

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Tuesday, 8th June, 2021

The House met at 10.28 a.m.

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

PRAYERS

STATEMENT

BUSINESS FOR THE HOUSE FROM 8TH TO 23RD JUNE, 2021

Hon. Speaker: Under this Order, we have one business by Hon. Mark Muendo. In his absence and this is a report of House Business Committee, Hon. Minority Leader, you can hold brief.

Hon. Kamitu: Thank you very much, Madam Speaker.

Hon. Speaker: The House Business Committee met on Monday, 7th June, 2021 to ballot business for the House pursuant to the provisions of Standing Order 151(5). The Committee balloted business for the House as follows:

Tuesday, 8th June, 2021

Morning at 10.00 a.m.

- (a) The Machakos County Senior Citizens Bill, 2020; First Reading.
- (b) The Machakos County Environmental Management Bill, 2020; First Reading.
- (c) Motion that pursuant to the provisions of Standing Order 20(5), the Thanks of the Assembly be recorded for the exposition of public policy contained in the Address of the Governor during sitting of the Assembly delivered on 25th May 2021 by Hon. Alex Kamitu, Minority Leader. Continuation of Debate
- (d) Audit report on Financial Statements of Machakos County Bursary Fund for the year ended 30 June, 2018 by Public Accounts and Investments Committee (PAIC) by Hon. Joseph Musau, Chairperson, PAIC Committee. Continuation of debate.

Motion that pursuant to the Standing Order 25(4), the Assembly resolves to alter its adjournment date from Thursday, 10th June, 2021 to today, Tuesday 8th June, 2021 at 2.30 p.m. to allow Members attend Speaker's informal meeting or *Kamukunji* on Tuesday afternoon and interrogate sectoral committee reports on

Budget Estimates for FY 2021/2022 from Wednesday to Friday and then proceed on short recess to resume on Monday, 21st June,, 2021 in accordance to the Assembly Calendar for the Fifth Session amended on 26th May, 2021.

Tuesday, 22nd June, 2021

Morning at 10.00 a.m.

Report of Implementation Committee on the Status of the Implementation of the Machakos County Trade Licensing Act, 2014 by Hon. Fredrick Muthoka, Chairperson, Implementation Committee.

Afternoon at 2.30 p.m.

Motion that pursuant to the provisions of Standing Order 39(3)(a) this House discusses the Senator's message laid in the House on 26th May, 2021.

Wednesday, 23rd June, 2021

Morning at 10.00 a.m.

Bunge Mashinani at Kola Ward

Report of Transport and Public Works Committee on Departmental Performance Report for the FY 2019/2020 by Hon. Daniel Mbevi, Chairperson, Transport and Public Works Committee.

Thank you, Madam Speaker.

Hon. Speaker: Thank you Minority Leader for holding brief. I can see the Hon. Majority Leader is here; we welcome you Hon. Majority Leader and we are happy you are now up and standing from the illness.

BILLS

First Readings

THE MACHAKOS COUNTY SENIOR CITIZENS BILL, 2020
KENYA GAZETTE SUPPLEMENT NO.12 (MACHAKOS COUNTY BILLS NO. 8)

Hon. Speaker: Hon. Members, the Bill is committed to the committee of Culture, Social Welfare and Tourism to present a report to the House within the usual time.

THE MACHAKOS COUNTY ENVIRONMENTAL MANAGEMENT BILL, 2020
KENYA GAZETTE SUPPLEMENT NO.13 (MACHAKOS COUNTY BILLS NO. 9)

Hon. Speaker: So Hon. Members, the Bill is committed to the committee on Environment, Lands, Energy and Natural Resources and to do a report within the time provided under the Standing Orders.

(Orders for First Readings read - Read the First Time and ordered to be referred to the relevant Sectoral Committees)

MOTIONS

THANKS OF THE ASSEMBLY FOR THE EXPOSITION OF PUBLIC POLICY CONTAINED IN
THE ADDRESS OF THE GOVERNOR DELIVERED ON 25TH MAY, 2021

(Hon. Kamitu on 26.05.2021)

(Resumption of Debate on the Motion tabled on 25.05.2021)

Hon. Speaker: Thank you, Members you remember after the speech was given by the Governor, we started giving a thanks to it and we stopped midway because of time so we want to continue with the Members who wanted to make some contribution on that motion to continue. Any Member here? I remember there were also Members in the tent who wanted to make a comment at that particular time. So Hon. Ndawa you had actually contributed. You want to propose something.

Hon. Ndawa: Yes.

Hon. Speaker: On record, let us hear you.

Hon. Ndawa: Thank you, Hon. Speaker. I am requesting if we can stop the discussion of Governor's speech because those who contributed last time almost exhausted everything then we go to the next Order.

Hon. Speaker: Hon. Ndawa we do not do that; we never operate like that.

Hon. Ndawa: It is just a request I am making.

Hon. Speaker: It is a bad request. What normally happens, you can resume your sit; what normally happens is that if the Chair sees that no more member wanting to contribute, you know what we do? So you do not need to guide the Chair on what the Chair is supposed to do. I am very much alert on what to do and because there were Members who had expressed interest to contribute that time, if they are not here or if they are not willing to contribute then we go to the next move.

Hon. Ndawa: Well-guided, Hon. Speaker.

Hon. Speaker: So, Hon. Members the motion is open for further continuation of debate. If there is any member from the.....what I see there is blank in this screens, are we in communication with the Members in the tent. Serjeant at Arms, may be you can find out if there is any Member in the extended sitting who may want to make a comment. I can see here no Member wishes to make a comment. It seems like there is a technical hitch. Serjeant at Arms can you confirm whether we are on the HANSARD because the screens are dark. There is nothing.

Any member from the extended chamber who wants to make a contribution? Or you are not able to know? Serjeant at Arms! Can I call upon the mover of the motion to reply; it appears the Members have exhausted the debate.

Hon. Kamitu: Thank you very much, Hon. Speaker. Once again I would like to thank the Hon. Members and more importantly you as our Speaker for the cooperation that we had during this time and you also heard from the Governor during his speech that, through your guidance, we were able to make a move as an Assembly in cooperation. So, Madam Speaker, in

a summary, I would like to say that I thank the Governor and it is through his manifesto since 2013, that he summarized the address in regard to achievements that we had gone through since 2013 up to date. Therefore I would give a short summary in regard to his address.

He also talked about his manifesto fulfillment since 2013 in regard to health sector. We are aware about the number of ambulances, dispensaries promoted from a small dispensary to a health centre, we had hospitals in Level III and they have been promoted to Level IV and when we come to sectors like water provision in that department, we are aware of those projects he did, like the bigger earth dams, weirs and boreholes which have been drilled across the County.

In education department, Madam Speaker, we are aware that we have been having bursaries we have been issuing to our residents and also on that note we are aware of ECDEs in various wards across the county and in agriculture he mentioned about the seedlings that were coded in to various wards.

In regard to roads infrastructure, we are aware about our grading machines, some roads that have been tarmacked across the county and therefore Madam Speaker, in a summary form, I would also urge the Executive in regard to the budget were are going to accord to them, that they should spare money in regard to machineries repairs of the county government that were bought because many of them were so old.

I finish up by saying that the executive will continue with the same cooperation through the leadership of our Governor and Hon. Speaker to give out services to our residents. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Kamitu.

(Question put and agreed to)

(Applause)

Hon. Members, you have made a resolution on that speech and I would just comment briefly. Yes, a foundation has been laid for development in the County by the Governor but we all have a duty to build on that foundation and that there is lots of room for improvement and service to the people. So, even as we go forward, remember you need to leave a mark on the seat you are sitting.

Even though you would be coming back, my prayer, you need to leave a mark on the seat you have been sitting in this time you have been there and you have a budget at hand which you have been interrogating and which can enable you leave that mark if we take our responsibilities seriously to the people. So let us built the County from where it is to much higher heights going forward. Thank you, Hon. Members.

REPORT ON MACHAKOS COUNTY BURSARY FUND FOR
THE YEAR ENDED 30TH JUNE, 2018

(Hon. Musau on 25.05.2021)

(Resumption of Debate on the Motion tabled on 25.05.2021)

Hon. Speaker: Hon. Members, this is a continuation of debate. If you remember, the question was proposed on 25th of May, 2021 in the afternoon sitting and so what is going to happen here because it is already on the floor of the House, we start debate, I invite you for debate. Hon. Mitaa, Chief Whip.

Hon. Mitaa: Thank you, Hon. Speaker. I first want to applaud the chairman and his committee for facilitating the Assembly with this report though Hon. Speaker as I always say, we are 2021 discussing a report of 2018 but the good thing is that we were in this Assembly in 2018 and so we are conversant with the contents of the report.

Hon. Speaker, as the report has been tabled, much of it, in my view, has many loopholes. The Auditor General has highlighted areas of concern and I would say the issue of bursaries seems to have not gotten the right note in terms of implementation and distribution giving a good example of the recently released batch of funds which happened when our County was experiencing elections. It happened that politics took center stage in how both identification of beneficiaries and distribution was being done and these are things which somehow take us back when the reports reach higher offices you find things were not done in a way they were supposed to be done.

Madam Speaker, I want to just to pick a few observations by the committee on areas which this report is supposed to be worked on. Madam Speaker, there is late submission of financial statements, that is one of the areas that we did not do well or else as a county we did not do well. You find we did not meet timelines as expected. Again there is the issue on budget and budgetary controls; again you find the department is not preparing the right plans showing mitigation measures that the funds are met at the event of similar circumstances.

Also the County Treasury should ensure that monies are appropriated for the bursary fund as provided in the budget and appropriate time. There was also another issue on unspent balances, Madam Speaker. This is showing we had unspent balance of Ksh. 9,966,105; Madam Speaker, I believe we should not have monies in bank accounts unspent while our residents are always on the roads going back to the parents for more fees and yet the county has monies which can be spend on clearing their fees balances.

In general, as I conclude, matters to do with money need proper accounting and the department of education, as much as there is a year they tried, the year which we were not fully involved but we could monitor how monies were spent, we could make follow up on the ward bursary committees as per the law and we ensured that there was transparency, we ensured that cheques reached the students in time but Madam Speaker when they fail to involve the Hon. Members up to the stage they are allowed to involve us, you find they do not do things the way they are supposed to be done.

We would not want to be involved directly in picking the beneficiaries or in dictating how much or how money is supposed to be spent but when we are given the opportunity to oversight how the whole process is done; you find we limit the issues raised by Auditor General. So what I would request is that the department can employ the right people to undertake the responsibilities which they are supposed to take so that we ensure the Auditor General does not always flag our reports. We need to have the Auditor General recommend or else applaud us for good job which we undertake in the process of distributing bursaries, Madam Speaker. Thank you.

Hon. Speaker: Thank you, Hon. Mitaa. Hon. Majority Leader; I will come to you Hon. Hellen.

Hon. Muendo: Thank you, Madam Speaker. Let me say also, let me greet Members; Members, good Morning

Hon. Members: Good Morning.

Hon. Muendo: Yes I have been away a bit because of this Coronavirus. I just want to put a general observation of the bursaries. Madam Speaker, for the years we have been in this House we have been allocating money on the bursary to a tune of Ksh. 2 Million in our budget but there is no year we have received the Ksh. 2 Million.

Hon. Speaker: Ksh. 2 Million is per ward?

Hon. Muendo: Yes. Ksh. 2 Million per ward and Madam Speaker, up to today, the last time we received quite reasonable amount was when we received Ksh. 1 Million, the second time we received Ksh. 1 Million and the only the second batch of Ksh. 1 Million of last year is the only bursary which was well-distributed by the County Government and also involving members of the County Assembly. The first batch of Ksh. 1 Million was done by ward administrators and the Chiefs. This year we received only Ksh. 800,000 which also was distributed by the administration and also the ward administrators.

May be some Hon. Members were involved but some of us were not involved. That is why you find we have a balance of Ksh. 9 million. This is carried from 2018 because the moment you involve the administrators, these cheques do not go to the right place; they go to the wrong schools, some of them the names are not well-typed of the secondary schools so they.....like I have some few which is amounting to about Ksh. 30,000 due to misspelling. The secondary school instead of high school they put secondary school. When you take that back to office here, it is so tedious. You go there almost every day and you do not get the cheque.

Madam Speaker, my observation is that what we are giving to our people is very little. We do not live in space; we compare other counties what they get. We know counties get Ksh. 5 Million per ward here we get Ksh. 1 Million. In Kinanie ward, for example, the students applicants were 2,800 and I was given Ksh. 800,000 and when you divide that, each student is getting Ksh. 250 and this is real. So, Madam Speaker, I want to say, although I was not here when the report was presented, but I am giving an overview because I have been here.

So, Madam Speaker, now this is budget cycle I urge Hon. Members, because what we have received is only Ksh. 2.8 Million for the last three years, and this is most our last year to be here and to be sincere next year most people go for campaign because people want to come back. So I would urge Members, when we go to Weston tomorrow, let us allocate a good amount in bursary as I said this budget which we are almost to give, I urge all Members to come together, let us face it, look at and see what can benefit our people. Not because of loyalty because the loyalty will end next year. Hon. Ndawa, you will be alone. Therefore---

Hon. Speaker: Hon. Majority Leader, why are you picking on Hon. Ndawa.

(Laughter)

Hon. Muendo: He is my good friend.

Hon. Speaker: No but you know you are in the---

Hon. Muendo: He is my good friend in all honesty. Therefore I am urging Members to look at this and Members also I would like to remind you this financial year we allocated Ksh. 50 Million and we have received nothing. Therefore members let us look at this budget; if it is possible, Members let us agree we must meet the Governor on this budget. We cannot approve a budget just like that without meeting the Governor and then the Governor will tell us what he can do like how much he can give our wards and we agree.

That is what we did in Mombasa and it succeeded. This time we did not do that we gave it out and up to now I do not think any Hon. Member has received the Ksh. 50 million. Therefore, Madam Speaker, generally I wanted to enlighten the Members that in this budget we allocate some good money for our students in bursary. Thank you, Hon. Speaker.

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

Hon. (Ms.) Ndeti: Thank you, Madam Speaker. I stand here to just say one comment that as a member of the education committee, I think if I remember very well sometimes early last year or the year before we came up with the guidelines in line with the rules and regulations---

Hon. Speaker: They are gazetted Regulations. Actually there is the subsidiary legislation or you can say there is a law for bursaries.

Hon. (Ms.) Ndeti: Yes. There is a law that we worked in consultation with the executive on how to administer bursaries. I am very disappointed and disgusted to learn that to date this procedure or these guidelines are not being followed. We cannot live in a country where everybody is above the law, policies are written and they are not followed and that is a result why we are getting all these queries from the Controller of Budget and Auditor General. It is high time that people learned to follow rules and regulations that have been put in place. Thank you.

Hon. Speaker: Thank you, Hon. Ndeti. Hon. Kisini.

Hon. Kisini: Thank you, Madam Speaker, for giving the chance. I first want to thank the committee through the chairman for bringing to us that report though it is many years back but we agree what was brought is what we got. Madam Speaker, I also wanted to raise a few concerns on the bursary bearing in mind that time we got that figure, I think Ksh. 2 million when we came it then reduced to Ksh. 1 million. Madam Speaker, I want to say that first of all that figure is too low that cannot accommodate the people or the residents who apply for it. It becomes a very big challenge for us to distribute those bursaries to the applicants. As the Majority Leader has said the applicants are so many that the figure we get is too minimal.

Madam Speaker, again as leaders, the members of the public expect us to equally give all of them as opposed to what our Members of Parliament give. So when we try to attend the meetings of our Members of Parliament we are seeing as if we are not doing something because they give us a lot of money and ours is too limited that it cannot reach and it cannot be distributed to everybody. Last year's bursary was too low because I think it was Ksh. 800,000 or Ksh. 750,000 whereby to distribute it was also a problem.

Madam Speaker, I request this time round we put a figure whereby it will be reasonable to accommodate the needs of the applicants in our wards. Madam Speaker, there are also

complaints more specially in the higher learning institutions who have very high fees whereby we cannot reach to give Ksh. 10,000 to such a person is also very hard because of the amount which we get.

So, Madam Speaker, it is my appeal going forward we see to it that we allocate an enormous amount which can reach everybody which can be distributed to everybody bearing in mind this is our last financial year and we also want to be seen that we are supporting the education sector, Madam Speaker. Thank you.

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

Hon. Ndawa: Thank you, Madam Speaker. I want also to give my comments on the motion before the House. Madam Speaker, I want to start by applauding the Chair and the committee which has come up with this report. They spent a lot of time and they were committed to come up with such an elaborate report. Madam Speaker, some or most of the issues which were raised by the Auditor General have since been addressed because if we are talking of a report which was for 2018 and I remember very well just as *Mheshimiwa* Helen has said, I also sit in the committee of education.

We came up with Regulations which were supposed to address the gaps which were there. Madam Speaker, you recall very well we were very new in this House and most of us did not know how things are done. I am very sure in 2018 the bursaries which were given there were some forms which were designed and given to applicants to fill in and return them for consideration. Madam Speaker, I remember very well there was a very long list of applicants which was prepared from every ward and I remember very well in my ward only 51 applicants succeeded to get bursaries and if I remember very well the total for that year for Matuu ward was Ksh. 540,000 for the 51 successful candidates who managed to get the bursaries.

The criteria which was used to say so and so has qualified and so and so has not qualified is not well known to us as Hon. Members because we just forwarded the list and names were picked from that list. I am very sure and everybody here can confirm since that time, things have now changed and are almost working the way we expect them to be working because in most cases nowadays Members of County Assembly are also involved and informed of what is happening especially during the issue of identifying the beneficiaries.

What I would request Madam Speaker, now this is our last budget we are coming up with and I am very sure one of the criteria which is used to give a child bursary and deny another one is whether the child has both parents, whether they are well-up or the child does not have both parents. I know that is one of the criteria. a total orphan will have an added advantage.

Madam Speaker, there is one thing that I do not have an answer and I think Hon. Members can also assist me to get an answer. If we use that criteria to give a child bursary because he does not have a father or mother, we give that child bursary for term one and come term two, we do not give that child because we gave him last time. Does it mean the fathers and mothers have risen from death?

(Applause)

So, Madam Speaker, what I would urge the Assembly, the Governor was here he gave us an address and he requested us as an Assembly to think critically, I remember the word he used, to come up with the solutions that our people are facing, Madam Speaker. On my side, I would

propose, if we give a child term one because there is need, that need will recur come next term and again it will come back the third term and if we gave that child when he was in form one we give him for one year and we do not give the child for the remaining years, it means now our resources have gone to waste.

I would suggest, if we can come up with a plan to identify the most needy and bright kids; you can be needy but even if we use resources on you we do not expect something from you.

Hon. Speaker: I would also wish to inform *Mheshimiwa* Ndawa there is no child who is.....you see? You can do something for them; thinking critically like you said. So every child is in need but of course who are bright and are invited to schools like the national schools we should take them so that they do not lose the chance.

Hon. Ndawa: Thank you, Madam Speaker. It is only that *Mheshimiwa* it is somehow ahead of what I want to say but just be patient; I complete and then after I complete maybe somebody else can undo what I have laid on the floor.

Hon. Speaker: We want to undo what you are saying now which is wrong because there is no child that is useless.

Hon. Ndawa: Okay. Thank you very much, Madam Speaker. I can frame my words, Madam Speaker.

Hon. Speaker: Point of information on the same point? *Mheshimiwa* Ndawa.

Hon. Muendo: Madam Speaker, let me inform the member that when he is talking about every term---

Hon. Speaker: He did not use useless; sorry he did not use that terminology.

Hon. Muendo: Let me inform the Member that he is talking about giving a child bursary every term; can I inform him that we only get bursary once a year so it is not possible to give a child every term. A year has got three terms. Thank you, Madam Speaker.

Hon. Speaker: Thank you. Hon. Helen?

Hon. (Ms.) Ndeti: Thank you, Madam Speaker. I also want to inform the Member that the Regulations that the education committee came up with have got the best guidelines on identifying the needy children in your location or in your ward so I am not seeing how the Member or MCA within that ward would go against that Regulation and give bursary to children who are not deserving.

Hon. Speaker: Hon. Ndawa, proceed.

Hon. Ndawa: Thank you, Madam Speaker. As I was saying there before when we use these forms which the County uses to identify the kids, the form will only give information like

the name of the child, the name of the parent, name of the school, the class the child is in whether it is form one, two, three or four and about the financial status of the parent which is not provided for in that form so if Members sit in a boardroom and they have more than 1,000 forms, to consider there is likelihood of awarding a child a bursary whose parents are more stable and leave a child whose parents are poor.

Hon. Speaker: Hon. Ndawa.

Hon. Ndawa: Yes, Madam Speaker.

Hon. Speaker: That regulation which Hon. Helen is referring to came here on the floor of the House and you discussed it at length before you passed. So what she is saying and what the House would say is that there are Regulations which guide the person giving bursary as to how to identify the needy. The most needy because the money is little and those are so many who want assistance. So there is a criteria and if that criteria is followed, the concern you are raising now would be addressed. That is what is being said by Hon. Helen. There is a law that guides the process, in other words.

Hon. Ndawa: Thank you, Madam Speaker. I would request if I can be given ample time to exhaust what I have because Matuu people considered those who wanted to be elected and said Hon. Ndawa is the best placed person and they have a lot of confidence in me---

Hon. Speaker: I do not understand Hon. Ndawa where you are heading when you say that. You are being told the fact as it is there is a Regulation of this House which guides how to identify the needy students for bursaries. So those forms you are talking about should be prepared on the guidance of those Regulations. That is what you are being told.

Hon. Ndawa: Thank you, Madam Speaker. I do agree with that but I would suggest the issue of public participation Madam Speaker, that will work better than the issue of forms and I know if there is a regulation it can also be amended to solve a certain---

Hon. Speaker: Hon. Ndawa, can you finish what you are saying and remember there is a law that was passed in this House and if you feel that it is not sufficient you bring a motion for amendment.

Hon. Ndawa: I will do that, Madam.

Hon. Speaker: And it also includes public participation aspect if you read that law. Maybe you have not looked at it.

Hon. Ndawa: Thank you, Madam Speaker.

Hon. Speaker: Please look at it.

Hon. Ndawa: Madam Speaker, I am one of the authors of that Regulation and I know the contents of the Regulation but what is said in that Regulation is not exactly what is followed.

Hon. Speaker: Thank you.

Hon. Ndawa: That is what I mean.

Hon. Speaker: And that is what the Members are saying.

Hon. Ndawa: Point number two, Madam Speaker. We are coming up with the last budget for this House; why do we not think of coming up with a budget that can cater for bursaries for the three terms. If we can say we allocate Ksh. 240 million for bursaries it means now each ward can have about Ksh. 6 million. The Ksh. 6 million you can give each term Ksh. 2 million then that will be assisting our kids.

Madam Speaker, the last thing I would suggest is that when devolution came and the issue of bursaries started, we cannot quantify from the resources we have spent on bursaries what can we show? I was suggesting, even if we are considering everybody each ward to at least come up with at least 10 names from which we pick kids from from one we go with them from form one to form four so that we can claim this is a product of the bursaries we are giving.

I think that will address but if we are giving this term we consider this person, next term we do not consider him we take another person at the end of the day we will have nothing to show. Thank you, Madam Speaker.

Hon. Speaker: That is very well-said. Hon. King'ori then we will come to Hon. Angela and then Hon. Masesi.

Hon. King'ori: Thank you, Madam Speaker. I want to congratulate the team which came with the report. I also want to address an issue of accountability in this County. It seems like either we have incompetent leaders or we have leaders who do not understand the law should be followed including our Governor because he is the head of this County and answerable to any wrongdoing in this County. I would concur---

Hon. Speaker: I wish Hon. King'ori you would paraphrase your statement; let us be courteous as we submit on the floor of the House...

Hon. King'ori: Yes, Madam Speaker.

Hon. Speaker: If you are using disparaging remarks against a leader who is not here it is not right. When you use strong terminologies like incompetence, which really is not good. Contribute---

Hon. King'ori: Maybe I can rephrase it.

Hon. Speaker: You should.

Hon. King'ori: Yes but now because I have just done it and it cannot be redone I think you understand it, Madam Speaker.

Hon. Speaker: What you do you withdraw and put your statement in the best way possible. Remember when you used such strong terminologies against a member who is not here and not even a member of the Assembly to defend themselves and that is not good. If you want to discuss somebody who is out here you bring a motion but we do not have that motion. You can talk of failure to implement, you can talk of.....but the terminologies of incompetence.

Hon. King'ori: Thank you, Madam Speaker. Yes, I now get your point, Madam Speaker. I withdraw but I want to put it this way then that if you are not going to use what the law prescribed on our duties, it means something is wrong in this County and whereby if our leaders are failing us, it is sad to know when the audit comes to this House and yet we agree on every issue and the audit have seen so many loopholes like the one we had in 2018, the report which has said it just touched what we touched when we were impeaching the Deputy Governor.

Hon. Speaker: Point of order.

Hon. Muendo: Thank you, Madam Speaker. I think the Hon. Member for Muthwani is not actually on what is on the floor of the House; he is telling us other stories. Maybe Madam Speaker, we will introduce Alcoblow at the gate before we enter this chamber.

Hon. Speaker: Hon. Majority Leader, do not read too much into people, do not read too much into Members speeches and I am just looking at Standing Order 83 on content of speeches like how you should not bring issues of personal conduct of the Governor, the Speaker or other or judge or other public servants if you do not have a motion but Hon. King'ori corrected that so what you do Hon. King'ori stick to the debate on the Table.

Hon. King'ori: Thank you, Madam Speaker. I think I have a right of reply to Hon. Member of Kinanie who thinks that Alcoblow works in the Assembly. Can he bring a motion so that we can have that one at the gate so that everybody can be checked including him, Madam Speaker?

(Loud consultations)

Hon. Speaker: Can we proceed?

Hon. King'ori: Because he must be drunk to see others drunk, Hon. Speaker. I have never taken beer any time out.

(Laughter)

Hon. Speaker: Hon. King'ori, proceed with your contribution. It may be in the future if Members you want because we also have that which is checking temperature so we can also have that one but I do not see any Member here who comes not being of sound mind. Can we proceed?

Hon. King'ori: Thank you, Madam Speaker. On the issue of bursaries, I think Hon. Ndawa is misleading this House when he says that we need even to adjust about public

participation. It is there in the Regulations which we passed. About how we select people it is there in the Regulations so I stand to be corrected whether he understands the regulation or he is just speaking out of blues or out of nowhere, Madam Speaker.

Hon. Speaker: Hon. King'ori, why today are you so much in love directing.....to Members. Why don't you just say we have provisions of public participation in that Regulation, we have the criteria on how to select the needy students just that and in any event we finalized on that when Hon. Ndawa was the contributor.

Hon. King'ori: Thank you, Madam Speaker. I stand guided and I stop my case there, Madam Speaker.

Hon. Speaker: Thank you, Hon. King'ori. Thank you, Hon. Angela. Order Members, let us go on.

Hon. (Ms.) Munyasya: Thank you, Madam Speaker. I would like to proceed to air my views about bursaries. On bursaries, Madam Speaker, I have a suggestion and I would like, may be the Hon. Chair to guide on this. I would like the Hon. Members in this House, Members of the County Assembly being the members that are directly in touch with the people to liaise with the National Government Members of Parliament so that as MPs also issue their bursaries or their NG-CDF bursaries, they need to liaise with Members of this Assembly to ensure that the people on the ground are treated equally as they receive their bursaries.

Madam Speaker, my experience is that the Members of National Assembly issue more CDF funds to the university students. The university students are needy and I agree they are but most of the Members of National Assembly issue the NG-CDF funds to university students who have an opportunity of applying for the Higher Education Loans Board. Those students get the funds from the Higher Education Loans Board and they go ahead and get bursaries from the National Assembly in such a way that---

Hon. Speaker: Point of information.

Hon. Mwanthi: Thank you, Hon. Speaker. I would want to inform the Hon. Member and sister that different Members of National Assembly distribute their bursaries in their own different ways. Like you might find that from a certain constituency, that Member of Parliament only gives bursaries to university and college students while another sub county or constituency the MP only gives to secondary school students. Applying our case in Masinga where the MP gives bot secondary and university. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Stephen Mwanthi. What Hon. Angela is saying and it really makes sense is that the Constitution provides for different levels of governance; like here we are talking of the National Government the MP and the County Government and there are two aspects of bursaries from the two levels and the Constitution recognizes the need for inter-governmental consultations so that what *Mheshimiwa* Ndawa brought up the issue of paying for a needy bright student or even for a needy student who is in a polytechnic or whatever for just one term and then you do not sustain that to the end. Really it is a waste of public funds like he said.

Now we have the university students who also have HELB and HELB is actually spreading even to collages so if there could be an inter-governmental relations and co-operations between the MCAs and the MPs on the use of CDF or the bursary sorry and the county bursaries so that you can decide do you here channel your bursaries only to those in polytechnics so that you sponsor them for the full course.

Do you channel them to secondary schools so that you sponsor them to full course and the MPs bursary which is higher, does it sponsor the needy university and college student and has that college student applied for HELB. It is just about talking together and agreeing so that sustainability. Remember the funds are the same they come from the Government of Kenya which has two levels; National and County governments. So the need to really sit and of course agree is critical. Going forward you will see it being addressed even in a law I can see it happening. It will be addressed so that there is proper use of the monies from the two levels.

Hon. (Ms.) Munyasya: Thank you, Madam Speaker, for the intervention I hope Hon. Mwanthi my brother understands---

Hon. Speaker: You do not need to go there *Mheshimiwa* Angela. We finished with *Mheshimiwa* Stephen long time. *Ni yako sasa uendelee na kumaliza.*

Hon. (Ms.) Munyasya: Thank you, Madam Speaker. *Wacha niendelee*, Madam Speaker.

Hon. Speaker: We are even going into Kiswahili.

Hon. (Ms.) Munyasya: Let us proceed. Hon. Speaker, I happen to have a lot of experience with the students in universities because we have the organization that sponsors them. So you realize these university students most of them on graduation and it is from different constituencies, members are lucky if in their constituencies they have a different scenario but in most of the constituencies you realize that by these students graduate from university, they have funds actually being refunded to them because they have applied for HELB and they have the NG-CDF and they could also have sponsors from non-government organization that also chip into their tuition. So you realize that these students take home hundreds of thousands at the completion of the fourth year.

My problem is not with the university students Madam Speaker. My problem is with Members of the County Assembly liaising with the National Government in such a way that we ensure that the students that get bursary and support from the national government are the needy students and that we also scrutinize their portals to ensure that their accounts are not overloaded because that is how we got to realize that students are getting HELB and they are also getting sponsorship from other institutions and getting more funds than they actually need whereas the secondary school students who are the most needy in our community you find that most of them and if you take statistics in your villages, you will realize that most students do not go to secondary schools just because they simply do not afford.

If you give a student Ksh. 2,000 they have been admitted to Machakos Girls; what are they supposed to do with Ksh. 2,000? They cannot even buy a box; it is not even sustainable and it is not possible for that student to join the secondary school.

So, Hon. Speaker I agree with the new law that we should identify the needy students and ensure that they actually go to school and not just issuing bursaries because 2,000 students have

applied and we are issuing bursaries to 2,000 where out of the 2,000, half of them will not be able to get education because the funds that they have been offered are not enough. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Angela. Hon. Masesi.

Hon. Masesi: Thank you, Madam Speaker. I would like to appreciate the PAIC committee led by Hon. Musau. My concern is that we are now looking at a report of 2017/2018 when we are in our final year in this Assembly. How I wish that BBI could have gone through to address the issue of the amounts that we get because, Madam Speaker, when you check in the most of the sub-counties where the MPs have that freedom of getting to know how much they want to allocate to bursaries. A sub-county like Matungulu, the MP sometimes gives Ksh. 40 million and as a County, in our last financial year, we got something close to Ksh. 32 million across the County. When a Hon. Member is being given Ksh. 800,000 we do not even know where to start and where to end.

Assuming you have 400 day scholars and you give them Ksh. 2,000 and the Ksh. 800,000 is finished. You have not even addressed the issue of colleges or the universities. Madam Speaker I wish BBI could have gone through to give us the five percent so that having the Ksh. 18 million which we are looking at, at least we can budget for a three- million bursary within the ward.

Madam Speaker, this specific year we gave Ksh. 122 million; how much did we we get in that financial year? The report is very clear that Ksh. 70 million was requested from the Treasury but not transferred to the Bursary Fund. I do not know how we will address this issue in terms of implementation because that is the problem with Machakos County

We are very good in papers, passing motions; we pass budgets in good time but when it comes to implementation and like in this specific year we had given each ward Ksh. 3 million but we only got Ksh. 1 million and that year was done. Madam Speaker, I would have wished the committee could have done a recommendation on what should have been done with the Chief Officer who was in that office in that year of 2017/18, to make sure there is accountability, openness and fairness when we are giving bursaries to our people.

Madam Speaker, this is one of the departments where we need to put a lot of emphasis on and make sure that our people get at least some money which can push them to the next year. Thank you, Madam Speaker.

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

Hon. Kalumu: Thank you, Madam Speaker, for giving me a chance to contribute on this issue of audit queries on bursary fund. Much has been said concerning the same but I want to start with one word which is a disclaimer opinion. According to the report, the disclaimer opinion says that the report cannot be relied on. So, that takes us to the ledgers and trial balances.

A ledger is simply a register which you record transactions and when there is inconsistency in the ledger it means none of any transaction occurred. That tells you that some of the transactions of the bursary fund where not registered in the ledger. When you come to the trial balances, they are just records of all ledgers and this shows that they were incomplete and even statement of trial balances is not shown.

So according to the documents, the ledger and trial balances documents simply show that some of the transactions were not recorded and that tells us that some monies were not recorded and if they were paid. Where were they recorded? If we come to the trial balances, Madam Speaker, you also find that if the trial balance does not have the ledgers and that tells you the money which was to be spend was not spent. According to the report, it shows that the standards of accounting where not followed and generally if the standards of accounting where not followed then that report cannot be relied on and termed as an audit.

Statements of financial positions of the fund, some of them were inconsistent, according to the report. Those are some of the things that I have seen and it means there is a lack of accountability on the fund application because all of the Members who have spoken before have talked about how we do not receive the money in full as per what we approved in the budget and that is true because it is shown in the audit report.

So, Madam Speaker, there is no comparison provided. If you look at Treasury transfers you will find Ksh. 122,248 million was transferred to the fund and I want to tell the Assembly that there is a difference between the department of education and the fund itself because a fund is built within the department. A fund is applied because it is supported by PFM Act and it should follow the guidelines that have been put but if you look at it, you find that the fund has complication of application because, Ksh. 122 million was transferred from treasury but what is visible is Ksh. 27 million. There is a variance of Ksh. 95 million. Thereafter, they say that Ksh. 70 million was not paid.

If you deduct the Ksh. 70 million from the Ksh. 95 million, you will find that there is also another Ksh. 25 million. According to the IFMIS report, it says that Ksh. 70 million was processed but was not paid to the fund. So if 70 was not paid, where is the balance of Ksh. 25 million?

Madam Speaker, there is a problem with accountability on the bursary fund and it needs to be looked into keenly and that shows that al the complaints that we have been having are true. Why; because in the budget, most of the time we approve Ksh. 120 million which transforms to Ksh. 3 million in every financial year for each ward but if you ask all the elected leaders in this Assembly you will find most of the cases in most of those financial years, we might be very lucky if we receive bursary.....(*inaudible*) in a year.

Madam Speaker, I do not know what we need more than this. Some of the monies in our departments are not spent for the task that they were approved for and that gives us a sombre mood because we might be asked in the future what we did; our work is oversight and where there is a reason to oversight we do it and when we ask for a report like this one, we are told that we are fighting the government.

I want to say, I am not fighting anyone, I am just doing my work and that is what the people of Kithimani elected me to do. I want to say that, this report according to the committee observations and recommendations needs to be re-done again and taken back to the Auditor General for a certificate of clean bill of health. Thank you.

Hon. Speaker: Thank you, Hon. Kalumu. Hon. Stephen Mwanthi.

Hon. Mwanthi: Thank you, Madam Speaker. I am applauding what the Hon. Members have just said but with a different view of this report. You see, Madam Speaker, you will realize that much as we have been budgeting for some good amount for bursaries sometimes we allocate unto Ksh. 120 million, I think throughout we have been giving an average of Ksh. 40 million

which is Ksh. 1 million per ward. If you go as per that report in 2017/2018, you will realize some of the requisitions in page 9, there are requisitions that were made on 26th June, 2018 and it is indicated that it was not paid. There is one thing that we need to ask ourselves; why was it not paid? Is it from the CoB or is it to the Fund.

Because if you read No. 1 you find that Ksh. 25 million was processed in the IFMIS and was paid. No. 2, it was processed in the IFMIS and was paid but No. 4 and 5, what is indicated there was processed but not paid. I do not know if it was processed up to IFMIS level and IFMIS did not pay to County or what does it tell us. But, at least you can tell this money was requisitioned on 26th June, the money did not do the intended purpose of giving our students the bursaries.

I want to believe these are some of the reasons why we have been getting Ksh. 40 million when we allocate for Ksh. 120 million. Much as we are talking what I was thinking when I rose on a point of information; I am trying to imagine if this is a requisition made on June for bursaries.....Madam Speaker, let me be honest on this one; we do not know exactly when we can get these monies.

Sometimes it is just by the grace of God so anytime we hear the bursaries are there, there is no time to go to the MPs office to ask anything; the time is not there. It just comes like luck and we have to run with it and at least get the little that has been processed and given.

Madam Speaker, in the month of August we will be having students report in Form One and that year is ending March next year so you can imagine as we speak whether we are going to get anything for the Form Ones. It is like we are going to miss that year because we always get bursaries in the month of March every year. Are we already prepared with the little that we get to give some bursaries for this year because our calendar year will ending July this month meaning we will have form-ones in the month of August?

So, it is something that with this style of requisitioning bursaries in the month of June is a challenge, Madam Speaker. What am trying to say is that we need a lot of competence in some of these offices. It is a serious thing and I have tried to think how best it can be applied and sometimes us as an Assembly pass unto Ksh. 120 million which means if we get Ksh. 40 million every term that means we can give bursaries every term just as *Mheshimiwa* Ndawa was saying. But the question is, is it possible, do we have those competent officers who can do those requisitions on time. I think we have tried for the last four years and it has not been possible to give bursaries for three terms.

These are some of the things we need to address and possibly if I may be asked, that committee should come with a comprehensive report as to why some of these things are not possible. No one will tell after that money was processed maybe IFMIS failed. According to this report, it shows there was a problem with cash flow. Maybe they were requisitioning money without that budget most probably.

How are we prepared on such, Madam Speaker? How and when shall we have audit reports that are honest and clear because according to the recommendations of the Committee is that let the officers give full reports to Auditor General and the report be brought back. At least that can be accounted for. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Mwanthi. Mover of the motion, can you reply?

Hon. Musau: Thank you, Madam Speaker. One of the concerns of these dear Members is the lateness of this report. Members, you shall appreciate the audit is a process and it starts

with a letter of understanding sent to the audited entity and transmitting with the management of the auditee, auditing queries raised and feedback sought, exit meetings, management letter is issued to the auditor, draft report is issued to the auditee and final report issued then there is reporting to the parliament or the Assembly and deliberation of the report as we are doing.

Members, we shall appreciate that the lateness of this report is occasioned by almost every stakeholder in the process. If you turn to page 13 of the report, there is that concern by the Auditor General on late submission of financial statements and it says; the fund financial statements were submitted on 22nd February, 2019. It got on to say, this was four months late so the lateness started there with the Chief Officer by submitting the statements very late.

On page five, despite the late submission by the Chief Officer, the office of Auditor General sat on the report on 20th September, 2019. So the Chief Officer presented the statements in April, 2019 and the auditors sat on the report for another five months; so the report is already nine months late. On 24th February, 2020, was the date the committee could secure date with the Chief Officer. So critically, the first day the committee could do serious business was for this audit report was 24th February, 2020. All the other delays were occasioned by factors beyond the committee's ability.

Members, it is good we understand what has been occasioning these delays in the PAIC reports and if that is the trend, expect them to be as late as ever. Having sat with the Chief Officer on 24th, there is the retreat, the report writing and then corona issues came in March to April, 2021 and that is how we are here today. That is what has been occasioning the delays in PAIC reports. The audit process itself from the date the Chief Officers in different department presents their reports to the Auditor General and then the time the Auditor General takes the statutory dates for presenting these reports which is 90 days after 30th of June. So the least date they should be submitted is 30th September; if not by then, lateness has already begun.

So, Members, it is also good we scrutinize how the process was done from day one up to this day we are presenting this report. I would wish to appreciate my committee; this is one of the reports they have acted the fastest they could. If it were not for the impact of Covid, this report could have come to this office very early. All the delay before was occasioned by the Chief Officer presenting his papers and the Auditor General sitting on the report for five good months.

Madam Speaker, I want to concur with most of them. As the Governor said, we must think critically and my thinking the best solution for these bursary funds is the Ward Development fund where the MCA shall be the patron. If we compare ourselves with our brothers and sisters in the national assembly you will realize we have very little we can do with the bursaries but the MPs have almost direct control on what should be done with these bursaries, Madam Speaker.

I agree with my colleagues here that the solution is in the BBI when we shall have the Ward Development Fund. If the bursaries shall be controlled from other quarters, this debate shall be longer than today. There will be a lot of dissatisfaction and discontent from the Members. Madam Speaker, I wish to thank these Hon. Members because this report was read to them long time ago but it has remained dear to them and they have treasured it. Those bursaries are a direct link between MCAs and the electorate. Thank you.

Hon. Speaker: Thank you, Hon. Musau.

(Question put and agreed to)

Just a quick one Hon. Members because my work is to guide and I have been listening to what you have been saying on the issue of the bursary fund which is really in the heart of all of you and as much as it is in the members of the public because we know we have families that are very poor and the children need education.

A number of them have approached me even though I am not having the privilege of sitting where you sit; they believe that I have a fund. In fact, they have come severally and they tell me; Madam Speaker, from your fund can you pay for this and this and I have paid for four students and I tell them it's out of my pocket I tell them I do not have a fund; very bright students.

(Applause)

So, this is an issue we need to address and even in the budget that we are proposing but again proper and accountable use of that fund is very important like it has come out in the debate that we have. There is the need to strengthen your PAIC committee so that when they have these reports, then the right thing is expedited. I know in the National Assembly, they also have strengthened the PAIC committee because of the important role they play and it is for you Members to agree how to do that.

Then now the issue of Ward Development Fund; that is very necessary and I want to let you know you do not have to wait for BBI. I hope it goes through because of the Ward Development Fund among the other benefits to the county government but then I want to throw the challenge to any Member here who feels they can come up with a proposal that we revisit the Ward Development Fund we have for this Assembly. There is one we found on the table by the First Assembly but then it has never been operationalized because the Controller of Budget felt that it had not been done in the right way.

Now you have some light; you know the one which was defeated in the national level. If any of you is enterprising enough and can come to my office we can take that Bill and customize it to use it for Machakos Ward Development Fund and we will demand that it be implemented by the Governor. Nothing stops us from doing that.

(Applause)

I know a number of counties have done it and some of them are getting Ksh. 40 million for ward development. So, I am throwing the challenge to you so that you can have that under your name. And then we work very hard so if anyone of you can come up and take that challenge and it is very easy it can be done be done very quickly so that even as we wait for BBI, we already have our law here.

If BBI changes it for the better, so much the better. If a national law comes and changes this one, we will have been benefiting and the bursaries you are talking about the issue will be addressed. That is a challenge I am throwing to you, Members.

ADJOURNMENT PURSUANT TO THE STANDING ORDER 25(4)

Hon. Speaker: Hon. Members, we have one business by Majority Leader, Mark Muendo.

Hon. Muendo: Thank you, Madam Speaker.

Hon. Speaker, that aware that the Second Assembly commenced its Fifth Session on 9th February, 2021 pursuant to Standing Order 24;

Noting that crucial business has been transacted during this session including approval of the Machakos County Fiscal Strategy Paper 2021, Annual Development Plan 2020/2021, the Assembly House Calendar and various Committee reports,.

Further aware that the Assembly received Budget Estimates for financial year 2021/2022 on 4th May, 2021, pursuant to Standing Order 206(3) that states that, “upon being laid before the Assembly, the Estimates shall be deemed to have been committed to the respective Sectoral Committee without question put, for each such committee to deliberate upon according to their respective mandates.”

Informed that on 31st May, 2021, all the Sectoral committees interrogated the said Budget Estimates together with the respective CECs and conducted public participation in sub-counties on 3rd and 4th June, 2021;

Aware that the Assembly approved the amended Assembly Calendar for the fifth session on 26th May, 2021 and that the House should adjourn for short recess from Thursday, 10th June, 2021 and resume on Monday, 21st June, 2021;

Hon. Speaker, I wish to move the Motion that pursuant to Standing Order 25(4), the Assembly resolves to alter its adjournment date from Thursday 10th June, 2021 to today, Tuesday 8th June, 2021 at 2.30 p.m. to allow Members attend Speaker’s informal meeting or *Kamukunji* on Tuesday afternoon and interrogate sectoral committee reports on Budget Estimates for FY 2021/2022 from Wednesday to Friday and then proceed on short recess to resume on Monday 21st June, 2021 in accordance to the Assembly Calendar for the Fifth Session amended on 26th May, 2021.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Mark Muendo. Who will be seconding your Motion?

Hon. Muendo: Thank you, Madam Speaker. Hon. Kamitu.

Hon. Speaker: Hon. Kamitu.

Hon. Kamitu seconded.

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

(Question proposed)

Hon. Members, I invite you to debate the Motion. Hon. Mitaa.

Hon. Mitaa: Thank you, Hon. Speaker. First, I want to thank Hon. Majority Leader and the entire House Business Committee for coming up with this motion. Hon. Speaker, recently we held public participation across the county of Machakos collecting opinion from the residents Hon. Speaker, and we are in the process of coming up with the Budget for FY 2021/2022 and the law gives citizens priority for any government before they come up with the ways of how to

spend or else do projects in their area, that they first listen to the residents or else to the public, Madam Speaker.

Different departments in the county government of Machakos have different approach on how to spend monies in the entire county, Madam Speaker, and this will open an opportunity for us Hon. Members to ensure that whatever was collected in our areas of representation and whatever was picked from there is taken into consideration and given priority as we embark in preparing the budget. I thank your office for granting us the two days because one day would have been too little for us to ensure that everything is captured well, Madam Speaker.

I also want to thank my colleagues for taking that opportunity with the weight it deserves, Madam Speaker. I want to thank them because across the county the two days we were collecting views from *wananchi*, they were committed and ensured that whatever they have been sent to this Assembly to do is fully achieved, Madam Speaker.

At this point also Madam Speaker, I want to request the executive to ensure whatever we will pick as priority from the locals is what they implement to avoid queries in the next public participation because *wananchi* expects whatever we picked from them to be implemented in the budget, Madam Speaker.

Again, Hon. Speaker, through your indulgence I would request that after we are through with this process, again the Assembly organizes a meeting with the executive; the Chief Officers and the CEC Members so that we harmonize whatever we have come up with and what they anticipate to do because it is good, we pick the importance of the projects at this stage, Madam Speaker. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Mitaa Chief Whip. Hon. Masesi. Do we have any member from the extended sitting who wants to contribute?

Hon. Masesi: Thank you, Madam Speaker. Once again, I want to appreciate the report by the Hon. Majority Leader and also thank God for bringing him back to this House very strong and able to transact the business as the Majority Leader of this House. Madam Speaker I want to appreciate that we will be proceeding for that short recess though my feeling is that after now submission of the issues we picked from the public participation which will be on Thursday and Friday, then Madam Speaker, we are requesting that next week we retreat again and be taken through the budget by the budget committee before it comes to this House.

Madam Speaker, we want to get it right this time, having this budget as our last one let there be no hurry, let Members be taken through the budget before it is presented before the floor of the House. Madam Speaker, again I would like to request the executive to agree with what the residents saw it right in terms of requesting to move funds from some areas to the priority areas.

Madam Speaker, I am very sure and I remember very well that most of the two areas I attended the public participation, our electorates thought that the funds which has been set aside for the airstrip are not priority for us during this financial year and our people requested that those monies be moved to health department and others to roads department.

Madam Speaker, we request the executive just to agree because at the end of the day we are guided by the public participation and by the proposals of our people. Otherwise Madam Speaker, it is never too late, we can still get it right as Hon. Members and at least have something to show when it comes to August, 2022. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Masesi. Hon. Annastaciah.

Hon. (Ms.) Mutuku: Thank you, Hon. Speaker. First, I want to appreciate the Majority Leader and we thank God for his health he has given our Majority Leader, we understand he was in a situation whereby it was under coronavirus so we thank God for that. Hon. Speaker, I want just to stand and support the motion as a member of the House Business Committee and as a member has said, I understand this is the final budget for us and I would like to wish if we can have the executive on board and because I understand that the handshake is working in this Assembly.

Kindly allow me to request you to call our Governor on board so that we can do some harmonization of this budget because it is our request and prayers to come back 2022 and I think our leadership is working through your leadership and I want to thank you in a special way that you come on board to bring us together to work as a team and that is why Machakos County we have something to show and I understand the ground has development, even if there are some challenges of Coronavirus, but we can show our public something what has been done by executive but we are still demanding more development with this budget for us to be in a safe side.

So, Hon. Speaker, I want to concur with Hon. Masesi that we don't need to hurry to harmonize this budget and to interrogate; we want the executive every department to sit down with them one by one so that we can have a chance to come back in this great House come 2022 and God wish. So, Hon. Speaker, kindly engage our Governor and his executive so that we can have a retreat to do some agreement of this development in our wards especially for Hon. Members who are elected. We request to sit down to see if there is a priority from *wananchi* and request the executive to do so.

Again, I would like to request the executive; let us every department remain with its own budget but the issues of diverting money to another department is not favorable to us especially for the elected Members. So, Hon. Speaker, I kindly thank you in a special way and I know you are able and I want to request you with a lot of humility. It is our proposal and our request to engage the executive, to sit down somewhere without hurry and to talk as a team so that our people can see our unity and our people can see we are working as a team for the benefit of Machakos people. Thank you, Hon. Speaker.

Hon. Speaker: Now Hon. Annastaciah is giving me a very big burden. If I had that money I would give it to all of you and then you go and work---

(Applause)

But now it is also a matter of political engagement, Hon. Members, kindly. So, now that Hon. Annastaciah has put in on my door step, then I put it on the door stop where it rightly belongs. The Hon. Majority Leader, the Hon. Minority Leader, the political leadership do seek that request which is being made by Hon. Annastaciah. In my own way, obviously I would but it starts with the political leadership in this House and let me tell you members a budget is always a negotiated tool because we all serve one people, we want to serve your people, see the development on the ground and the executive should be able to give that because we are serving the same people. So don't shy from asking for that interaction; it is actually as it should be.

So much as I also challenge the House leadership, if there is a way I will do, I will put in word and ask that you need to sit down on one-on-one because the importance of this budget to

all of every Member of this House we don't need on repeating and then the importance of the public; they are waiting. So, it is a matter that we should sit and agree and discuss. I saw Hon. Mueni. Hon. Musau, I will come to you.

Hon. (Ms.) Mueni: Thank you, Madam Speaker. I support the report of going for recess. It is preparing for where we are going to land after this. Members, there is no difference between elected and nominated; I want all Members to know that. That is very important because we are all going home at the same time and maybe we will come back the same time.

So I am asking the leadership, because this is the last budget to call the Governor, Majority Leader and *Mheshimiwa* Kamitu to take us somewhere during this recess so that we can go and discuss about the budget which is very important so that you can do something to your area, when you go home you will be having people to stay with because we have to go home. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Mueni. Hon. Musau.

Hon. Musau: Thank you, Madam Speaker. Madam Speaker, may I say that a House in committee is a House in business and creating time to have a committee of whole House retreating, this shows how serious we are with this budget with our work, Madam Speaker. It shall create ample time for this House to provide the best it can deliver to *wananchi* Madam Speaker. I do agree with Hon. Members that we need even more than that time so that we may come up with the best that shall be implemented for the next financial year.

Madam Speaker, we shall have done our work, we shall have done our part the ball is on court of the other side, Madam Speaker, to implement that we have sacrificed our time for, to implement to the letter, to implement to the dot so that *wananchi* may get what he or she deserves.

Again, Madam Speaker, I do support the evening *Kamukunji*. I believe this County Assembly is the engine and being the engine and when on our dashboards you see some lights, the fuel light is on, the oil light is on; it is an indicator of something unwell in the engine. So, I want to thank you with the HBC for finding time to see what is wrong in the engine so that this engine may mobilize the whole vehicle. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Musau. Can I call the mover of the motion to reply? Hon. Mark Muendo.

Hon. Muendo: Thank you, Madam Speaker. Let me first thank the Members for seeing the point of having this adjournment. Madam Speaker, the budget is very important to us and also the executive, and budget involves a lot Madam Speaker, whereby you need to look whether the *wananchi* needs are catered for. Madam Speaker, I will thank you for your leadership up to now because when I talked to you about the two days you had already known that it is important to have two days not one day.

What I will urge members is to be committed to look into this budget, Madam Speaker. Madam Speaker, the practice some of the counties they do, they normally go for a retreat a quiet place, with their Governor, their Deputy Governor and all the CEC Members and the Members of the Assembly. Last week we were in Mombasa with Governor sitting there with the Members and the executive because what we have known in devolution, Governor is the CEO, he or she

makes decisions and he can move funds from here to there but I think when you saw the report or the best performing counties, because of that transparency, you saw it was number three that county. This time Machakos was nowhere.

Madam Speaker, yes, the last time in 2019 when we had the Governor in Mombasa and he allocated us the Ksh. 10 million that is the last time we saw some kind of minimal development because that time I did a borehole, I did two classes. Madam Speaker this current financial year, we had allocated Ksh. 50 million which we have not seen even a single cent although maybe some development is done selectively but God is with us. There is always another time and every dog has got its own day.

Let me say, Madam Speaker, to me I have nothing to congratulate but I want to urge Members that this time, it is too late and darkness is just around the corner and let me tell you Madam Speaker, I am not cursing anybody, this House because of the people who do not want to hear that we move together, only a few will be re-elected. Take it to the bank because I know the areas, I know Kibauni, I know Tala, and there is nothing you can say compared to other counties where you find roads across. In the county neighboring the roads are like here, here we just do it and the problem, Madam Speaker, it is when we allocate money for bursary Ksh. 120 million, then we get Ksh. 40 million. Where is the balance of Ksh. 80 million every year, Madam Speaker?

We Members we don't question that; when you question, you are fighting the Governor. That is real, we allocated Ksh. 120 million here on the floor of the House, we get Ksh. 40 million and we don't question the Ksh. 80 million. We keep on saying, 'h, let us have good relationship.' We had it, Hon. Members and we said we are not going to fight because that time we were fighting Hon. Speaker there was an outcry outside from our people telling us why can't you work with the Governor because the Governor was all around saying 'they don't come to me.' We went yet do we have development from that time, Hon. Kamitu? Therefore, Madam Speaker, I would like---

(Laughter)

Hon. Speaker: Hon. Majority Leader, address the Speaker.

Hon. Muendo: Okay, I withdraw. Madam Speaker, he is my colleague he knows what I am talking about, I know his Tala has a problem. So, Madam Speaker, I will urge this House to take it serious tomorrow and Thursday then from that as Hon. Annastaciah has said we must look for the Governor if we wish he had to come, we have no problem, we sit with the CEC Members again, we take audit on how the budget is going to be implemented and this one will take about three to four days, Madam Speaker.

This we should help the County because this is the only budget we have and next year some of us will be running with our pockets to see whether we can mend fences because most of the areas there is no development. So, Madam Speaker, I think Hon. Annastaciah talked and you even directed us Hon. Speaker, me and the Minority Leader but sometimes you make a call it is not received so I also like Hon. Kamitu because he is near the government to do that effort then he can inform me because I have an allergy.

When I call five times and you don't even return the call, you don't even write a letter, I normally delete the number. I don't retain the number in my phone if you don't answer. So, Madam Speaker, thank you very much. I think the Members have agreed that two days and from

there now we look for the executive. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Majority Leader, the mover of the motion.

(Question put and agreed to)

ADJOURNMENT

Hon. Speaker: So, Hon. Members, there we have the motion as passed and we shall be meeting at 2.30 p.m. at the *Kamukunji*. Have a good afternoon.

The House rose at 12.34 p.m.