level III health facility was disconnected owing to unpaid bills yet this House approved a budget to cater for such under the Department of Public Health and what measures the Department is undertaking to ensure power is restored.

- (ii) Why Kola Kola Level III health facility has not received drugs for the last four months and what measures the Department is undertaking to address the inefficiency.

The Statement was committed to the Health and Emergency Services Committee to respond on or before 3rd May, 2023. Hon. Speaker, in response to the above Statement, the committee requested from the Chief Officer, Public Health and the department responded to the aforementioned Statement through a letter that:

1. Power Disconnection

The above referred facility had its electricity disconnected due to accrued payment of electricity bill to Kenya Power. However, the matter is being addressed as the payment of the outstanding bill is now in at 1(B) stage and is prioritized for payment this.

2. Drug Supply

Payments were done to KEMSA on 8th March, 2023 and KEMSA distributed drugs to all the facilities between 23rd March, 2023 and 5th April, 2023. Therefore, the facility received its drug allocation on 27th March, 2023 vide Delivery Note Number EMB2-029135-2022/2023.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member. Before I could ask whether Hon. Eric Musembi is satisfied with this explanation, I invite members to ventilate on this Statement. Any Member? There being no member who wishes to comment, I now wish to invite Hon. Erick Musembi to state whether the response is a satisfactory.

Hon. Erick Musembi (Kola/Muumandu, PICK): Thank you, Madam Speaker. What I can confirm to the committee of health so far, neither the electricity nor the said drugs were received at the facility and what I can confirm is that the drugs which they are talking about is only a dozen of Ibuprofen and Panadol and that is all. What I can urge you, Madam Speaker, at this juncture is for the health committee to take a site visit to Kola Level III health facility. That is all, Madam Speaker. Thank you.

Hon. Speaker: Thank you. Therefore, Hon. Members, the response is not to the satisfaction of the Member who requested for the same and I therefore request the Committee concerned that one for health to do thorough investigation further and maybe make a visit to the facility and bring this House a report. Thank you, Hon. Members.

ADJOURNMENT

The House adjourns to Wednesday, 26th April, 2023 at 10.00 a.m. in the morning. Thank you.

The House rose at 3.25 p.m.