

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Tuesday, 25th January, 2022

The House met at 11.06 a.m.

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

PRAYERS

COMMUNICATIONS FROM THE CHAIR

WELCOME REMARKS TO THE SIXTH
SESSION OF THE SECOND ASSEMBLY

Hon. Speaker: Hon. Members, under this order I have the following communication to make; I want to greet and welcome you to this last session of the Second Assembly of the County of Machakos and I urge you we undertake our mandate with renewed vigour even as we seek fresh mandate from the electorates to represent them.

There is still a lot of work for us to do and there are several Bills pending before different Committees that need the attention of this House to ensure they are approved before the end of the term.

The Bills are as follows:

- The Machakos County South Eastern Kenya Economic Bloc, SEKEB 2021
- The Machakos County Youth Empowerment Bill, 2021
- The Machakos County Sand Harvesting (Amendment) Bill, 2021
- The Machakos County Cultural Heritage Bill, 2021 and others that are not enlisted here.

I also want to take the opportunity to inform you that some of the Members have intentions to sponsor Bills before the end of the term and I am asking them to move with haste so that we can process them so that you can leave a legacy in this Second Assembly and the Office of the Clerk is available to assist you with that.

Further, I am notifying you that this session is going to be short and we are required to approve the County Fiscal Strategy Paper, the Budget Estimates and the Appropriation Bill; that is again a lot of work for you so I urge all of us to work hard to make sure that we handle the business properly.

REPORTS FROM THE AUDITOR GENERAL

Hon. Members, Article 229(4)(b) of the Constitution provides that within six months after the end of each financial year, the Auditor General shall audit and report in respect of that Financial year on the accounts of all funds and authorities of National and County Governments. Article 229(5) provides that the Auditor General may audit and report on the accounts of every entity that is funded from public funds. Article 229(7) requires that the audit reports are to be submitted to Parliament or the relevant County Assembly.

Pursuant to those provisions, the Assembly received the following reports on 7th January, 2022 from the Office of the Auditor General:

- Report of the Auditor General on Matungulu Kangundo Water and Sewerage Company Ltd for the year ended 30th June, 2018.
- Report of the Auditor General on Mwala Water and Sanitation Company Ltd for the year ended 30th June, 2018.

Hon. Members, those reports are accordingly committed to the Public Accounts and Investments Committee for scrutiny and submission to the Assembly for approval. The Committee should report within the next 60 days from the date of this communication. Thank you.

NOTICE OF MOTION
HOUSE BUSINESS COMMITTEE
MEMBERSHIP FOR THE SIXTH SESSION

Hon. Speaker: We have one business by Hon. Majority Leader Mark Muendo.

Hon. Muendo: Thank you, Madam Speaker and Happy new Year to the House.

Hon. Speaker, that aware that Standing Order 151(1) provides that the House Business Committee should be appointed at the commencement of each session;

Aware that the Committee is crucial in determining how business is debated in the House and in preparation of the Assembly Calendar;

Noting that the House Business Committee Membership should reflect relative majorities of seats held by each of the Assembly parties in the Assembly;

Aware that the nominations should take into consideration of interests of independents and aware that parties have nominated members to serve in the House Business Committee;

Further aware that the Assembly parties have nominated Members to the House Business Committee;

I wish to give notice of motion that pursuant to Standing Order 151(1)(e), the House approves the appointment of the following members to the House Business Committee for the Sixth Session of the Second Assembly of Machakos County in addition those members specified under paragraph 151(1)(a), (b), (c) and (d);

1. Hon. Moses Mitaa
2. Hon. Fredrick Muthoka
3. Hon. Patrick Kituku
4. Hon. Hellen Ndeti
5. Hon. Rozina Kanini
6. Hon. Justus Katumo
7. Hon. Jacqueline Nziva
8. Hon. Annastacia Mutuku
9. Hon. Joshua Muli
10. Hon. George King'ori
11. Hon. Judas Ndawa

Thank you, Hon. Speaker.

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

STATEMENT

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BUSINESS FOR THE HOUSE FOR 25TH JANUARY, 2022

Hon. Speaker: Hon. Members, under this order we have three businesses by Hon. Mark Muendo, Hon. Hellen Ndeti and Hon. Patrick Kituku in that order.

Hon. Muendo: Thank you, Madam Speaker once again. Hon. Speaker, the House Business Committee met on, Monday, 24th January, 2022 to prioritize business for the House pursuant to the provisions of the Standing Order 151(5). The Committee balloted business as follows:

Tuesday, 25th January, 2022

Morning at 10.00 a.m.

- a. Motion on Approval of Members of House Business Committee as submitted by Assembly Parties.
- b. Statement by Hon. Hellen Ndeti on:
 - 1) Total amount that the Department of Education received from the Controller of Budget in relation to the Bursary fund for the FY 2021/2022.
 - 2) Plans that the Education Department has put in place to ensure the remaining bursary fund amount is disbursed before the closure of this financial year.
- c. Statement by Hon. Patrick Kituku on what the Department of Health and Emergency Services is doing on:
 - 1) Payment of contracted services (cleaning and security)
 - 2) Supply of drugs and non-pharmaceuticals.
- d. Motion that the House adjourns the remaining sittings for this week to allow House Business Committee to meet and schedule business for the House and also to allow Hon. Members to attend public participation on SEKEB Bill, 2021 scheduled to take place in all the 40 wards from 26th to 28th January, 2022 and resume sittings on Tuesday, 1st February, 2022 at 10.00 a.m.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Majority Leader. Hon. Hellen Ndeti, the second Statement.

STATEMENTS SOUGHT
DISBURSEMENT OF BURSARIES

Hon. Ndeti:

Hon. Speaker, Article 43(1)(f) of the Constitution provides that every person has the right to education;

In furtherance of this provision of the Constitution, the County Assembly of Machakos enacted the Machakos County (Bursary Fund) Regulations, 2019 pursuant to Section 116(1) of the Public Finance Management Act 2012;

Aware that the Bursary Scheme was formalized to meet the objects and purpose of the fund as stipulated in Regulation 4 of the public finance (Machakos County Bursary Fund) Regulation, 2019 which provides that “the purpose of the fund is to provide bursary scheme for the provision of financial assistance to the needy students”;

Aware that in compliance with the aforementioned Regulation the Assembly approved Ksh. 80,389,996 for the award of bursaries in the FY 2021/2022 which translates to Ksh. 2,000,000 per ward and Ksh. 389,996 as the operational cost;

Further aware that the Department of Education concluded on disbursement of bursaries where each ward received Ksh. 900,000 translating to a total of Ksh. 36 Million which has been disbursed so far;

Hon. Speaker, pursuant to the Standing Order 41(1), I wish to seek a Statement on the following:

1. Total amount that the Department of Education received from the Controller of Budget in relation to the Bursary fund for the FY 2021/2022.
2. Plans that the Education Department has put in place to ensure the remaining bursary fund amounting to Ksh. 44,000,000 (44M) which translates to Ksh. 1.1 Million per ward is disbursed before the closure of this financial year.

Thank you, Madam Speaker.

Hon. Speaker: Hon. Members, do we have any Member who may wish to comment on this before we commit it to the relevant committee; Hon. Masesi.

Hon. Masesi: Thank you, Madam Speaker. I would like to appreciate the Statement by Hon. Hellen owing to the fact that even out of the Ksh. 900,000 there is another certain percentage of Ksh. 100,000 which should go to these polytechnics. So we were left with Ksh. 800,000 to issue to the wards. In my ward I have six sub-locations and you can imagine having 35 secondary schools and none has less than 400 students. Picking only 400 students which will translate to each getting Ksh. 2,000 will give you the Ksh. 800,000.

Madam Speaker, we faced it very rough and to make it worse, when the Deputy Governor was coming to issue these bursaries, we made announcements that the County Government is giving bursaries and all the parents came hoping they will get something for their children. We had a budget of Ksh. 80 million and we were supposed to get Ksh. 2 million each ward and we have not been told when we are going to get the balance.

The ground is rough, our Senator is attacking us left and right saying that we have gone to bed with the Executive and we were proposing to get the answers as to why for the last two years, even besides the bursaries, we have done nothing towards development. I support and I am urging this House for the remaining months, let us reclaim our name. Thank you, Madam Speaker.

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

Hon. Muendo: Thank you, Madam Speaker. Let me start by thanking Hon. Hellen Ndeti for coming with this Statement. There comes a time when the leaders need to call a spade a spade; we have given budgets year in year out to the Executive Hon. Speaker---

Hon. Speaker: Why are the screens not on? What is the Happening with HANSARD? Hon. Majority Leader, please resume your seat briefly. Can I get a report of what is happening in the HANSARD so that if we need to suspend the sitting briefly for the HANSARD to work properly we will do that?

*(The House suspended proceedings due to a technicality
hitch with the Assembly broadcasting)*

Hon. Members, I can see the screens are back on so we can proceed. Hon. Majority Leader, you were on your feet.

Hon. Muendo: Thank you, Hon. Speaker. As I was saying, we have been allocating budgets here, and we have been allocating other departments monies and it seems whatever we allocate here, there are changes that are normally done by the Executive. We had allocated Ksh. 2 million

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for bursaries in this financial year and when we received the cheques from the Deputy Governor which was a mess, we did not know how much we received because in my place at Kinanie Ward, when we did the additions, some of the cheques got lost because it was chaotic.

The Deputy Governor came with the cheques and the community was waiting in large numbers because of the announcements which had been done that the Deputy Governor is coming to issue bursaries. What they did not say is the number and a ward like mine which comes all the way from Malili in Makueni to Kinanie to Lagoon and almost to Muthwani, people were told to come for the cheques at Kyumbi Chiefs Camp.

Most of the people spend a lot money travelling to the area because from Kinanie to Kyumbi you spend about Ksh. 500 and people came in large numbers and the cheques were less than Ksh. 600,000. I can ascertain that although some of the cheques got lost and what the Deputy Governor did after the crowd asked how much he was giving out, he could not say. So he did it in a hurry, he read a few names and handed over the cheques to the ward administrator. So people scrambled and more cheques were lost and you know you can remove two or three names from a cheque and include your son to have that Ksh. 40,000 or Ksh. 50,000.

So we could not know how many children received and this is embarrassing to our government because Hon. Members used to issue cheques very well even if the money was little and they distributed well. Up to date, we do not know how much money was given because cheques were issued by the Executive. If we had allocated Ksh. 2 million and we have received Ksh. 900,000, can we know where the other money has gone? Hon. Speaker, this is the high time we summon the department of Education CEC Member and the Chief Officer and also the finance department CEC and Deputy Governor, Eng. Maliti.

Hon. Speaker, we cannot continue allocating money to departments and continue having this kind of confusion where people are embezzling public money and Hon. Members are blamed by the people on the ground that we are doing nothing. Hon. Speaker, you can see our Senator, whom I do not think she knows her job because she is now campaigning with the names of the Hon. Members which I condemn highly.

(Applause)

I do not think that is how Senators should work; Hon. Ngunga wrote something which was very clear and I now believe that sometimes education is very important.

(Laughter)

Therefore Hon. Members, we have to defend our names; our work is to pass the budget, oversight and congregate with the people and we have done that. I do not know why the Senator is on us. Let us have those people summoned and Hon. Members we have no time. There is no need of calling *Nduu mukina*; call it *nduu ikae muunda uthela*. Thank you, Madam Speaker.

(Laughter)

Hon. Speaker: Thank you. Hon. Deputy Speaker, then we have the Hon. Minority Leader.

Hon. Museku: Thank you, Madam Speaker. I would like to congratulate Hon. Hellen Ndeti for the Statement she has brought seeking to get clarification on the issue of bursaries. Yes, as the other Members have said, we as a House did provide for Ksh. 2 million in the budget for this year's budget and I am glad in her Statement she has sought to know when the remaining balance of Ksh. 1.1 million is going to be disbursed.

We are aware that budgets are opened halfway and you find that the Treasury opens a budget for six months and we are aware that the first half of the year has gone by and processing of the Ksh. 1 million; the key thing is for us to get a clear-cut timetable on when we are going to get

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the disbursement of the remaining Ksh. 1.1 million because I am aware the second half budget has been opened in IFMIS.

Putting into consideration that as from end of April, this Assembly will be off to campaign mode because May, June and July is the official campaign period. We need to ensure that by that time, the balance of the bursary has been disbursed to the various institutions.

Talking about the process which we use in disbursement of the bursaries is as important as the money itself. Hon. Mark Muendo has said that in his ward and the same with Hon. Masesi's Ward, they have a very huge ward with many people who applied for bursaries. In my ward of Mumbuni North, on average, I get more than 3,000 people applying for bursaries and yet you are given Ksh. 900,000 to distribute.

This therefore means there has to be a certain criteria which is used by the bursary committee which has been constituted in the wards; a criterion of determining how many people you are going to give from the 2,000 to fit into Ksh. 900,000. That criteria follows guidelines which have been given, for example people with disabilities, single mothers, where there is no income; there is a certain criteria used in determining this.

When the Deputy Governor in his wisdom decides to take the cheques to the people, calls them and the 2,000 people come and he is not in the bursary committee, he does not know the criteria which is used, the only thing which is going to be caused on the ground is chaos because the 2,000 people will come there and each will be expecting to get a cheque. He does not have the criteria for which what was used in determining the number of people.

For example, if it is only 300 people in that list, what criteria was used in determining the 3,000 people, he does not have. But the minute you announce you are going to give bursary then the entire 2,000 people will come. So the process of doing it is as important as the money itself.

(Applause)

We would like to urge the Executive to follow the guidelines themselves they have issued in which they give to the bursary committee so that when we are disbursing these funds there is seen to be equity. I was shocked to see that these people were reading cheques. Like in my area, you hear somebody saying; we have a cheque here for Kangundo High school for Ksh. 40,000, any parent here for Kangundo High School? A parent raises their hand and I am told they are given the cheque for Ksh. 40,000. Now attached to that is 20 to 30 names for that money.

If this parent just plucks out that and writes their own list of five people including paying full school fees for their children and take to the school who will find out? The office of the office of these Hon. Members make sure when cheques are delivered, they are delivered to the institution and the list attached is delivered and ensure receipts are given so that there is accountability even to the fund itself. It is therefore a bit annoying really, to see that simply because and I do not understand Hon. Speaker, who informed the DG that bursaries have votes. They do not; the people outside there know that bursaries are their right.

If you go there with bursaries thinking you are going to get a vote, you are only going to make yourself appear weak because you are not going to be able to give the 2,000 people since only 300 people have been given. So what we would like to see is when are we going to get the balance of Ksh. 1.1 million and I would like us as a House to put a caveat and say that this money must be paid by latest March of this year so that we are sure that the entire bursary as provided in the fund has been disbursed.

(Applause)

This issue the Majority Leader has talked about of the Senator going all over the place and telling people that Hon. Members of this House are not doing their work, I would like to put it very clearly; she needs to understand her job first.

(Applause)

Reason being when you go and tell the public that we get Ksh. 10 billion and these people every year they get Ksh. 10 billion you do not even seem to understand that there is recurrent expenditure and development expenditure. So people think the entire Ksh. 10 billion is supposed to be given for development without knowing that we have more than 7,000 employees who are also getting salaries from the same Ksh. 10 billion. You go blaming Hon. Members and saying the House ...and I was even shocked that she had the audacity of mentioning Hon. Madam Speaker, into her own issues.

Does the Speaker, debate in this House? Does the Speaker, determine the things done in this House? That is the preserve of the Hon. Members and therefore, trying to drag Madam Speaker, into this issue I found it quite put of order. Therefore, we condemn what she said in the strongest terms possible and tell her to do her own homework. The oversight we have done in this House over the last five years cannot be negated by somebody who has not done their homework.

(Applause)

The audit reports which come from this House---

Hon. Ndawa: Point of information.

Hon. Speaker: What is the information Hon. Ndawa? Remember we are not even debating-

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Hon. Ndawa: Yes, I just want to inform my brother here Hon. Deputy Speaker, that the by-election for the Senator she was elected alone so when she went to parliament others had already been inducted. So she was not inducted so---

Hon. Speaker: Hon. Ndawa--

(Laughter)

Hon. Museku: Thank you, Hon. Judas Ndawa and on that note we would like to advise the Senate to being doing proper induction.

(Applause)

So in conclusion therefore, it is important for the Senator to understand that even the audit reports which come before this House like the report which the Hon. Speaker, has committed to the committee of Public Accounts and Investments, those reports go to the Senate before they even come here. A copy goes to the Senate and another copy comes here and therefore, it is her duty to ensure that when those audit reports get there she does proper oversight by ensuring that she calls the Governor and those who are accountable for the budget and interrogate them. Not passing the buck down to Hon. Members. Thank you very much, Madam, Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Deputy Speaker. Hon. Minority Leader. I will come to you Hon. Johanna.

Hon. Kamitu: Thank you very much, Hon. Speaker. Madam Speaker, one thing is that I stand here to applaud the Statement that has been done by my sister Hon. Helen in regard and in Disclaimer: The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor, Machakos County Assembly.

relationship to the disbursement of bursaries. Madam Speaker, as you have heard from the Hon. Members who have spoken in regard to the issuance of bursaries in the 40 wards, there is always a procedure. To start with Madam Speaker, everybody is aware that...and even the Executive is aware that one, there is a committee in the bursary in all the wards, the bursary committee. Again Madam Speaker, we normally do the public participation.

So I am talking in regard that this time the practice was not carried out properly, as per the procedure because firstly, when bursaries given to the wards, when public participation is carried out in the wards there is a list of all the beneficiaries so on that regard there is always a list in the bursary committee in each ward and it is that list again Madam Speaker, that in a manner of being transparent, it is the same list that is used and returned to the education department so that it enables the education department to write the cheques according to the list that was given in the wards.

So in this regard, Madam Speaker, I am saying the same list, the same cheques procedurally were supposed to be returned to the wards so that...they are the same people during the participation who identified the needy students. So it was messy this time, Madam Speaker.

(Applause)

Without hiding anything, it was quite messy that the right procedure and process was not carried out. That is why you are hearing complaints from all the 40 wards. So my standing here Madam Speaker, is now the education committee should come up with those complaints from each ward because if I am called by the committee of education, I will give them my grievances, my observations that I made the procedure was not carried out properly and again I do not want to repeat what the Hon. Members have said but it is also important Madam Speaker, that we should know where and when the remaining balance of the bursary will be issued so that we may again and quickly before April the campaigning time so that we may issue and this time round Madam Speaker, because we have seen there was a mistake then we should also inform the Executive that they should go as per what the regulation of bursaries as it is supposed to be done.

Otherwise, I stand to say this time round Madam Speaker, we would not like to see that bad procedure that was carried out. Thank you, very much Madam Speaker.

Hon. Speaker: Thank you, Hon. Minority Leader. Hon. Johanna. I will come to you Hon. Ngunga.

Hon. Munyao: Thank you, Madam Speaker. I stand to support the Statement by the Hon. Helen. Hon. Speaker, as I stand to echo the words of the previous speakers, I would also like to state that the timing is also very important. Madam Speaker, the time we decided, through the Deputy Governor, to go around giving out the bursaries when the cheques were really ready in the month of December, we should have organized ourselves to present the cheques even when the students were leaving for school.

There are those who are schooling in faraway schools and therefore, it would only have been wise to give out the cheques as they go back to school. We were now faced with the challenge of organizing how the cheques were to get to such institutions and in that mix, still up to now we have some names, others transferred to other schools, others missing and therefore, we need to re look at the process and also the timing.

Madam Speaker, Ksh. 800,000 is a drop in the ocean especially during these hard times when most parents lost jobs when there are so many hardships even in terms of getting food in the families. The only way we would have assisted these kids was even during supplementary like the one we are expecting, to look for monies here and there to add on to the bursary kit and assist these kids. Madam Speaker, before I sit, let me also remind our Senator Kavindu that she has a seat in this Assembly where she has never sat to address this Assembly.

(Applause)

She cannot be addressing the Assembly from funeral gatherings, from campaign rallies; if she is serious, her work was to engage with this Assembly, we look at the areas where there are serious issues and then she presents the same to the Senate. We have not heard her summon either the executive or even this Assembly in the Senate if she is serious with whatever she is doing. I would request or demand that she know adopts other strategies of campaigning other than just making noise out there and tarnishing the names of these Hon. Members including our Speaker, who is doing her work and therefore, Madam Speaker, I wish to stop there and echo and support the statement. Thank you.

(Applause)

Hon. Speaker: Thank you, Hon. Johanna. Hon. Ngunga.

Hon. Ngunga: Thank you, Madam Speaker---

Hon. Speaker: They are punishing you by giving that size of a mic.

Hon. Ngunga: Yes. Thank you, Madam Speaker, for giving me this opportunity to maybe add my voice to the debate that is ongoing and I would like to say, like the colleagues who have spoken I think the issue of bursary was mishandled and actually in some wards it turned out chaotic and that given the people who had been invited. Like I think the Hon. Majority Leader has said when members are called to a gathering by a leader and there are benefits that are supposed to be coming out of that meeting and they find that the benefits are not equal or they are not fair then chaos are likely to erupt and I think that was the case in Mutituni, Mavoko and many other places.

I would say, Madam Speaker, here it was purely a matter of procedure. Bursaries had been awarded by the bursary committee and I would have imagined a situation like we had before where we launch all of us together and the particular officers carry the cheques and are issued without having to look at politics. You know what is affecting us Madam Speaker, here in this county, I think people have become too political and some leaders who are very weak are trying to gain what we call public sympathy---

(Applause)

You see even if we hide behind those cocoons the truth will easily get to be known. The Deputy Governor did not need to use that as a way of campaigning. I actually was very opposed to that way. When you take Mua, for example, and you bring the people close to the A & L Hotel and you tell them the bursary is going...actually Madam Speaker, I was only fortunate because they arrived at my place at 9 o'clock so by the time people were waking up, and I was also quick to disburse them so 20 minutes and we were done.

(Laughter)

Otherwise we would have suffered the same fate that befell my colleagues. So Madam Speaker, my call is because we are demanding for the remainder of the balance that was allocated and actually that must be done, when is the question. Madam Speaker, we want to demand that next time that this bursary being disbursed let the bursary committees be in charge and area MCAs as we have always done.

(Applause)

The other thing about the Senator is actually unfortunate. It is actually also trying to get uncalled for popularity in a funeral occasion or in occasions where members of this Assembly are not there and we are being accused of even things that are not supposed to be ours. When she says that we have failed, what have we failed to do? You know that is one of the questions that one should ask her. Those of you who are close to her and you remember most of us were very opposed to her but you side *kava mama* but I am saying *musyi wa utuku utungila vala wesila*.

So we need to raise to the occasion and raise up we are 40 those elected and 19 you can support us we need (.....*inaudible*) and one of the answers is to tell her the mandate that she got was the other day but she is misusing that mandate. Election is just about....actually it is just cut on face it is in the next five or six months. So if she moves on that I think her....she was brought in by this Assembly. It is this Assembly that is also going to chase her away and I will be part of those who will be in the forefront to chase her away.

I know she is not competent and her incompetence is now being exhibited and you know what happens Madam Speaker, is that if a falsehood or a lie is told over and over again and it is not corrected it is likely to be seen as a truth. So if we let the Senator now keep on lying to people and she has a lot of airtime, if we let her be given that kind of airtime where we are not responding we are likely to suffer the same fate that Hon. Kamitu's colleagues suffered where 39 of them went away not out of their own mistakes. I am not ready to go home because of somebody. I am ready to defend my position vehemently and following the truth.

So I will be the first person to be....I heard her mention your name saying that you have led us into failure. Where have we failed?

(Applause)

I have heard the lady seriously condemning activities that are not of our doing. Where do we come into the hospital? Where are we in the hospital surely when she says there is no medicine in the hospital? Are we supposed to be there? Are we Chief Officers? Are we ministers of health? These are some of the things we say education is very important and as we go into this general elections, we must ensure those of you even competing with you and against you, Madam Speaker, we must raise the education bar so that some of these basics---

(Applause)

Some of these basic things she does not have, Hon. Ndawa. She does not have to go and get schooled some of these things are basics like to know the role of an MCA, the role of MP are basics. So Madam Speaker, I want to support those who have spoken that Madam Speaker, the Senator must be disciplined. She must be discipline because out there the public thinks that you know she is the new kid in the block. So she is the one pointing where mistakes are but in my opinion she is misleading the whole County.

Thank you, Madam Speaker, and as you engage I want to ask our colleagues Members of the Assembly you know we are just around the campaign time now. Let us uphold the kind of discipline that we have always upheld. We have been very open to negotiation let us negotiate. Let us negotiate when it is possible, let us look at agitators. There is a big difference between achieving as a negotiator and agitating. When you start agitating you agitate for a long time but you do not achieve anything but negotiators will be able to negotiate and get things done. Thank you, Madam Speaker.

Hon. Museku: Point of order, Madam Speaker.

Hon. Speaker: Point of order, Hon. Museku.

PROCEDURAL MOTION
EXTENSION OF SITTING TIME

Hon. Museku: Hon. Speaker, I stand on Standing Order 27 to request for extension of time.

Hon. Speaker, that aware that Order 27(2) provides that the Speaker shall interrupt business at 12.30 p.m. for the morning sitting;

Aware that Standing Order 27(3) provides that the House may resolve to extend its sitting time;

Aware that Standing Order 27(4) requires motion to extend sitting time to be moved at least 30 minutes before the time appointed of adjournment;

Hon. Speaker, I therefore beg to move the motion that the House resolves to extend its sitting time until the business on hand is completed.

I request Hon. Moses Mitaa, Majority Whip to second my motion. Hon. Moses.

Hon. Mitaa: Thank you, Hon. Speaker. I second the motion by the Deputy Speaker. Thank you.

Hon. Speaker: Thank you, Hon. Members. Hon. Members, I note that this Is a procedural motion but because it is your right to break when you are supposed to break under the Standing Orders allow me just to propose the motion so that we can see if there is any Member who would be opposed to the extension.

(Question proposed)

Do we have any Member who would want to comment on that proposed motion? So Members let me put the question.

(Question put and agreed to)

So we extend the sitting Hon. Members until the business on the Order Paper is completed.

*(The House resumed business
as per the Order Paper)*

I noted that there were some Members who wanted to make a comment; we have Hon. Alice and Hon. Nicholas and then we stop it at that. Hon. Jeremiah, you wish to comment? Let us go on Hon. Alice.

Hon. (Ms.) Nzioka: Asante Bi. Spika kwa kunipa nafasi.

Hon. Speaker: Mheshimiwa Alice, I know you like enjoying the carpet.

Hon. (Ms.) Nzioka: Pardon Madam Speaker? Sorry Madam Speaker.

Hon. Speaker: Proceed.

Hon. (Ms.) Nzioka: Bi. Spika, nilifanikiwa kuwa katika bunge ambalo lilikua limechaguliwa buge la kwanza katika mfumo wa ugatuzi na nikafanikiwa tena kuwa katika hili bunge la pili nashukuru Mungu. Bi. Spika, nikujulishe kwamba kama kuna bunge ambayo ilichaguliwa na wananchi na ambayo inajua kazi yake ni hii unge ambayo muda wake unaenda kuisha.

(Applause)

Bi. Spika, nikiambuka mwanzo wa hii bunge ambapo tulianza kuna kesi sasa iko kortini na sijui kama uamuzi ulitolewa. Kuna mawaziri ambao waliteuliwa katika serikali ya Machakos na ikapelekwa kortini. Pili waziri wetu wa pesa pia kuna kesi kortini na Bi. Spika ukiangalia vizuri sana utakuta hayo ndio majukumu ambayo bunge linapaswa kufanya. Bi. Spika, ni makosa yalitendeka na uliza wabunge wenzangu hilo jabo lisitendeka tena. Tuanendelea kufikia wakati wa uchaguzi na atakama uko kwenye chama gani, usimchague mtu eti sababu ameletwa na chama.

Ni sababu umwangelie umchunguze kama anayote anatakiwa ili kuchaguliwa. Seneta wa Machakos kulikua na malalamishi na kila mtu akaona kwamba hakuwa na stakabadhi ambazo zilikuwa zinatakiwa. Nahasa ndio maana tumefikiwa sisi wote. Wale ambao walimchagua, wale ambao hawakumchagua maana hajui ata kazi yake mwenyewe.

Nataka nimfaamishie na nauliza wabunge wenzangu kwanza tutafute siku na sisi kama wabunge tumpe jibu maana tunaweza. Tumwambie sisi kama bunge tumefanya kazi yetu napia tumwambie atoke kabisa na awachane na Spika wa kaunti ya Machakos maana sisi tumefanya kazi. Bi. Spika, miaka mitano kama umechaguliwa mwaka wa kwanza utakua unajjulisha kwao hao watu wamekuchagua. Hio miaka mingine imefuatilia unafanya hiyo kazi yako. Hawa wabunge wako hapa kila mtu anajua ile kazi amefanya kwake. Na mimi nashindwa na nasangaa naibu wa Gavana wa Machakos huu sio wakati wa kwenda katika watu kupeleka usaidizi wa masoma maana hio sio kazi yake.

Ni katika bunge hili kulitengezwa amri ni kwa ajili ya kupatiana usaidizi wa masomo katika kila ward ya Machakos. Tulichagua *Committee* kwamba kuna wale wanapaswa kufanya hiyo kazi. Na ndio maana furugu zimekuja ata juzi nimeona ata wengine walipewa hizo pesa, hizo cheki na hawajui wanapeleka wapi. Wengine wako nazo nyumbani mtu amepewa na ajui mahali anapeleka. Sasa ni ya umuhimu gani kupewa. Kila mtu afaye kazi yake na kama ulifanya kazi utachaguliwa kama hukufanya ole wako. Sisi kama wabunge ni lazima, kuna msemu wa kikamba unasema *Ikombe yinyeea yikwu* ukiluliza Seneta wa Machakos atakwambia---

(Laughter)

Hon. Speaker: What is the meaning of that word in Kikamba because there is the translator? Hon. Ndawa, I am told you are the one who normally translates.

Hon. (Ms.) Nzioka: Bi. Spika, unipe wakati nitamuuliza mkufunzi wangu *Mheshimiwa* Ndawa najua ataniambia alafu bunge lingine nikapata wakati mwengine nitakuelezea. Bi. Spika, sisi utamu wetu ama latha yetu kama wabunge haujaisha. Tumefanya kazi ambayo tulipaswa kufanya na najua Mwenyezi Mungu akikupa kazi na uitende anakuona. Bi. Spika, sisi kama bunge tumefanya kazi yetu na kama umempa mtu kazi usiingilie mana ata Mungu amri zake zinasema usiseme uongo. Amri ya Mungu ya nane inasema usiseme uongo. Na ukivunja amri moja ya hizo kumi umevunja zote.

Nimwambie Seneta wa Machakos awachane na Bunge ya Machakos na alichaguliwa, baathi ya wengi walioko hapa walimsaidia na Mungu anaona na anajua. Na nimeshindwa ata ukisikiza matamshi yake ni mtu ambaye hajasoma. Wakati anaenda kwenye mkutano na kusema kwamba mnichagulie, anamaanisha nini? Kwani yeye ni nani kaunti ya Machakos. Sisi hatutaki kuwekwa kwenye matope. Bunge limefanya kazi na ata Mungu anajua.

Bi. Spika kazi ya mtu apewe na kama ni kazi ya Mheshimiwa aliyechaguliwa walie mchagua, kulikua wengi na momoja akachaguliwa na waliona anatosha. Ambao wamechaguliwa katika wadi arobaini wapewe nafasi wafanye kazi yao na wakipewa nafasi Mungu atawasaidia pia hao wote ambao wamechaguliwa wakirudi hapa Seneta wa Machakos ataenda wapi? Ni sasa ata uongozi anaendelea kufedhehesha sisi akina mama kuonekana kwambahatuwezi uongozi.

Sisi akina mama tunaweza na afuate kazi yake maana najua kama angekuwa Seneta ambaye anajua kazi yake kabla mdadisi wa mahesabu hajaleta barua kwenye hii bunge, mwanzo angekuwa kama kuna makosa amemwita Gavana wa Machakos amemwita waziri wa pesa, na wengine ndio sasa nasisi tufikiwe. Bi. Spika kama nikazi ambayo mtu amepewa afanye. Seneta nataka kukwambia kwamba tuko na wewe bamba kwa bamba. Asante.

(Applause)

Hon. Speaker: *Mheshimiwa* Nicholas.

Hon. Muia: Thank you, Hon. Speaker. Madam Speaker, I want to give my contribution on the motion especially on the bursaries. For one, the bursaries that we were given were worth Ksh. 900,000 per ward. But if I can remember very well we passed a budget of Ksh. 2 million so we still have a balance of more than Ksh 1.1 million which we need as soon as possible so that we can be able to give to our people. Again as it was seen by the Deputy Governor who was going around the bursaries in a unprocedural manner that is not acceptable as we have to bursary committees in every ward which is their mandate because in the process many cheques were lost because there was no proper way of co-coordinating. So we do not expect to see this again in future and these are what we call the last kicks of a dying donkey so we do not want this kind of a kangaroo---

(Applause)

Kangaroo arrangements we want proper procedural way of doing things. Going forward on the issue of the Senator, one of the key functions of the Senate is to oversight the county executives and that is squarely the major role of the County Assembly. Madam Speaker, we would be very happy if the Hon. Senator can engage us in this role and come here, we welcome her to the Assembly any time to come and tell us what is the real issue rather than making some roadside declarations and saying that as MCAs we have failed.

Actually engaging the MCAs is stooping too low; she should be engaging the Governor and the Executive because she should be more on our side because that is our role. We are still waiting for her to make her maiden speech here and we debate on these issues. There is still time. It is six or five months to elections so she should come here and tell us what needs to be done because that is the only way forward. We can be able to move forward. Also attacking our Hon. Speaker, that is not acceptable in such functions; we find her not worth to be called a Hon. Member. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Hon. Jeremiah.

Hon. Munguti: Thank you, Madam Speaker. First I would like to applaud the Statement which has been brought by Hon. Helen into this House. First Madam Speaker, it is the right of every child to go to school and get proper education. Therefore, that is a very good Statement and as an Assembly we have the mandate to ensure that every coin that has been budgeted and allocated to education has been disbursed in the right manner by the Executive. Ours is the oversight role which we have done in the last four and half years and we already to do it until the end of five years.

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Madam Speaker, as majority have said in this house, this time round we have seen different things being done from the Executive in the issue of disbursement of the bursaries. What I would urge the Executive is that we have allocated very huge amounts of money in issues of bursaries and what we have gotten is only Ksh. 900,000 and Ksh. 80 million is not little money by all standards. We expect the Executive to allocate that money which was passed by this Assembly through the recurrent expenditure. So, the balance of Ksh. 1.1 million should be disbursed as soon as possible and we do public participation as we always do.

We have a committee for bursary allocations which has been doing its work and through our blessings; we have seen our children get their right in terms of bursaries. For the last three weeks things have been different; the issue of the executive engaging the villagers or the parents through the students to come and give cheques, was very threatening to the Members of this Assembly because it is not something which should be given anytime so that we can get the bursaries in due time.

First, Madam Speaker, it is the right of our people to get what is rightfully theirs because the money which we are giving our people through the bursaries is the tax that they pay through the things they do by buying things and also the money being given to the Treasury.

The other thing is about our Senator who has been walking into congregations in funerals and uttering words through the podium to the Members of this Assembly. It is quite unfortunate that when we were doing the by-elections, majority of us here supported the Senator and some of us said it was not the right person, and true to my words, I have realized this is the wrong person who entered into this seat because maybe she has not been inducted well on the roles of a Senator, the roles of the County Assembly and the roles of the Executive. If she knew all these things, she could not be uttering such statements in funeral gatherings.

Madam Speaker, as many speakers have said here her seat is just here; she could be coming into this Assembly and tell us what she wants us to discuss about and therefore we are condemning her statement with the strongest terms possible. We are ready to answer her and as Members of this Assembly, we must be respected and the only time to be respected is when we are going to give our statement to our Senator. Thank you, Madam Speaker.

Hon. Speaker: I am constrained to say that we move to the next Order. Are we not saying the same thing? Can I say one minute each one of you who still want to comment; yes I have that liberty. So, Hon. Kisini, one minute.

Hon. Kisini: Thank you, Madam Speaker. I want to use my one minute very well and congratulate Hon. Helen for the Statement she has brought to this House and congratulate members for bringing sentiments about the bursaries. My question is, through your guidance, is there a law whereby we can compel the Senator to come in this House and face each other in this House. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Thank you. Hon. Kalumu; one minute.

Hon. Kalumu: Thank you, Madam Speaker. I would like to say that on bursary issuance, it was wrong the process was wrong and we have seen what Hon. Francis Maliti can do when he is may be by accident he becomes a Governor, because that is the way he can do things and I would warn my people of Machakos County that he is not eligible to be elected because he has issued bursary twice without regard to the procedure. The first time he did it the Wards were given Ksh. 850,000, this time round he has given Ksh. 900,000. We have not seen the last years audit question on him; we want to see it.

On the issue of Madam Kavindu, as the Senator of Machakos, she is not worth the time I spend, she is not worth the money I spend and Madam Speaker, I would like to ask this House to

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answer her because she is shaming us, and she is shaming this House. There is a process of doing what she is doing through this House and even speaking to the Governor directly. Thank you, Madam Speaker.

Hon. Speaker: Hon. Nyanzi. Thank you, Hon. Kalumu.

Hon. Nyanzi: Mimi nina uchungu mwingi sana na waheshimiwa wengi wameongea sana juu ya Seneta Kavindu. Seneta Kavindu alikuja mazishi Kalama na nikamkaribisha vizuri na nikampatia nafasi aongee na watu na awaambie sisi ambao tulikuwa upande ule mwingine tuliambiwa siku moja tu tuende tukakuchague na tukakupigia kura hebu tuambie ilikuwa aje ndio tuambiwe tukupigie kura mara moja. Aliamka na kusema kwamba tulipewa Ksh. 15 million kila MCA na Gavana Mutua na akauliza watu; hii pesa iko ndani ya matumbo ya huyu Nyanzi, akawauliza mtamchagua tena?

Sijui kama hapa iko waandishi wa habari waandike vizuri sana. Sisi MCAs tumemkataa kama Seneta wa Machakos maana hana adabu. Hiyo ndiyo nataka niulize watu wa Assembly hii.

(Applause)

Hon. Speaker: Thank you, Hon. Nyanzi. Hon. Kiilu, one minute, Hon. Kamulu.

Hon. Kiilu: Thank you, Hon. Speaker. First of all allow me to apologize because I have just arrived. Somebody from my village decided to rape and kill his class eight daughter. He killed two and two have been taken to hospital that is why I was late. On the issue of the bursary, allow me to say that all what the Hon. Members have been, communicating to me, I have been communicating to the Chief Officer and allow me to let the members know, that you cannot imagine that the cheques were ready as at 20th of December, 2021 and we had a good arrangements with the Chief Officer so that we can launch at one particular ward and then disburse to the MCA to give the cheques.

What happened later, what changed, I cannot tell, but he told me that he had instructions that he should follow the calendar of the Deputy Governor---

Hon. Speaker: You are now addressing the House as the Chair Education committee?

Hon. Kiilu: Surely, yes. I am giving the right information that the cheques were ready and we had good arrangements. Actually we had agreed that let the cheques be with the MCAs before 2nd January, 2022 so that as the students leave by 3rd January, 2022, every student has his/her cheque but that one never happened. Later I was given another program that I was supposed to follow. Actually I think I was the last to be given the cheques with Hon. Kituku from Ndithini. Allow me to say that the process that was used was the worst ever because the cheques were delayed, somebody in Tana River given Ksh. 2,000; you use Ksh. 2,000 to take Ksh. 2,000 cheque. That is unbearable. So, allow me to say that as the Members have said, it is the worst process.

Again, on the same as they are saying on the Senator's issue, in fact, what she is uttering is not the right words to be used by a Senator and a Hon. Member of her age. At times we may be forced to use hard words on her who is not good but let her come down, let her use the right language on Hon. Members. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Kiilu. Hon. Kamulu.

Hon. Kamulu: Thank you, Hon Speaker. First, I want to applaud Hon Helen for coming up with this Statement. Hon. Speaker, now that my time is only one minute, I want to applaud God because a miracle has happened; a twin miracle which has exposed two personalities who are about to lead our County and they might lead it into destiny. Hon. Speaker, we are now the prophets; let

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us now go out and spread the gospel that two personalities are messy in this County and they should not be given any opportunity to lead the County anything.

(Applause)

I want to remind, Hon. Majority Leader and Hon. Deputy Majority Leader on this issue of Statement as far as the utterances of the Senator are concerned. We do it immediately and in the same we question the level of education which was also in questioned because as a County, I think the nation Kenya is doubting Machakos County and the kind of Senator we have. Madam Speaker, I don't know whether there is a process where this Assembly can write to her to tell her she has a role and she has a seat the County because I don't think whether she knows so that she can come and is there and tell us something before we take her to the canteen for a cup of tea and tell her who she is.

Otherwise, Hon. Speaker, she cannot be cut short and I will also applaud the Speaker and Machakos County in general because of *kyaa kimwe kiyuaa ndaa*. I want us also to have a statement here so that we can include our vernacular at times when we are addressing ourselves so that we can emphasize the points the way Hon Alice has done. *Ona yakwa ni yinyeaaa*, so that it can be allowed.

Otherwise, Hon Speaker, we are bitter about the bursaries and somebody has killed himself thinking that he is resurrecting himself and let us not follow anybody because of a scare. If my child comes and says; I am not good, think twice, and let us not abuse the child. The child knows me better because some people cannot stay with other. Thank you, Hon. Speaker, we don't want the Chair of the Speaker to be messed up by anybody; let that somebody stay where she is, waiting *tutaenda wengi nyumbani, sio mtu mmoja*.

Hon. Speaker: Thank you. Hon. Betty.

Hon. (Ms.) B. Nzioki: Thank you, Madam Speaker. I want to thank Hon. Helen for the Statement that she has brought. Hon Speaker, about the disbursement on the bursaries, I think it was a big blow to us all the elected members. Like in my place when they brought issues and the Deputy Governor had given instructions that the village administrators and the ward administrators are the ones to disburse the cheques which were left behind. I want to take this opportunity and thank Hon. Mwikali; she fought and she stood firm and told the Deputy Governor that the elected member of Masii is Hon Betty so the cheques should be given to her office, and it was noisy because Hon Mwikali doesn't go backwards she had to fight until the last minute.

Hon. Speaker, it was unfortunate because the Deputy Governor thought that he will get some mileage in the bursaries of which we know this is the right of the people; it is not a favor, and it is their right for the education of our people. So, Madam Speaker, I would wish that this could not be repeated again and how I would wish still we engage the Deputy Governor and tell us more about the bursaries because since we came into this Assembly, there were some financial years that we passed a budget of Ksh. 3 million per ward and we never got anything equivalent to that. So, that is something that the Deputy Governor should be answerable because he is the same person who is the CECM finance and tell us more.

On the other hand is about our Senator. Madam Speaker, it is unfortunate if our Senator could stand before the congregation and especially when people are mourning and attack the Assembly including the Speaker, and this Hon. House I know when we got into this Assembly, we had a lot of fight and one thing I want to congratulate you is the achievement. People may not see it but I know it is something that you did; you went an extra mile to call the Bishops to come together and intervene for the handshake of the Executive and the Assembly and at the end of the day, we got peace and there was peace in Machakos County.

I requested Senators Enoch Kiio and Senator Mutula Junior to at least sit with our Senator and at least enlighten her on her roles as a Senator within Machakos County. Maybe she was not

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given the roles at least to come to light and know her role as the Senator within Machakos County. Madam Speaker, it is unfortunate if she is trying to dig a hole of politics to us, and I want to ask the Majority Leader, kindly let us address this issue because if we are going to keep quiet, it will be very hard for us to go back to the electorates.

They will ask us; why did you not respond if this is what she was trying to talk about you was not true. So Majority Leader and the Hon. House let us come out as a whole Assembly of Machakos; it does not matter which party and we address this once and for all because it is affecting us all. Thank you, Madam Speaker.

Hon. Speaker: Thank you. Hon. Mulatya you had something to say?

Hon. Mulatya: Thank you, Madam Speaker. Mine goes directly to the Senator. What she is doing is not right; it is very wrong because our voters are very funny, once you tell them something which is not true that is what they like. What she is saying is very wrong. I watched when I think she was in Kangundo or Hon. Nyanzi's place. You know when you are telling people that you are embezzling their money; those people can even harm that MCA. So, Madam Speaker, I am also trying to plead with the Majority Leader, I know he is able and Minority Leader; let us first think while we are issuing this Statement for the sake of re-election of Members of this Assembly, let us approach this issue very well because once we start fighting with her in public, she is going to do more harm to us than we do to her.

So this issue should be handled very well. I think she should be summoned to come and sit down with us. Maybe she is doing this because of knowledge. She has her seat right here, she should have been coming to this House, address the House but what she is doing is very wrong and she is going to cause a lot of damage to almost all of us in this House.

The other thing is about the bursary. I think Hon. Maliti is totally out of order to go down there; you know he is also carrying other aspirants. If you don't support Maendeleo Chap Chap, he will pick somebody there and go disburse the bursaries with that person. So, I think these two leaders are totally out of order and we need to check it very well. Thank you, Madam Speaker.

Hon. Speaker: Thank you. Hon. Members, with your sentiments on the issue of the disbursement of bursaries, the exercise that ended just a few days ago, the Statement by Hon. Helen is committed to the committee on Education and the committee should report to this House within 14 days noting the importance of the exercise. So, Hon. Kiilu and your Committee, the House is expecting that report on or before the 9th of February, 2022. Thank you. The next Statement is by the Hon. Patrick Kituku.

SERVICE DELIVERY IN COUNTY HEALTH FACILITIES

Hon. Kituku: Thank you, Hon. Speaker.

Hon Speaker, Article 43(1) (a) of the Constitution of Kenya, 2010 provides that "every person has the right to the highest attainable standard of health, which includes the right to health care services, including reproductive health care;"

Further, the Fourth Schedule of the same Constitution mandates County Governments with matters of County health facilities and pharmacies, ambulance services and promotion of primary health care:

Hon. Speaker, it is worth noting that for the last three months, our County Health facilities have not been providing medical services to the residents of this County because of lack of non-pharmaceutical supplies, drugs amongst other key supplies;

Hon Speaker, pursuant to Standing Order 41(2)(c), I wish to seek this Statement:

What the County Department of Health and Emergency Services is doing to address the following issues in our County Health Facilities:

- (i) Payment of contracted services for cleaning and security.

- (ii) Payment of utilities for water and electricity.
- (iii) Payment of CHVs whose allocation was Ksh. 84 Million in the FY 2020/2021 and the similar amount in the current FY.
- (iv) Supply of non- pharmaceuticals.
- (v) Supply of drugs.
- (vi) Promotions of medical workers.

Thank you, Madam Speaker.

Hon. Speaker: Hon. Members in a similar manner, this is a Statement that is sought on the status of the health services in the County and I will ask if there are any members who have comments on the---

(Hon. Ndawa sought permission to contribute)

Hon. Ndawa, you are out of order. The Speaker is still addressing the House you are putting up your hand and you are making noise; let us be orderly. So Hon. Members I was saying that this is a Statement that is been sought by Hon. Kituku on the status of the Health in the County and that being the case it is for the members who wish to comment before we commit the Statement to the committee that is to process it. Who are the members who wish to make any comments? Hon. Majority Leader.

Hon. Muendo: Thank you Hon Speaker, let me first congratulate the Hon. Member for Ndithini Hon Kituku for seeking this Statement. Hon Speaker, This Statement could have come even last month December. It is actually very pathetic in our hospitals and dispensaries. As far as this House is concerned under your leadership, we have never denied the Executive any budget. Madam Speaker, it is only six months down the line after we gave the Executive a budget of Ksh.12 billion where the Department of health received Ksh. 4 billion and that is five months ago.

Hon. Speaker, as we are talking now and today, not about the drugs, we are talking about the simple utilities like gloves in our hospitals and needles in our hospitals. In my area, Kinanie ward, we have Kinanie and Kyumbi dispensaries and I am using my money which is very little just to buy small commodities like needles and gloves, Hon Speaker.

The Statement by Hon. Kituku is timely; we have been facing these problems from November and for three months, our people have been suffering when we have given the executive Ksh. 4 billion on the health sector. Madam Speaker, not even the drugs, we have other services like electricity, we have water bills, our hospitals actually have been disconnected from the electricity supply and a good example is Matuu Level IV hospital which serves even part of Kitui. We don't have power there so what do we expect? The newborns who are born in that hospital will die. What do you expect the old women who are going to that hospital? They will die.

Madam Speaker, this is a very serious and grave matter when a government cannot sustain health services to its people it is as dead as a dog. Hon. Speaker, let me use that word because we are suffering, our people are dying and nobody in the Executive is thinking about it.

(Applause)

Hon. Speaker, I have just talked about Matuu which is a case, the media should even report correctly. I am talking about Itimboni dispensary, where I come from and there is no power for the last four months so there is nothing going on there. Watchmen are not paid and I am paying watchmen to take care of what is remaining in that health facility. Madam Speaker, this is something which this House needs to take action immediately; even we can impeach somebody because of this and Hon. Members, let me tell you, we are remaining with only six months so these Issues the Senator is talking about and you are quiet on these things yourself, then it is upon you because some of them are correct. What are we doing as Hon. Members of this Assembly? Have we

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impeached somebody? Have we summoned somebody? We must do that and this is the right time, Hon. Speaker.

Hon. Speaker, out of that budget of Ksh. 4.3 billion on the health sector, there was some money which was supposed to go to CHVs who are taking care of our people and they have not been paid for the last two years. They were paid is only Ksh. 2,500 for one month. Where is the balance? This House should in summon the CECM Health, CECM finance, and the COs to explain what happened after this House has done what they are supposed to do because our work is to pass the budget.

Hon. Speaker, I am talking with a lot of bitterness because last week, I lost a child in Kinanie because there were no drugs, there was nothing and then even the nurses are saying buy gloves first before we handle because of course they are human beings, coronavirus is still there. Let me tell you, Hon. Speaker, and I understand our Governor is somewhere resting on holiday in Australia or Dubai when our people are suffering. This is not good, Hon. Speaker. Members of this House you must come out and know that these are the people who elected you when they die you lose a vote, and we should team up, both sides, Hon. Kamitu; both sides, and make sure the remaining six months, we have done something.

Let us impeach somebody to set an example to others, because Hon. Speaker, all other departments are not even working. The Ksh. 15 Million projects Hon. Speaker, there is nothing going on the ground. Why do we pass a budget then, if there is nothing going to happen in our wards for our people? If the budget is mismanaged, we have the powers to impeach even the entire cabinet; even the entire cabinet, and then we remain without them. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Majority Leader. Hon. Deputy Speaker, I will come to you Hon. Majority Whip, then Hon. Ndawa.

Hon. Museku: Thank you, Madam Speaker for giving me this opportunity. First and foremost, I would like to thank the Hon. Member, Hon. Patrick Kituku, for bringing this very important statement on matters health, before the floor of this House. Madam Speaker, without health, health is the basis for everything. If you do not have a healthy people, then you do not have anything. Health is the one single resource which you can be able to ensure resources are provided for it to be sustained, if at all development and any other items, are going to be achieved by our people.

In cognition to that, this Hon. House every year, and for the current financial year, as the Hon. Majority Leader has said, approved a budget of Ksh. 4.3 Billion out of a total budget of Ksh. 12 Billion. It tells you that more than a third of the entire budget went to the health sector. A third of the budget, implying the importance to which this Hon. House puts on ensuring that our people on the ground are granted every assistance they can get to remain healthy.

Madam Speaker, there is nothing as stressful as our people staying without knowing where they can be able to go when they fall sick. There is nothing as serious as somebody taking their loved one to a hospital funded by the government, and expecting to get assistance from that hospital in terms of treatment and drugs. They get treated and they are told to go and buy the drugs; poor people coming from home carrying aged people who have come to hospital, are forced to go and buy drugs with money they do not have.

Madam Speaker, it leads us all to question what has happened to the Ksh. 4.3 Billion we allocated. In addition to that, Madam Speaker, the National Government allocates an additional Ksh. 386 Million as support for Level Five; Level Five support is given Ksh. 396 million to every single Level Five, Machakos being one of them. A statement was sought before this House, which I believe has not yet been answered, for us to get a breakdown on how the Ksh. 396 Million is utilized by the department when we are saying that there are no drugs. I followed up this enquiry with the Department of Finance on the same, and one of the issues which I have learnt is that whereas the Department seems to be blaming the Finance Department of non-payment, the

Department of Finance says they need to be given one single requisition from the Department of Health, which they have not honoured.

So, if there is no one single requisition which has not been honoured and we say we do not have drugs, then the department, together with the Finance Department, needs to be summoned to this House to explain to us if money is there, requisitions are not being done, and our people do not have drugs, what is happening? Who does not seem to know what they are doing? We receive an additional Ksh. 24 Million from user fees, foregone user fees by DANIDA, to assist those people who might not be able to clear their bills when they are admitted in hospitals. What happens to these funds?

We passed an Act in this Assembly which stated that funds need to be ploughed back. The monies which are being collected in Level Threes and below, and Level Fours, need to be ploughed back. How do you have an institution which is collecting money from the public, for example, you pay money for gloves, it is taken, it is receipted. You pay money for needles and all those other facilities, it is taken, it is receipted, and when you come the next time, there are no needles; there are no gloves. What happened to the money which you paid? That's why we said it needed to be ploughed back for those people to be able to utilize those funds.

We have the issue of the cleaners. A petition has been brought before this House by cleaners in the Level Five facility, who have downed their tools because they have gone for eight, nine months without being paid by their employer. We know that these services are contracted, and the contractor who has been contracted to provide these services is getting paid every month, yet the same is not being passed over to the people who are doing the cleaning, so where is that money going? Who is holding that contractor accountable in the Executive?

We have the Community Health Service Providers, formerly called Community Health Volunteers, of which we provided in this House Ksh. 84 Million for them to be paid. I understand they have only been paid for two months. The rest of the money, if it has been requisitioned, we do not know where it has gone.

So, Madam Speaker, these issues which are being raised here, are weighty issues and they are issues which we need to get to the bottom of. Our people's health comes first---

Hon. Speaker: Hon. D.S., sorry to interrupt you, I mean, to interfere with your submissions. I'm just wondering, do we have a problem with the HANSARD room? Ordinarily, we are on YouTube, and the importance of that is to let the public know what is happening in this House. Why is it that we appear to be off, online on YouTube? Can you find out what is happening in the HANSARD room?

(The Clerk at the Table went to check on the broadcast of proceedings in the production room)

This is a matter that cannot be discussed without the involvement and information to the public. There has been a lot of hue and cry about the health status in this county and we invested on communication; it is the right of the public to know what is happening in this House. I am not told if there is any problem with our HANSARD. Article 196 of the Constitution.

(The Clerk at the Table returned and informed the Speaker that the proceedings were being broadcast)

You can proceed, Hon. DS.

Hon. Museku: Thank you, Madam Speaker. In conclusion therefore, what I would like to say is that we need the Executive to be a little bit more sensitive to the interests of our people. This Hon. House has allocated a budget and approved a very high budget of Ksh. 4.3 Billion to ensure people are healthy. The National Government has given that department Ksh. 386 Million to

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support Level Five; we do not know what happens to these funds. DANIDA supports user fee foregone to the tune of Ksh. 24 Million every year; we do not know how those funds have been used.

We have put laws in this Assembly to ensure that fees which are collected in Level Fours and Level Threes are ploughed back to ensure that those facilities, the money they have, can keep on rotating there for them not to keep on requesting for small things like gloves. That seems not to have been implemented, as I understand the funds are still going to the CRF and not being ploughed back into those institutions.

We have talked about Community Health Volunteers, whom we have said need to be paid. We provided funds, Ksh. 84 Million, for them to be paid. We understand they have only been paid for two months. What has happened to monies for the rest of the period? The cleaners who are working in these hospitals have not been paid. Level Five they have downed their tools. They brought a petition before the House, finding out why they have not been paid by their service provider who is being paid on a monthly basis. One of them called me after that and told me "we were called and told to report back to work." If they do not report back to work, they will be sacked; and they were asking me "how do we report back without being paid first? We don't have bus fare, our houses have been closed. We have been living in houses where the rented facilities have been closed; our children have been sent away from school, and now you tell us to report back or be sacked."

These issues, Madam Speaker, in summary, are the issues we need to ensure that we, as a House, summon the Chief Officer or the CEC in charge of Health, and also the CEC in charge of Finance, to come and appear before this Hon. House and explain to it all these facilities which they have been given, why our people are suffering without drugs and without essential items. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. DS. Hon. Mitaa, pardon for a while. Let's have Hon. Minority Leader then we come to you.

Hon. Kamitu: Thank you very much our Hon. Speaker. Madam Speaker, this is a very heavy statement in regard to healthcare of Machakos electorate. Madam Speaker, as the Leader of Minority in this House, there is one thing that I cannot stand here and cheat the Assembly because as an elected Member of Tala Ward, I have got these facilities in my Ward and as we are speaking now, the facility that is Sengani Health Centre, Kyaume Dispensary and the surrounding facilities within Matungulu, we have no drugs, we have no supply of drugs, and as I said, I cannot just sit here and cheat the Assembly. I have been calling the Executive as the Minority Leader, and as their representative in this House.

Madam Speaker, we could be hearing from the Governor's Council, when they meet, that the Central Government is not giving out money. We could also be hearing from the Senator that she communicated with the Executive and that there is no money all over the 47 counties, but procedurally, Madam Speaker, I was in the government and the government, that is from the Controller of Budget, it is disbursing money to the counties, Madam Speaker; that is the truth. So, what is happening within Machakos County that money for the department is not coming?

So, Madam Speaker, also us as an Assembly, procedurally we have got the authority also to be given the breakdown from the Controller of Budget of the money that has been disbursed to this county, so that we may know in each department they have given this much money, because that is procedural. There is nothing to be reserved, there is nothing to be hidden, Madam Speaker.

So on that note, Madam Speaker, it is true, money for the health facilities has been given and we wonder, and why should we be wondering, Madam Speaker? This time I am bitter, as a son of Machakos County, people are not being given services in line with..... (*inaudible*) and if there is any person who is refuting that money has not been disbursed to the government, then they should come up with documents because there is a documentary evidence that money has been given to this county for the department, Madam Speaker.

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Hon. Muendo: Point of Order Hon. Speaker.

Hon. Speaker: Point of Order from Hon. Majority Leader.

Hon. Muendo: Let me confirm to the Minority Leader that in December we received Ksh. 700 Million from Controller of Budget. Thank you, Madam Speaker.

Hon. Speaker: Proceed, Hon. Member. The information is confirming what the Minority Leader is saying.

Hon. Kamitu: Thank you. So, Madam Speaker, you are also confirming that in December, Ksh. 700 Million was given to this county. So, should we be wondering as an Assembly? My stand and my appeal to this Assembly, Madam Speaker, is that we should now summon the CEC, Finance, and the Chief Officer, Finance, the Chief Officer in charge of healthcare of the Medical Services in Machakos so that now they can give us the breakdown because it is our right to demand that money that has been given by the Central Government, how were they disbursed to the various departments?

So that we may be talking on an informed position that we were given this money, money that was meant for the hospitals. How is it distributed to the various facilities, that is Level Five, Level Four, up to the health centres and dispensaries? It is not as simple as that, so that, Madam Speaker, we should be making statement in an informed position because it is our right, and it is the right of the Members of the Assembly to fight for the electorate because the Central Government is giving out money.

I stop there to say I'm very bitter on that and we should be on our note to summon those people who are even getting salaries; who are paid to give services to the electorate of Machakos, and I'm talking as a senior citizen who cares for my people in Machakos County. Thank you, Madam Speaker.

Hon. Speaker: Hon. Mitaa.

Hon. Mitaa: Thank you, Hon. Speaker. I want to thank Hon. Patrick Kituku for coming up with this statement, Madam Speaker. I also want to echo Hon. Paul Museku's contribution that there was a statement which I sought last December, actually on 22nd on the same, but my colleague had touched much on the statement which I had sought, and Hon. Speaker, I would want to request you to make a ruling that we take this matter on health in our county with much effort, Madam Speaker.

It is true, as my colleagues have contributed, things are going South, and not only in the health department, but also in all other departments. Madam Speaker, indeed, sometimes back, we queried qualifications of the Finance Minister in our county and this Hon. House went ahead and actually impeached the CECM, Finance, Machakos County.

That was in 2019, Madam Speaker. We had seen all these signs, Madam Speaker. As much as it was politicized, we had known the CECM, Finance, Machakos County, does not have the qualifications to run matters related to finance, Hon. Speaker. We did the Hon. thing; we requested the Governor to bring on board a CECM, Finance, who had know-how on matters related to finances. Madam Speaker, as we speak now, the County Government of Machakos is in a total mess; that is why the Auditor General is always flagging our reports because whatever we are taking there is not work from a county government.

Hon. Speaker, my colleagues somehow are not coming out very clearly. The best thing we can do, Madam Speaker, as early as today, is to impeach again, the Finance Minister and the entire Finance Department, because for how long will our people keep on suffering? It is enough, Madam Speaker, and I want to urge this Hon. House, we sign whatever we can sign and send the Finance

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Minister home so that we can have someone who has qualifications and who can straighten matters related to finance in our county, Madam Speaker.

On the same, Hon. Speaker, I want to get out of what most of our people are saying and I want to thank the entire team which is working in our health facilities; our nurses, our doctors. Every time things go south, they are the ones who are bearing the blame, Madam Speaker. They are stressed, they are under duress to perform, because every complaint is being guided to them and not to the Finance Department, Madam Speaker. I want to thank them for what they have done and what I can wish them is that this Hon. House will fight for their rights and that they will be working in the right environment as they serve our people.

I come from a ward which serves a Level Four hospital. Every time, as early as 7:00 in the morning, or even 6:00 in the morning, as late as midnight, I am getting calls, I am getting SMSs from people who are stranded in hospitals because, what do you expect that nurse to do? How does she or he serve you without the proper gadgets? We want to be served, there is maybe a theatre; they cannot operate without gloves, Madam Speaker. What do they do? Others have gone to their pockets, until they are tired. Now they have to pass the burden to the patient or the relative.

Madam Speaker, in Kangundo Level Four, there is an ambulance which lacks fuel, and actually we have come up with a local arrangement. Madam Speaker, it's so unfortunate, when that ambulance brings a patient at Machakos, we fuel Ksh. 2000. There is a petrol station, Hon. Members, and that is how bad things are; and our Finance CECM is criss-crossing Machakos, campaigning. Like I asked last time, yes you are campaigning, but who will vote for you? They will all have died.

So, Hon. Speaker, we lack priority. Those guys, the people who are there, they are not humane enough; they are after personal interests. There is nothing much we can do other than now, going forward, sending the CECM home. Let him go home. And Hon. Speaker also we would want to know, because when we impeach the CECM, Finance, a case was taken to court. We did not have any ill feelings towards anyone but what we were seeking is the right person to be in that department.

Hon. Speaker, as we speaker right now, anybody in the Finance department is running, collecting revenue for personal gain, and that is why these things are coming here. They are not collecting revenue for the county; they are collecting revenue for their own gains, right from the CECM to the directors in the Finance Department. These people are buying properties left right; they are constructing apartments left right, Madam Speaker. How I wish we can even audit their lifestyle, Madam Speaker. You can initiate a program we audit anybody in the Finance Department so that we know the properties they have acquired. We know the salary of a director, we know a salary of a Chief Officer. How can you, within a very short time, come up with land and you construct an apartment? Hon. Speaker, before our people send us home, let us send people home. That should be the message. Before I get that exam on 9th of August this year, let me take someone through an exam, today or tomorrow.

Hon. Speaker, the consultants in our hospitals have left. We do not have consultants in our hospitals. They have all gone; they are demoralized. There is no morale. When you go there you face a patient, you want to help but you cannot help; that patient is in pain. As a human being, the best you can do, because that will also give you stress, is to leave. So, Hon. Speaker, we are losing the right people who should be serving our people. As we speak right now, only yesterday, I came to realize the MoH for Kangundo Level Four Hospital is in South Africa. She did not have anything to do rather than to seek leave so that she can go and read because whatever she is doing here is not giving her any return, Hon. Speaker. The other day she had resigned, I had to intervene. When I intervened, she told me, "the working condition is not favourable, what do I do? People are coming here, they are crying; others are dying. What do I do? Do I look at them?"

Madam Speaker it is so painful; it is very painful. Hon. Members, I am ready to sign; I am ready to bring the motion. Let all those people in the Finance Department go home. Let us get fresh blood which can bring revenue to our people, who can collect revenue, because there is revenue.

Hon. Speaker, I think I will reach there and before I conclude, I also want to bring to the attention of this House, that the Chief Officer in charge of Level Four and Level Five has been in acting capacity for over two years, and I can state here with authority that that Chief Officer is being used as a conduit to loot money in that department of Health, Hon. Speaker. They are making quotations; they are making invoices which are not there, and money is coming and they are taking it away. May the blood of those people who are suffering be on them, Hon. Speaker. Thank you.

Hon. Speaker: Hon. Ndawa. Thank you, Hon. Mitaa.

Hon. Ndawa: Thank you, Madam Speaker. I will start by congratulating my brother, Hon. Kituku, for coming up with this statement. In fact we were thinking of coming with an urgent matter of county importance but now, the statement is serving the purpose.

Madam Speaker, it is evident that we are not, as a county and Department of Health, we are not heading in the right direction. Madam Speaker, as we talk now, all the health facilities within Machakos County were to be disconnected from power today. They started in Matuu; there is a bill of Ksh. 1.6 Million. They were to disconnect Machakos; Machakos has a bill of Ksh. 20 Million. They were to go to Mwala, Kangundo and Kathiani.

Madam Speaker, all these Level Four hospitals, including the Level Five, have operational theatres which are operating. You cannot, the doctor or the person who does the operation, cannot perform the duty without having clear sight. There must be sufficient light to have that operation undertaken. Madam Speaker, I was very much embarrassed when I heard from the MoH of Matuu calling me and telling me that the power has been disconnected.

Madam Speaker, the issue of fuel, we have a stand-by generator which is very okay, but a stand-by generator can also go off. So, Madam Speaker, we have kids, we have foetus (??) who are in incubators. If the power is not there, it means now we risk losing these lives. Madam Speaker, I am requesting the House, the issue of negligence; negligence is either committed by omission or commission. You are required to do a certain task and you fail to do it; you are required to do a certain task and you do it wrongly, or you delay doing it.

Madam Speaker, that issue of negligence has to be cited against officers who are making these hospitals to be disconnected with power because that is now risking our lives, the lives of our parents, the lives of our kids. Madam Speaker, today, (*inaudible*) who was brought to Matuu Level Four hospital about three days ago. She was to undergo CS. The lady has nothing. The parents have disappeared and she is just there. The doctor was supposed to do that operation but there were no drugs, there is what we call anaesthesia, that the drug that is administered to somebody so that he or she can sleep so that the operation can be done.

So the doctor was forced to go and take those drugs from a certain chemist on a credit and they did the operation by good luck the lady is safe and the baby is safe now they have discharged the patient but they cannot allow her move out of the hospital unless the debt is paid. Madam Speaker, was I elected by Matuu people to come here and when I get my salary if I they get an issue there I spend my salary to take care of them? Madam Speaker, this is not acceptable at all; it is not acceptable at all.

As we talk Madam Speaker we have heard, myself I knew we gave about Ksh. 4.3 Billion and I want to demonstrate here, may be some members do not know what is a Billion; may be they do not know. Madam Speaker, Ksh. 1 Billion is money which can be spent by a child from day one, date of birth up to the 30th anniversary each day spending Ksh. 100,000. Born today Ksh. 100,000, the following day Ksh. 100,000 up to 30 years that is what we call Ksh. 1 Billion. The difference will be only Ksh. 80,000. So if we talk of Ksh. 4.3 Billion plus the sum allocated to Machakos Level V, it means that is close to Ksh. 5 billion.

Madam Speaker, I wonder, I was forced by circumstance to go to media so that I can air what is happening because if we hide this problem it is going to haunt on us. Madam Speaker, our people have suffered, others have suffered what we call *injuria sine damnum* and others have suffered what we call *sine damnum injuria*; that is whereby somebody suffers both injury and

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damage. If you lose somebody because of somebody's negligence, we cannot recover that life. The Members have received a damage because they have lost a member, their hearts have been injured, so Madam Speaker, I think we should now take somebody to court because if the Assembly did its job, we gave them budget in Matuu I am very sure we allocated Matuu about Ksh. 12 million, they were only given one disbursement, they were given money once and that is July and the money which was given to Matuu is as if it was a conditional disbursement because after the money was given, other instructions followed the money saying; pay so and so.

(Laughter)

So the money, the hospital itself, the managers of the hospital because we have hospital boards in every Level IV do not have the autonomy to say we are going to spend this money on this. Somebody else is calling saying so and so. So, Madam Speaker, I want to say here categorically some of the contractors who have been given contracts to serve in those facilities belong to very senior government officers here and that is why they are calling to say pay so and so.

(Applause)

Madam Speaker, my medical superintendent is now thinking of resigning from this position and that medical superintendent is somebody I call an asset to us. It is somebody who can handle administrative matters. He can sit down and address issues of administrative. It is somebody who can go to ward, see patients, change drugs and discharge who are okay and it is somebody who can go to theatre and conduct an operation. That is somebody who has what we call flexibility which is very key thing in human resource. We will use that particular resource because we have human resource; officers are human resource.

Madam Speaker, the issue of health should not be joked about by anyone regardless of the position he or she is holding. Madam Speaker, we have Community Health Workers, whom we call volunteers. How can somebody volunteer today, tomorrow, the year after year, and that particular person has kids that he is supposed to pay fees for? Maybe he is living in a rented house so how will that particular person survive honestly? By the way, in our Constitution, for how long are you supposed to volunteer? It is not captured anywhere in the Constitution.

So if someone assisted for the first week, the second week then we ought to have said that we are going to allocate some amount for this particular officer. Now the government is now moving out and another government is coming in and may be the government or the officers who will come will not understand the language which was used when we were engaging these people and now if it comes that we all go home, this people will have nothing to show that I worked for this period for this agreed consideration, Madam Speaker.

I totally agree with my colleagues who have spoken before, if the only solution is to sacrifice somebody, let that be done so that we can be able to save our lives and also save ourselves.

(Applause)

It is very unfair that instead of us working, we are in the field campaigning. Who told us that we will be there that time? Life is given by God and you cannot confirm that you will be there that time. Let us do the work until the end of the contract then after the contract we can now offer ourselves for re-election. What we call theft, Madam Speaker; theft is not only going to a room and break to steal something. If you are given a certain task to do and you fail to do that task and you are receiving salary that is theft. Madam Speaker, we have Machakos Level V here which was given money by the National Government; *Mheshimiwa* Museku talked about more than Ksh. 380 million.

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We are bring our patient from Level IV hospitals instead of bringing them to Machakos Level V hospital for CT scan and instead we are send to private clinics for the x-rays. Is that honor of that private clinic more stable than the County itself and that that particular person has not gotten any funding from anywhere? This is a big joke and we are not going to allow this thing to continue.

(Applause)

I Understand the CECM Health is also contesting and may he is about to resign. There is no need of waiting until 9th February, 2022 so if you are serious with your campaign, resign today, go home, let us have somebody who can take of our lives, who can take care of the lives of our people. I do not want to talk much, Madam Speaker; in fact, I note I did not contribute to the other Statement because I was bitter about this Statement. That is why I did not raise hand on the other Statement. The issue of health is not a privilege; it is a constitutional right for every Kenyan to get the best, constitutional right not a privilege. So let nobody infringe on our Constitutional right otherwise that particular person will face the wrath of the people. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Hon. Members, I am of the mind that we just proceed and do what is necessary, remember we still have other business on the table. I think it is a shared experience in the whole County and I do not think it will be any different but because I know Hon. Masesi has been the chair of Health Committee, you can contribute just in a minute or so because I am about to commit this matter to a committee.

Hon. Masesi: Thank you, Hon. Speaker, for allowing me to contribute. Madam Speaker, I have always said that we should not in any way compromise matters health. This is a matter of life and death. My opinion is different from Hon. Mitaa's and Hon. Mbili's because we know where the buck stops at. Madam Speaker, if we are serious as members of this House, I am calling that we impeach the Governor himself. Madam Speaker, all the other workers and health workers including the Deputy Governor cannot question the Governor about monies going to these facilities.

Madam Speaker, on 10th this month I did an audio on media and exactly the following day which was 11th our Governor called a meeting and promised that they have agreed on the way forward but nothing happened to our facilities. Madam Speaker, all our opponents in terms of aspirants are railing on us very easily when it comes to matters health because if you ask a congregation, do you have medicine, is there anything in lab. Madam Speaker, our residents are very bitter. I wish we could take an audit and go to a private hospital somewhere here, and take a list of all the referrals, all the patients there are coming from the public hospitals either for X-rays, tests and to make the matter worse Madam Speaker, a single room in Kangundo where they border Level IV has all the tests where a public facility like Level IV cannot afford.

Madam Speaker, I wish next week because we have SEKEB ahead of us, I wish we could unite as one House for the interest of our people and press our last button to matters health. It is better we do not do development but we do not compromise matters health.

(Applause)

Madam Speaker, surprisingly we have not been doing development owing to the fact that we are paying all the pending bills but I want to tell you in Kangundo Level IV hospital where I take milk that those farmers owe Kangundo hospital more than 800,000 for milk which was served between 2013 to 2017 and they have not been paid. Even the health workers are taking strong tea; they cannot afford tea in these facilities. So I am calling on the members, and I know that one day God will judge us right because we were given that mandate to talk for our people and represent our people, let us do this right to save the lives of our people in Machakos County. Thank you, Madam

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Speaker.

(Applause)

Hon. Speaker: Do we have any other member who wants to contribute the final one before I close this matter. Hon. Betty.

Hon. (Ms.) B. Nzioki: Thank you, Madam Speaker. I want to thank Hon. Kituku for this Statement. I just wanted to share an experience that I experienced on Saturday last weekend, that Madam Speaker I received a call from Masii that there was a minor who gave birth at Masii and it was unfortunate that there was nothing to offer in the dispensary so she was transferred to a private hospital there in Masii. Madam Speaker, it was a day that I said I have never experienced this because the issue was when the kid gave birth to this the baby, the baby had breathing complications and there was no oxygen and then I tried to look for an ambulance and I failed any response.

I had to drive all the way from Machakos to Masii at around 10.00 p.m. and I went to the hospital and I picked the mother and the baby and the mother to the baby and proceeded to Machakos. When we got to Machakos Level V I was told to go direct to the nursery so that the kid can be addressed. To my surprise we had carried a baby who was no more and when we got there we were told because the baby has lost his life on the way, we have to go to the police, get an OB, and take back the baby there so that we can follow the procedure.

It is unfortunate Hon. Members when we are seated here and watching our people suffer. The Bible says that; let us not live in sin for peace to be. Let us take our responsibility as an Assembly of which, Madam Speaker, I think us as an Assembly we have played our role, we gave the budget and still there are the grants that hospitals normally get. What is happening to the health of our people? Us we normally get medical insurance; what about our electorates that they cannot afford the medical insurance? In fact, I do not whether they have a heart because it is unfortunate when our people come to hospital and they give us a call especially the elected members.

You hear someone call you and tells you 'Mheshimiwa I have a patient in the hospital and there is no one who can help me; can you assist me with Ksh. 5,000 so that I can address the issue that I have with my patient.' Madam Speaker, our electorates do not understand that we do not have money and when you tell someone that it is not possible, now you become an enemy to your electorate. Hon. Members, let us stamp our authority to what God has given us, to work for our people. Let us do the things that we are supposed to do and the rest we leave to the Executive and the CECM or whoever is in charge with health.

Let us know that there is a day that we shall go on that sit of judgement and give the accountability of which each and every one of us has played. So, Madam Speaker, I think health is a right for our people and it is a must that we address this problem once and for all. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Members. Hon. Members, I have your sentiments on this Statement, have been captured in the HANSARD and the matter is hereby committed to the Assembly's General Oversight Committee and the timelines for reporting is seven days that is on or before the 1st of February, 2022.

MOTION

APPROVAL OF APPOINTMENT OF HOUSE BUSINESS COMMITTEE
MEMBERS FOR THE SIXTH SESSION OF THE SECOND ASSEMBLY

Hon. Mark Muendo:

Hon. Speaker, that aware that Standing Order 151(1) provides that the House Business Committee should be appointed at the commencement of each session;

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Aware that the Committee is crucial in determining how business is debated in the house and in preparation of the Assembly Calendar;

Noting that the House Business Committee Membership should reflect relative majorities of seats held by each of the Assembly parties in the Assembly;

Aware that the nomination should take into consideration of interests of independents and aware that parties have nominated members to serve in the House Business Committee;

Further aware that the Assembly parties have nominated Members to the House Business Committee;

Hon. Speaker, I wish to move the motion that pursuant to Standing Order 151(1)(e), the House approves the appointment of the following members to the House Business Committee for the Sixth Session of the Second Assembly of Machakos County in addition those members specified under paragraph 151(1)(a),(b),(c) and (d);

1. Hon. Moses Mitaa
2. Hon. Fredrick Muthoka
3. Hon. Patrick Kituku
4. Hon. Hellen Ndeti
5. Hon. Rozina Kanini
6. Hon. Justus Katumo
7. Hon. Jacqueline Nziva
8. Hon. Annastacia Mutuku
9. Hon. Joshua Muli
10. Hon. George King'ori
11. Hon. Judas Ndawa

Thank you, Hon. Speaker. I ask Hon. Kamitu to second the motion.

Hon. Kamitu: Thank you, Hon. Speaker. I stand to second the motion.

Hon. Speaker:

(Question proposed)

Members invited for debate. Hon. Museku.

Hon. Museku: Thank you again for giving me this opportunity. Mine is just to say as you can see the mood in the House it is that the Hon. Members have agreed on the list of the members who have been provided by both the Majority and the Minority Leaders to represent them in the House in the House Business Committee. The HBC is a very important committee which sets the business for this House and ballots business for this House and therefore I would request that since it appears like all of us are in agreement that this Hon. House approves as requested to approve that, that list is presented and becomes the Members who will be representing the various majorities in the House Business Committee. Thank you, Madam Speaker.

Hon. Speaker:

(Question put and agreed to)

ADJOURNMENT TO FACILITATE PUBLIC
PARTICIPATION ON SEKEB BILL, 2021

Hon. Members, this is business to be prosecuted by the Majority Leader hon. Mark Muendo.

Hon. Muendo:

Hon. Speaker, that aware that the Second Assembly commenced its Sixth Session today the 25th day of January, 2021 pursuant to Standing Order 24(2);

Acknowledging that Standing Order 24(3) provides that notwithstanding provisions of Standing Order 24(1), the Assembly shall continue to be in session and may adjourn for such number of days as it may determine in its calendar;

Aware that Standing Order 151(1) provides that the House Business Committee shall be appointed at the beginning of every session;

Aware that the House has just approved the Membership of House Business Committee; further aware that pursuant to Standing Order 151(5), the committee is required to prepare Calendar of the Assembly and also determine the order in which reports are debated in the House among other mandates;

Further aware that the Assembly has scheduled to hold public participation on the Machakos County South Eastern Kenya Economic Bloc Bill, 2021 from 26th to 28th January, 2022 in 40 wards of the County.

Hon. Speaker, I wish to move the Motion that the House adjourns sittings for this week to allow House Business Committee to meet and schedule business for the House and also to allow Hon. Members to attend public participation on SEKEB Bill, 2021 scheduled to take place in all the 40 wards from 26th to 28th January, 2022 and resume sittings on Tuesday, 1st February, 2022 at 10.00 a.m.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Majority Leader. Who is seconding you motion?

Hon. Muendo: Thank you, Hon. Speaker. Hon. Kamitu, Minority Leader, to second my motion.

Hon. Kamitu: Thank you, Hon. Speaker. As you can see I stand to second the motion because of the importance that has been documented here on the adjournment of the House by the Majority Leader, Madam Speaker, there is need for the House to allow the House Business Committee to meet and schedule the House Businesses and at the same time we have a very important Bill, that is the SEKEB Bill that should be taken to the members of the public in regard to public participation and looking at the schedule, we are only going to break to adjourn on a very short recess on 26th, 27th and 28th that is on Friday we shall be doing public participation on SEKEB and resume on 1st February, 2022 so Madam Speaker we have no reason of refusing members to have this important business and I stand to support the motion. Thank you Hon. Speaker.

Hon. Speaker: Thank you, Hon. Kamitu.

(Question proposed)

Hon. Katumo.

Hon. Katumo: Thank you, Hon. Speaker. Going by that procedural motion, I think what is before us is very important addressed by the motion and therefore I wish to say that we are in concurrence with all Members that we should break and do the business so that as we come back we resume from where we have left. Actually because of the time that we have before us, we do not have a lot of time and we have some businesses that we want to exhaust early enough.

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It is quite important that we break, we finish on that public participation and the Calendar of the House and then we move forward orderly for the remainder of the period. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Katumo. So any other Member who has anything to say. None?

(Question put and agreed to)

Hon. Members, before I declare the adjournment, I am directing that this sitting be suspended in the usual manner that we suspend a sitting because the business that you discussed under the Statement on the state of health services needs to be transacted by the General Oversight Committee urgently which is the same committee of the Members sitting here.

So when we suspend the sitting, this sitting will now change into the General Oversight Committee so that we can be able to transact the business briefly noting the short period that the committee was given to report back to the House.

ADJOURNEMENT

Hon. Speaker: Serjeant at Arms, can you proceed and do the necessary.

The House rose at 1.52 p.m.