

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

**OFFICIAL REPORT**

**Tuesday, 7<sup>th</sup> March, 2023**

The House met at 12.42 p.m.

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

PRAYERS

**COMMUNICATIONS FROM THE CHAIR**  
MAINTENANCE OF HANSARD SYSTEM

**Hon. Speaker:** Good afternoon, Hon. Members, I have the following communication to make. The Assembly fixed HANSARD conferencing system is undergoing maintenance and servicing which the technician could not complete in time for today's Plenary sitting. In this regard, during today's plenary sitting, we will use the Assembly wireless HANSARD conferencing system.

Hon. Members, I am advised that for today's sitting, you will be contributing from the dispatch box, at the Table in front, using the wireless system. You will just press the talk button at the center of the Delegate Unit and go ahead to contribute normally. The Serjeant at Arms will be at hand to assist in case of any challenge. Hon. Members, I ask you to bear with the situation for today as the system is being attended to.

COUNTY FISCAL STRATEGY PAPER 2023/2024  
ANNUAL DEVELOPMENT PLAN 2023/2024

The Assembly is in receipt of the County Fiscal Strategy Paper (CFSP) for 2023/2024 and the Annual Development Plan (ADP) for the same period pursuant to Sections 117 and 126 of the Public Finance Management Act, 2012 respectively.

Hon. Members, you recall that on 27<sup>th</sup> February, 2023 during the adjournment motion, the House resolved that any Papers that are received when the House was away be committed to the relevant Committees and a communication be issued when the House resumes.

The ADP and the CFSP were received in the Assembly on 28<sup>th</sup> February, 2023 and committed to the Trade, Economic Planning and Industrialization Committee and Budget and Appropriations Committee respectively and all sectoral committees for interrogations.

Interrogations of the two documents with respective departments are ongoing and I urge you Members to attend committees for the exercise. Public participation for the CFSP will be undertaken tomorrow. You need to note that the public participation will be for CFSP, Wednesday, 8<sup>th</sup> March, 2023 in all the eight sub-counties. I also urge you Members to attend the public participation at your respective sub-counties. Thank you, Hon. Members.

**PAPERS LAID**  
1<sup>ST</sup> AND 2<sup>ND</sup> QUARTERLY REPORT 2022/2023 FOR THE  
DEPARTMENT OF ENERGY AND ELECTRIFICATION

**Hon. Speaker:** May I call upon Hon. Nicholas Nzioka and Hon. Grace Bahati in that order to lay the Papers.

**Hon. Mbili Ndawa** (Matuu, MCCP): Thank you, Madam Speaker. I am not Nicholas Nzioka but I am standing for him. Hon. Speaker, I wish to lay the following Papers on the table of the Assembly today, 7th March, 2023; the 1st and 2nd Quarterly report FY 2022/2023 for the Department of Energy and electrification. Thank you, Madam Speaker.

**Hon. Mbili Ndawa** (Matuu, MCCP): Thank you, Madam Speaker.

*(The Papers were laid on the Table)*

**Hon. Speaker:** Thank you, Hon. Ndawa. The Paper is committed to the Lands and Energy committee. May I call upon Hon. Grace Bahati to proceed and lay the Paper?

**Hon. Grace Bahati** (Kyeleni, IND): Thank you, Madam Speaker. Hon. Speaker, we as a committee would kindly request for more time to deliberate on the names of the ward member Bursary committees and I wish to request the House to give us more time until next Tuesday we will be able to bring back the report. Thank you, Madam Speaker. We request the Hon. Members and the House to give us more time so that we are able to offer the right service as we work as a team in Machakos County to be able to deliver to our students in regard to the bursary. Thank you.

**Hon. Speaker:** Maybe I could ask, you are deferring the Paper to when? Or is it indefinite?

**Hon. Grace Bahati** (Kyeleni, IND): Not indefinitely but we want to make sure because last time we had said that this week on Tuesday and for sure we were not able to do that so we just need more time we do not want to be postponing it. Thank you.

**Hon. Speaker:** Okay. Thank you.

**Hon. Vincent Mutie** (Upper Kaewa, WDM-K): I want to enquire something Madam Speaker concerning this information that is before us and this is in regard to Standing Order 39 about messages from the Executive. I think, not unless, I--

**Hon. Speaker:** Message from where?

**Hon. Vincent Mutie** (Upper Kaewa, WDM-K): From the Executive

**Hon. Speaker:** It is about the Paper?

**Hon. Vincent Mutie** (Upper Kaewa, WDM-K): Yes. It is in regard to this yes because the regulations that govern the bursary, they point out that the appointment shall be done by the CECM for education. Are we trying to dissolve that requirement that that should have come to this House as a message for them to be committed to the relevant committee or is it just okay for the committee to continue deliberating without---

**Hon. Speaker:** If I may have to answer that question before I give other people opportunity to say. That Paper of the bursary and the entire communication was communicated to the House on .....(*inaudible*) February, 2023 so that has already been done. Mheshimiwa Paul, then Mheshimiwa Maeke. Point of information, is that so?

**Hon. Paul Wambua** (Kibauni, PTP): Thank you, Madam Speaker. Today is one of the days that I am not very happy and my dissatisfaction---

**Hon. Speaker:** Restrict yourself to the subject matter.

**Hon. Paul Wambua** (Kibauni, PTP): Mine is different; not on the communication but on the conduct of this House. Madam Speaker, I am finding it that this House is becoming a dead House and I am calling it a dead House because today we are struggling to get members to attend this Assembly and the reason is the communication we got on Assembly times, we were supposed to commence at 10.00 a.m. and right now my---

**Hon. Speaker:** Hon. Member, it is a point of information?

**Hon. Paul Wambua** (Kibauni, PTP): Yes.

**Hon. Speaker:** Just pass the information; do not ask the question.

**Hon. Paul Wambua** (Kibauni, PTP): Madam Speaker, I am landing. I want the Leadership of this House and the Speaker to confirm whether we changed timings for these House sittings and if they were changed, why communication was not done because Madam Speaker if we proceed in this manner, we are going to kill this House. Thank you, Madam Speaker.

**Hon. Speaker:** Since it was a point of information, you have passed the information. Thank you, Hon. Member. Let us proceed.

**Hon. Musyimi Maeke** (Kalama, MCCP): Thank you, Madam Speaker. I am standing here to support what the Hon. Members stood made an application for them to adjourn. However, the Education Committee should not hold this Hon. House at a stalemate or in manner because we understand it is their report which we are waiting---

**Hon. Speaker:** The Chairperson requested for more time to be ready so that they do not bring half-baked information here. This is a House of order, isn't it?

*(Applause)*

**Hon. Musyimi Maeke** (Kalama, MCCP): So, my prayer to the Education Committee is they do their work a bit quickly because we are holding the students and they cannot receive the bursaries because of that.

Still on the same, I do not know whether it is a point of information; from your communication, you have read that we shall be having CFSP for the counties. I want to inform you that Kalama is a Sub-County that was gazetted and we have been invited to come to Machakos Town Sub-County. So, it is important for this House and the leadership to understand that Kalama is a sub-county by itself and it should be treated as so so that when we are having the public participation and it is far almost 32 kilometres from there to here. So, we need public participation either at Kyangala or at Kola market.

**Hon. Speaker:** Those sentiments are noted, Hon. Member. Thank you. Next order.

**STATEMENT**  
BUSINESS FOR THE HOUSE FOR 7<sup>TH</sup> MARCH, 2023

**Hon. Speaker:** May I invite Hon. Ndawa to proceed and make a Statement.

**Hon. Mbili Ndawa** (Matuu, MCCP): Thank you, Madam Speaker. Hon. Speaker, the House Business Committee met today on 7th March, 2023 to prioritize business for the House as forwarded by Committees and Hon. Members pursuant to the provisions of the Standing Order 151(6)(d). The Committee balloted business as follows:

Tuesday 7th March 2023  
Morning at 10.00 a.m.

- (a) Report on consideration of nominees to the Ward Bursary Committees by Hon. Bahati, Chairperson, Education and Social Services Committee
- (b) Adjournment Motion by either Leader of the Majority or Leader of Minority.

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you, Hon. Member. Next Order.

**MOTION**  
ADJOURNMENT OF THE HOUSE TO ALLOW PUBLIC  
PARTICIPATION ON COUNTY FISCAL STRATEGY PAPER 2023/24

**Hon. Speaker:** May I call Hon. Ndawa to proceed.

**Hon. Mbili Ndawa** (Matuu, MCCP): Thank you, Hon. Speaker.  
Hon. Speaker, that aware that the Second Session of the Third Assembly commenced on 15<sup>th</sup> February, 2023 pursuant to Standing Order 24 on regular sittings of the Assembly;  
Aware that Standing Order 27 provides for the days and hours of plenary sitting;

Further aware that Standing Order 28 states that a member may at any time for reasons stated seek leave to move that the House adjourns;  
Aware that the County Assembly is in receipt of the County Fiscal Strategy Paper, 2023/24 and the Annual Development Plan for the FY 2023/2024 hence the need to interrogate the documents and conduct public participation;  
Hon. Speaker, I wish to move the Motion that the House adjourns to create time for Members to go to their different Committees to interrogate Members and also create time for public participation on County Fiscal Strategy Paper 2023/24;

Thank you, Hon. Speaker.

**Hon. Speaker:** You may call a seconder.

**Hon. Mbili Ndawa** (Matuu, MCCP): Yes I call upon the Deputy Speaker to second the Motion.

**Hon. Stephen Mwanthi** (Ekalakala, WDM-K): Thank you, Madam Speaker. I stand to second the Motion that the House adjourns so that Members may get enough time to interrogate the Chief Officers from various departments in the County. Thank you, Madam Speaker.

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

*(Question proposed)*

I now invite Members to debate the Motion. Hon. Brian.

**Hon. Brian Kisila** (Makutano/Mwala, MCCP): Madam Speaker, it is important that as we adjourn, we take time to go through the two documents in more details. Personally, I have looked at these documents and there are a lot of issues which we need to look at. As an Assembly, from ceilings in departments to the way which budgets have been allocated to various departments? We need to, as Members, let us not just rush over this document for the sake of it. It is important that we get the right priorities for our people and ensure that monies are being put in the right departments.

So, Madam Speaker, I support and as I support I request Members to seriously look at those two documents so that they are privy to them and any corrections can be made at this stage because if we do not make any changes now we will have the entire budget-making process continue with some anomalies. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you very much, Hon. Kisila. Proceed.

*(Hon. Ngunga tried to use a fixed delegate unit)*

*(Laughter)*

That one is not working. That is the problem of coming late.

**Hon. Francis Ngunga** (Mua, MCCC): No. I am actually rising on that point while you are raising the issue of coming late I was here at 10.10 a.m. and remember Madam Speaker we had agreed that the House was going to commune at 10.00 a.m. so I was only late for ten minutes and the plenary is late for two hours.

**Hon. Speaker:** We have tackled that issue.

**Hon. Francis Ngunga** (Mua, MCCC): I know you have tackled that but let me raise the point I wanted to stand on. Madam Speaker, while you are adjourning, I think it is important for us to know that we are interrogating the ADP and the ADP is an extract of the CIDP and if my mind serves me well, we have not being able to pass the CIDP. Hon. Members, I wonder whether we are actually in order because, Madam Speaker---

**Hon. Speaker:** Do not even go there. We are not interrogating. That is why I am telling you coming late is really not good. I have only put across the communication on the County Fiscal Strategy Paper 2023/24. You can interrogate the other documents as we go forward.

*(Laughter)*

**Hon. Francis Ngunga** (Mua, MCCC): I will leave it at that but I have a lot of buts, Madam Speaker.

**Hon. Speaker:** I suggest you just leave it at that. Thank you, Members. May I call upon the mover to respond?

**Hon. Mbili Ndawa** (Matuu, MCCC): Thank you, Madam Speaker. I will start by thanking the Hon. Members for their sentiments that they have agreed that we adjourn. Hon. Speaker, one thing---

*(Loud consultations)*

**Hon. Speaker:** Let us have one meeting. Order Members! Proceed.

**Hon. Mbili Ndawa** (Matuu, MCCC): To avoid doubt, what is in the Order Paper is not exactly what I have read. You realize when I was moving the motion I did not mention ADP. I only said County Fiscal Strategy Paper and I had a reason of trying to avoid that other aspect of ADP. So I am very sure and I want to inform Hon. Members; let us go and interrogate the County Fiscal Strategy Paper so that we can be able to beat the timelines because if we do not approve that within 14 days, we will land ourselves in trouble. We may not be able to get money for the funding of projects. So the only document that we can work on is only the County Fiscal Strategy Paper. Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you, Hon. Ndawa. That is the position. I now---

**Hon. Mbili Ndawa** (Matuu, MCCC): Before you put the question Hon. Speaker, I would also like to inform you that the morning sitting is supposed to end at 12.30 p.m. and it is already past 12.30 p.m.

*(Laughter)*

**Hon. Speaker:** What is the joke? It is something we can correct; I do not think laughing is the solution for this. We can just correct the anomaly.

**Hon. Vincent Mutie** (Upper Kaewa, WDM-K): Hon. Speaker, since you have clearly stated ... ..*(inaudible)* the message is that we have received to that effect we should also assume and ignore them to that effect.

**Hon. Speaker:** Which messages?

**Hon. Vincent Mutie** (Upper Kaewa, WDM-K): For the public participation. Is it a combination of both; the County Fiscal Strategy Paper and the ADP since now that will put valid to his concern Hon. Member? We are considering the ADP without the CIDP. How possible is that? We have a message for public participation for both the County Fiscal Strategy Paper and the ADP and we cannot consider the ADP without the CIDP.

**Hon. Speaker:** Hon. Members, I have given this information before. I said let us not tackle issues of ADP for now. Point of information declined let us proceed.

*(Question put and agreed to)*

### ADJOURNMENT

**Hon. Speaker:** The House is adjourned to Tuesday, 14th March, 2023 at 10.00 a.m.

The House rose at 1.10 p.m.