

**REPUBLIC OF KENYA**  
**MACHAKOS COUNTY ASSEMBLY**  
**OFFICIAL REPORT**

**Wednesday, 10<sup>th</sup> March, 2021**

The House met at 10.18 a.m.

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

PRAYERS

*(Hon. Masesi crossed the floor to the Minority side)*

**Hon. Speaker:** *Mheshimiwa* Cosmus *umevuka* or you are keeping that side warm because it is like empty? It is the government side and it is not here. *Mheshimiwa* Ndawa, what is happening? I noted a trait even yesterday and most of what we are doing here today is business brought by the government but remember the Assembly is part of the government and what the Assembly is doing is in the interest of the people of Machakos County irrespective of the circumstances pertaining on the ground.

**COMMUNICATIONS FROM THE CHAIR**  
OBSERVANCE OF PUBLIC HEALTH  
PROTOCOLS AGAINST COVID-19

**Hon. Speaker:** Yes, Hon. Members, I have received a Communication from the House leadership of both sides so that is one of the Communications and the other one is from the Speaker. The one from the Speaker is just a reminder that the Covid-19 seems to be rising by the day and it is now like we are in the third wave; it is unfortunate.

If you have been watching, the numbers are increasing and now here is concern from hospitals on the sufficiency of ICU beds. That was well-articulated in last night's news in the TVs and particularly on Citizen TV. I am also informed that we may have lost a relative of one of the staff from the same effects and it is no longer something that is out of the ordinary that one gets sick from Covid-19.

My call is that we do not drop the guard and continue being very careful, keeping social distancing which unfortunately, the recent events in the county and the country is that people are not keeping distance. It is unfortunate when the medical care system is overwhelmed by the infections which we can prevent.

This morning, I had to stop and my temperature be checked at the gate as I entered because I again noted most of you are not having the temperature checked. We also have points for washing hands which are apparently not being used. I think what we have remained true to is sanitizing but even then we still need to be more careful. Not only in the Assembly but also in

our families and with the people we interact with because we all need each other healthy to serve this Nation.

So, let us continue observing the public health protocols and let us talk about it to our people. Wearing of masks should be proper; that one is something that has stuck on the members here. Impress on others and especially your families, you offices in the wards and the general public on the use of masks.

This morning I have just ordered from my own pocket about 400 masks which I want to distribute to schools nearest to my home because on my way home I noticed those kids are just walking without any masks. So, where we can, even in the difficult circumstances we are in, let us assist and sensitize the public to stay safe. Thank you.

#### APPOINTMENT OF CASA GAMES AD HOC COMMITTEE

The second communication is on the CASA games *ad hoc* Committee. I communicated on 6th February, 2021 on preparations of the CASA games. The preparations are ongoing and I understand that there is a final date that is 14th May, 2021 in Mombasa and because we need the Committee in place to secure uniform in good time and to co-ordinate the preparations of the games, we have The following Members who have been appointed from both the Majority and the Minority Party sides.

The information I am communicating to you has come from the Majority and the Minority Party Leaders. The compositions of the *ad hoc* Committee is as follows:

- |                            |                |
|----------------------------|----------------|
| 1. Hon. Justus Kiteng'u    | NASA Coalition |
| 2. Hon. Cosmus Masesi      | NASA Coalition |
| 3. Hon. Winfred Mutua      | NASA Coalition |
| 4. Hon. Robert Kisini      | NASA Coalition |
| 5. Hon. Annastaciah Mutuku | MCCP           |
| 6. Hon. Joshua Muli        | MCCP           |
| 7. Hon. Phoebe Koki        | MCCP           |

I wish the Committee good luck and they need to start working right away in liaison with the Liaison Committee on preparation of various memberships in Committees and also CASB for purposes of the budget. Let them do a good job. Thank you.

#### STATEMENT

##### BUSINESS FOR THE HOUSE FOR 10TH MARCH, 2021

**Hon. Speaker:** Hon. Members, we have one business by the Leader of the Majority Party; this is the House Business Committee report and we can have any Member who is in that committee presents the report because I do not see the majority Leader here.

**Hon. Ndawa:** Thank you, Madam Speaker. Hon. Speaker, the House Business Committee met today, Wednesday, 10<sup>th</sup> March, 2021 to prioritize business for the House pursuant to the provisions of Standing Order 151(5). The Committee balloted business for Wednesday, 10th March, 2021 as follows:

Wednesday, 10th March, 2021

*Morning at 10.00 a.m.*

- a. Machakos Climate Change Bill 2020 by Hon. Robert Kisini, Chairperson Committee of Environment, Energy, Lands and Natural Resources. Committee of the Whole House.
- b. Machakos Climate Change Bill 2020 by Hon. Robert Kisini, Chairperson Committee of Environment, Energy, Lands and Natural Resources. Third Reading.
- c. Report of the House Business Committee on the Calendar of the House for the Fifth Session by Hon. Mark Muendo, Leader of Majority and MCA Kinanie Ward.
- d. Motion pursuant to Standing Order 24(3) of the Assembly to resolve to adjourn the sitting of Wednesday, 10th March, 2021 at 2.30 p.m. to enable Members to attend meeting called by their political parties and there after pursuant to Standing Order 25(3) the Assembly takes a short recess from Thursday, 11th March, 2021 to Monday, 5th April, 2021 in accordance with the Assembly Calendar for the Fifth Session. That is to be by Hon. Mark Muendo, Leader of Majority.

Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Ndawa. Just as we proceed, the change in balloting is necessitated by the need that Hon. Ndawa has stated. There were consultations by the Chairperson of the House Business Committee that is myself, the Clerk and the Leadership of the House so that you can take leave and go and discharge that other function which is also equally important that you participate in.

**(Then)**

## COMMITTEE OF THE WHOLE HOUSE

*(Orders for Committee read)*

*[Hon. Speaker left the Chair]*

### IN THE COMMITTEE

*[Hon. Chairperson (Hon. Museku) took the Chair]*

## THE MACHAKOS COUNTY CLIMATE CHANGE BILL, 2020 (MACHAKOS COUNTY BILL No. 5 OF 2020)

**Hon. Chairperson:** Hon. Members, welcome to the Committee of the Whole House where we are processing the Machakos County Climate Change Bill, 2020 (Machakos County Bill No. 5 of 2020).

*(Clauses 3 and 4 agreed to)*

*Clause 5*

**Hon. (Ms.) Ndeti:** I move that Clause 5 be amended by:-

THAT, the word 'board' appearing in the marginal note be deleted and substituted therefor by the words 'Steering Committee'.

Clause 5 be amended by deleting the word 'board' substituting therefor the words 'Steering Committee'.

*(Question proposed)*

*(Question put and agreed to)*

*Clause 6*

**Hon. (Ms.) Ndeti:** I move that Clause 6 be amended by deleting the word 'board' substituting therefor the words 'Steering Committee'.

*(Question proposed)*

*(Question put and agreed to)*

*Clause 7*

**Hon. (Ms.) Ndeti:** I move that Clause 7 be amended by deleting the word 'board' substituting therefor the words 'Steering Committee'.

*(Question proposed)*

*(Question put and agreed to)*

*Clause 8*

**Hon. (Ms.) Ndeti:** I move that Clause 8 be amended by deleting the word 'board' substituting therefor the words 'Steering Committee'.

*(Question proposed)*

*(Question put and agreed to)*

*Clause 9*

**Hon. (Ms.) Ndeti:** I move that Clause 9 be amended by:-

- (a) Deleting the word 'board' in the marginal note substituting therefor the words 'Steering Committee'.
- (b) Deleting the word 'board' in Clause 9(1) substituting therefor the words 'Steering Committee'.
- (c) Deleting the word 'board' in Clause 9(2) substituting therefor the words 'Steering Committee'.

- (d) Deleting the word 'board' in Clause 9(2)(a) substituting therefor the words 'Steering Committee'.
- (e) Deleting the word 'two' in Clause 9(2)(a) substituting therefor the word 'three'.
- (f) Deleting the word 'board' in Clause 9(3) substituting therefor the words 'Steering Committee'.
- (g) Deleting the word 'board' in Clause 9(4) substituting therefor the words 'Steering Committee'.
- (h) Deleting the word 'board' in Clause 9(5) substituting therefor the words 'Steering Committee'.

*(Question proposed)*

*(Question put and agreed to)*

#### *Clause 10*

**Hon. (Ms.) Ndeti:** I move that Clause 10 be amended by:-

- (a) Deleting the entire marginal note substituting therefor the phrase 'County Climate Change Unit'
- (b) Inserting the following new clause immediately after the marginal note-  
'There is established the Machakos County Climate Change Unit which shall be domiciled in the department responsible for matters relating to climate change'
- (c) Deleting the words 'Climate Change' in clause 10.
- (d) Deleting the word 'board' in Clause 10 substituting therefor the words 'Steering Committee'.

*(Question proposed)*

*(Question put and agreed to)*

#### *Clause 11*

**Hon. (Ms.) Ndeti:** I move that Clause 11 be amended by:-

- (a) Deleting the word 'board' in the marginal note substituting therefor the words 'Steering Committee'.
- (b) Deleting the word 'board' in Clauses 11(1), 11(2), 11(3), 11(4) and 11(6) substituting therefor the words 'Steering Committee'.

*(Question proposed)*

*(Question put and agreed to)*

#### *Clause 12*

**Hon. (Ms.) Ndeti:** I move that Clause 12 be amended by:-

- (a) Deleting the word 'board' in the marginal note substituting therefor the words 'Steering Committee'.

- (b) Deleting the word 'board' in Clause 12 appearing between the words 'the' and 'shall' substituting therefor the words 'Steering Committee'.

*(Question proposed)*

*(Question put and agreed to)*

*Clause 13*

**Hon. (Ms.) Ndeti:** I move that Clause 13 be amended by:-

- (a) Deleting the word 'board' in the marginal note substituting therefor the words 'Steering Committee'.  
(b) Deleting the word 'board' in Clause 13 substituting therefor the words 'Steering Committee'.

*(Question proposed)*

*(Question put and agreed to)*

*(Clause 14 agreed to)*

*Clause 15*

**Hon. (Ms.) Ndeti:** I move that Clause 15 be amended by deleting the word 'board' in the marginal note substituting therefor the words 'Steering Committee'.

*(Question of the amendment proposed)*

*(Question put and agreed to)*

*(Clause 16 and 17 agreed to)*

*Clause 18*

**Hon. (Ms.) Ndeti:** I move that Clause 18 be amended by deleting the word 'two' substituting therefor the word 'three'.

*(Question of the amendment proposed)*

*(Question put and agreed to)*

*(Clauses 19, 20, 21, 22, 23, 24, 25, 26 and 27 agreed to)*

*Clause 28*

**Hon. (Ms.) Ndeti:** I move that Clause 28 be amended by-

- (a) Deleting the word 'board' in sub clause (1) and (2) substituting therefor the words 'Steering Committee'.  
(b) Deleting the word 'two' in sub clause (2) (a) substituting therefor the word 'three'.

*(Question of the amendment proposed)*

*(Question put and agreed to)*

*(Clauses 29 and 30 agreed to)*

*Clause 31*

**Hon. (Ms.) Ndeti:** I move that Clause 31 be amended by deleting the phrase ‘shall run concurrently with’ substituting therefor the phrase ‘Shall take into consideration’.

*(Question of the amendment proposed)*

*(Question put and agreed to)*

*Clause 32*

**Hon. (Ms.) Ndeti:** I move that Clause 32 be amended by:-

- (a) Inserting the phrase ‘set out actions for’ before the word ‘mainstreaming’ in sub clause (e).
- (b) Deleting the word ‘plans’ in sub clause (f) and substituting therefor the phrase ‘prescribe measures and mechanisms’.
- (c) Inserting the phrase ‘prescribe measures and mechanisms to strengthen approaches to climate change’ before the word ‘research’ in sub clause (g).
- (d) Inserting the phrase ‘provide for’ before the word ‘public’ in sub clause (h).
- (e) Inserting the phrase ‘provide for’ before the word ‘evaluation’ in sub clause (i).

*(Question of the amendment proposed)*

*(Question put and agreed to)*

*Clause 33*

**Hon. (Ms.) Ndeti:** I move that Clause 33 be amended by deleting the word ‘board’ substituting therefor the words ‘Steering Committee’.

*(Question of the amendment proposed)*

*(Question put and agreed to)*

*Clause 34*

**Hon. (Ms.) Ndeti:** I move that Clause 34 be amended by deleting the word ‘board’ substituting therefor the words ‘Steering Committee’.

*(Question of the amendment proposed)*

*(Question put and agreed to)*

*Clause 35*

**Hon. (Ms.) Ndeti:** I move that Clause 35 be amended by deleting the word ‘board’ in Sub Clauses (1), (3)(c), and (3)(d) substituting therefor the words ‘Steering Committee’.

*(Question of the amendment proposed)*

*(Question put and agreed to)*

*Clause 36*

**Hon. (Ms.) Ndeti:** I move that Clause 36 be amended by deleting the word ‘board’ in Sub Clauses (1) and (2) substituting therefor the words ‘Steering Committee’.

*(Question of the amendment proposed)*

*(Question put and agreed to)*

*Clause 37*

**Hon. (Ms.) Ndeti:** I move that Clause 37 be amended by  
(a) Deleting the word ‘board’ in Sub Clauses (1) and (3) substituting therefor the words ‘Steering Committee’.  
(b) Renumbering clause 3 to clause 2

*(Question of the amendment proposed)*

*(Question put and agreed to)*

*Clause 38*

**Hon. (Ms.) Ndeti:** I move that Clause 38 be amended by:  
(a) Deleting the word ‘board’ appearing on the marginal note substituting therefor the words ‘Steering Committee’  
(b) Deleting the word ‘board’ in Clause 38.

*(Question of the amendment proposed)*

*(Question put and agreed to)*

*Clause 39*

**Hon. (Ms.) Ndeti:** I move that Clause 39 be amended by deleting the word ‘board’ in Sub Clauses (1) and (2) substituting therefor the words ‘Steering Committee’.

*(Question of the amendment proposed)*

*(Question put and agreed to)*

*Clause 40*

**Hon. (Ms.) Ndeti:** I move that Clause 40 be amended by deleting the word ‘board’ in Sub Clause (3) substituting therefor the words ‘Steering Committee’.

*(Question of the amendment proposed)*



*(Question put and agreed to)*

*(Clauses 41, 42, 43 and 44 agreed to)*

*Clause 45*

**Hon. (Ms.) Ndeti:** I move that Clause 45 be amended by deleting the word 'board' in Sub Clauses (2) and (4) substituting therefor the words 'Steering Committee'

*(Question of the amendment proposed)*

*(Question put and agreed to)*

*(Clause 46 agreed to)*

*Clause 47*

**Hon. (Ms.) Ndeti:** I move that Clause 47 be amended by adding a new sub clause '(h) Penalties and fines'.

*(Question of the amendment proposed)*

*(Question put and agreed to)*

*Clause 48*

**Hon. (Ms.) Ndeti:** I move that Sub Clauses (2), (3) and (4) be amended by deleting the word 'board' substituting therefor the words 'Steering Committee'.

*(Question of the amendment proposed)*

*(Question put and agreed to)*

*Clause 49*

**Hon. (Ms.) Ndeti:** I move that Clause 49 be amended by deleting the word 'board' substituting therefor the words 'Steering Committee'.

*(Question of the amendment proposed)*

*(Question put and agreed to)*

*Clause 50*

**Hon. (Ms.) Ndeti:** I move that Clause 50 be amended by deleting the word 'board' substituting therefor the words 'Steering Committee'.

*(Question of the amendment proposed)*

*(Question put and agreed to)*

*Clause 51*

**Hon. (Ms.) Ndeti:** I move that Clause 51 be amended by deleting the word ‘board’ substituting therefor the words ‘Steering Committee’

*(Question of the amendment proposed)*

*(Question put and agreed to)*

*Clause 52*

**Hon. (Ms.) Ndeti:** I move that Clause 52 be amended by deleting the word ‘board’ substituting therefor the words ‘Steering Committee’.

*(Question of the amendment proposed)*

*(Question put and agreed to)*

*(Clause 53 agreed to)*

*Clause 54*

**Hon. (Ms.) Ndeti:** I move that Sub Clauses (1) and (2)(b) be amended by deleting the word ‘board’ substituting therefor the words ‘Steering Committee’.

*(Question of the amendment proposed)*

*(Question put and agreed to)*

*Clause 2*

**Hon. (Ms.) Ndeti:** I move that Clause 2 be amended by-

- (a) Deleting the word ‘Board’ and its definition.
- (b) Deleting the word ‘directorate’ and its definition.
- (c) Inserting a new definition ‘steering committee’ in the proper alphabetical sequence which shall be interpreted to mean ‘a committee established under Section 5 of the Act.

*(Question of the amendment proposed)*

*(Question put and agreed to)*

*Long Title*

**Hon. (Ms.) Ndeti:** THAT the long title be amended by inserting the words ‘to give effect to Section 19(4) of the Kenya Climate Change Act No. 11 of 2016’ and a semicolon ‘;’ between the words ‘to’ and ‘put’ appearing in line one of the long title.

*(Question of the amendment proposed)*

*(Question put and agreed to)*

*(Clause 1 agreed to)*

*(Title agreed to)*

**Hon. (Ms.) Ndeti:** I wish to move that the Committee do report its consideration of The Machakos County Climate Change Bill 2020 (Machakos County Bill No. 5) and its approval thereof with amendments.

*(Question proposed)*

*(Question put and agreed to)*

**Hon. Chairperson:** Thank you very much, Hon. Members. That brings us to the end of that sitting of Committee of the whole House.

*(The House resumed)*

*[Hon. Speaker in the Chair]*

**REPORT, CONSIDERATION OF REPORT  
AND THIRD READING  
THE MACHAKOS COUNTY CLIMATE CHANGE BILL, 2020  
(MACHAKOS COUNTY BILL No. 5 OF 2020)**

**Hon. Museku:** Hon. Speaker, I wish to report that the Committee of the Whole House has considered the Machakos County Climate Change Bill (Machakos County Bill No.5) and has approved the same with amendments.

**Hon. Speaker:** Thank you, Hon. Chair of Chairs. Hon. Kisini the Chair of the committee.

**Hon. Kisini:** Thank you, Madam Speaker. I just want to apologize for not taking part in the morning sitting because I had set my mind in the afternoon and I had some engagement. I also want to thank Hon. Hellen for taking you through. Thank you, Madam Speaker. I beg to move that the House do agree with the committee in the said report.

**Hon. Speaker:** Any short comment you have.

**Hon. Kisini:** Yes. Thank you, Madam Speaker. I also want to thank the Hon. Members and the whole House and you Speaker and our Deputy Speaker, for taking us through this Bill. If we pass this Bill and it is assented, the County will have access to get to about Ksh. 1 Billion which I believe when that money comes and it is put into good use, it will assist Machakos County residents and more especially in planting trees and more specially in my ward Athi River where we have a lot of abuse because of climate change and more so to the factories which have abused the climate like the quarries, the factories which emit very bad gases which affect the people of Athi River.

So, Madam Speaker, I would request if we pass the Bill, that money be put into proper use and be put in its use as intended or as passed by the House. Thank you, Madam Speaker. I

request Hon. Helen Ndeti to second the Bill.

**Hon. Speaker:** Thank you.

**Hon. (Ms.) Ndeti:** I second that the House do agree with the committee in the said report.

**Hon. Speaker:** Do you wish to make a short comment Hon. Hellen?

**Hon. (Ms.) Ndeti:** Thank you, Madam Speaker. What I would say is that this is a very important Bill and because we need to really do some action on this climate change in our County and now that we have got some funding from the World Bank, I think it is important that we take advantage of those funds and ensure that we mitigate this harsh climatic condition in our County. Thank you.

*(Question proposed)*

*(Question put and agreed to)*

**Hon. Speaker:** Hon. Kisini, the chair of the committee the floor is still yours. Just approach the Table.

**Hon. Kisini:** Hon. Speaker. Pursuant to Standing Order 131(2), I wish to move the motion that the Machakos County Climate Change Bill, 2020 (Machakos County Bill No.5) be now read a third time.

**Hon. Speaker:** Thank you, Hon. Kisini. Hon. Chair, do you have any brief comment or you want to say you have already said enough.

**Hon. Kisini:** As I had said earlier, I want to thank the House for passing this Bill and I still request that if we access this money from the World Bank, let it be put into good use.

**Hon. Speaker:** Thank you. Who is your seconder to this your proposal?

**Hon. Kisini:** I propose Hon. Hellen Ndeti to be my seconder.

**Hon. Ms. Ndeti:** Thank you, Madam Speaker. I second.

*(Question proposed)*

**Hon. Speaker:** Hon. Members, if any Member has a comment perhaps you could make it at this point. I appreciate that you have been debating this Bill that you are in agreement that it is a critical Bill and important for the County. So, that may explain why no Member has a comment at this particular time. So, I will not invite the mover to reply because there has not been a comment at this stage by the Members. So, we will just proceed.

*(Question put and agreed to)*

*(The Bill was accordingly read the  
Third Time and passed)*

*(Applause)*

Thank you very much, Members. At this point I want also to appreciate Hon. King'ori; that you really were the promoter of this Bill and it has gone through. Our county is a semi-arid County and we hope that the Bill is going to do well to improve the environment and especially the tree cover in the County. So, thank you very much, Hon. King'ori.

### **MOTION**

#### **APPROVAL OF REPORT ON THE ASSEMBLY CALENDAR FOR THE FIFTH SESSION**

**Hon. Speaker:** So, Hon. Members, on this we have one business by the Hon. Mark Muendo or any Member who is going to stand in for him. Hon. Deputy Speaker.

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

Hon. Speaker, that aware that the Calendar enables the Assembly to plan the execution of its business and it sets out a schedule of days for the House sittings and days of Recess;

Aware that Standing Order 24 (1) provides that the regular Sessions of the Assembly shall commence on the Second Tuesday of February and terminate on the first Thursday of December;

Hon. Speaker, Further, aware that Standing Order 25(1) requires the House Business Committee, with the Approval of the Assembly, to draw up the Calendar of the Assembly;

Aware that Standing Order 25(2) provides that once the Calendar of the Assembly is approved by the House shall be published in the Gazette, the Assembly website, and at least two newspapers of national circulation;

Cognizant the House business Committee considered the Calendar of the Fifth Session and compiled a report;

Hon. Speaker, I wish to move the motion that this House discusses and approves the report of the House Business Committee on the report of the Assembly Calendar for the Fifth Session.

I request Hon. Rozina Kanini to second my motion.

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

**Hon. (Ms.) Kanini:** Thank you, Madam Speaker. I second.

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

**Hon. Museku:** Thank you, Madam Speaker. I am going to read the report of the House Business Committee on Calendar of the Second Assembly (Fifth Session)

## 2.0 COMMITTEE COMPOSITION

Hon. Speaker, the Membership of the House Business Committee as provided for in Standing Order 151(1) includes the following:

- |                               |                        |
|-------------------------------|------------------------|
| 1. Hon. Florence M. Mwangangi | - Speaker/ Chairperson |
| 2. Hon. Paul Museku           | - Member               |
| 3. Hon. Mark Muendo           | “                      |
| 4. Hon. Alex Kamitu           | “                      |
| 5. Hon. Moses Mitaa           | “                      |
| 6. Hon. Fredrick Muthoka      | “                      |
| 7. Hon. Patrick Kituku        | “                      |
| 8. Hon. Rozina Kanini         | “                      |
| 9. Hon. Hellen Ndeti          | “                      |
| 10. Hon. Justus Katumo        | “                      |
| 11. Hon. Jacqueline Nziva     | “                      |
| 12. Hon. Annastaciah Mutuku   | “                      |
| 13. Hon. Joshua Muli          | “                      |
| 14. Hon. George King’ori      | “                      |
| 15. Hon. Judas Ndawa          | “                      |

**Hon. Speaker:** Hon. Museku, I can see there is a table which sets out again the Calendar. Would you wish to refer the members to the table? It says the same thing instead of reading.

**Hon. Museku:** Hon. Members, we do have a table which is on the attached Schedule there; annex, which I will take you through that one because it is the same thing as what has been written in the report and it will explain in a better sense and thank you, Madam Speaker, for the guidance. So, if members you would look at annexure one.

County Assembly of Machakos, second Assembly for the Fifth Session 2021

### Schedule

| SITTING DATES   | SITTING DAYS  | RECESS DATES  |
|---|---|---|
| <b>PART I</b>   |   |   |
| Tuesday, 9th February, 2021 to<br>Wednesday, 10th March, 2021 | Tuesdays (Morning and Afternoon)<br>Wednesdays (Morning and Afternoon)<br><br>(20 sittings) | Thursday, 11th March, 2021 to<br>Monday, 5th April, 2021<br><b>Short recess [26 days]</b> |
| Tuesday, 6th April, 2021 to<br>Wednesday, 5th May, 2021       | Tuesdays (Morning and Afternoon)<br>Wednesdays (Morning and Afternoon)<br><br>(20 sittings) | Thursday, 6th May, 2021 to<br>Monday, 7th June, 2021<br><b>Short Recess [33 days]</b>     |
| <b>PART II</b>  |   |   |

|  |  |   |
|--|--|---|
| Tuesday, 8th June, 2021 to Wednesday, 7th July, 2021                                   | Tuesdays (Morning and Afternoon)<br>Wednesdays (Morning and Afternoon)<br><b>(20 sittings)</b> | Thursday, 8th July, 2021 to Monday, 26th July, 2021<br><b>Short recess [19 days]</b>                  |
| Tuesday, 27th July, 2021 to Wednesday, 25th August, 2021                               | Tuesdays (Morning and Afternoon)<br>Wednesdays (Morning and Afternoon)<br><b>(20 sittings)</b> | Thursday, 26th August, 2021 to Monday, 20th September, 2021<br><b>Short Recess [26 days]</b>          |
| <b>PART 111</b>  |  |   |
| Tuesday, 21st September, 2021 to Wednesday, 20th October, 2021                         | Tuesdays (Morning and Afternoon)<br>Wednesdays (Morning and Afternoon)<br><b>(20 sittings)</b> | Thursday, 21st October, 2021 to Monday, 8th November, 2021<br><b>Short recess (19 days)</b>           |
| Tuesday, 9th November, 2021 to Wednesday, 8th December, 2021                           | Tuesdays (Morning and Afternoon)<br>Wednesdays (Morning and Afternoon)<br><b>(20 sittings)</b> | Thursday, 9th December, 2021 to Monday, 24th January, 2022<br><b>Long Recess (50 days or 6 weeks)</b> |
| Annual Suspension of Committee Sittings from 13th December, 2021 to 24th January, 2022 |  |   |

Disclaimer: Morning sittings commence at 10.00 a.m. and end at 12.30 p.m.; Afternoon sittings commence at 2.30 p.m. and ends at 6.30 p.m.; The House may however resolve to hold sittings on other days outside this published Calendar.

#### NOTE

1. In accordance with Standing Order No. 24(1), the Fifth Session will run from 9<sup>th</sup> February to 8<sup>th</sup> December, 2021, which totals 120 sittings or 30 weeks.
2. Key Calendar considerations:
  - (i) Submission of the County Fiscal Strategy Paper (CFSP) which ought to be submitted by 28<sup>th</sup> February, considered and adopted by the House within 14 days;
  - (ii) Submission of the Budget Estimates by the County Government for the FY 2021/2022 which ought to be tabled in the House by April 30, 2021;

- (iii) Publication and introduction of the Finance Bill by April 30<sup>th</sup>, 2021; pursuant to Supreme Court Advisory Opinion Reference No. 3 of 2019, an Appropriation Bill cannot be passed before the enactment of a Finance Bill.
  - (iv) Public hearings by the Budget and Appropriations Committee and the Sectoral Committees on the Estimates should be undertaken before the Budget Committee tables its report on the estimates for approval by the House in early June;
  - (v) Pronouncement of the Budget highlights and revenue-raising measures by the CECM, Finance (tentatively on June 15, 2021);
  - (vi) Introduction, consideration and passage of the Appropriation Bill by June 30, 2021;
  - (vii) Consideration and passage of the Finance Bill by 30<sup>th</sup> June, 2021. You will note that we are saying that the Finance Bill has to be passed by 30<sup>th</sup> June, 2021 because there was a High Court ruling which said that you cannot pass a budget if you do not have a Finance Bill for it. So that is the reason we have to prepare the Finance Bill and ensure it is ready by the time we are approving the Budget hence the consideration of passing the Finance Bill by 30<sup>th</sup> June, 2021
3. Other important considerations, especially for the Recess periods are:
- (i) Easter Holidays - scheduled for 2<sup>nd</sup> April, 2021 (Good Friday) and 5<sup>th</sup> April, 2021 (Easter Monday);
  - (ii) Then we have also taken into consideration school calendar so that we can be able to synchronize ourselves in the periods when the children are going to be at home so that we can also be able to contribute to our loved ones when they are at home.

Thank you, Madam Speaker.

**Hon. Speaker:** You wish to mention the last note, the last No. (iii). Below the Schedule of the school terms.

**Hon. Museku:** Yes, I can mention the schedule for the schools periods, terms 2---

**Hon. Speaker:** When I am saying is that you mention 3 in Roman Letters which is below the Schedule. It is another important item to note in the calendar.

**Hon. Museku:** Okay. I have seen Madam Speaker, during an election year as I have said previously the session starts earlier so as to meet all required budget-related timelines before the House adjourns *sine die* around mid-June. This informs the dates for resumption of the House and committee sittings in January, 2022 which are proposed to start on 24<sup>th</sup> of January. Thank you, Madam Speaker.

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

*(Question proposed)*



I am inviting you members to debate the motion. Hon. Katumo.

**Hon. Katumo:** Thank you, Madam Speaker. Madam Speaker, I want to say that I am in agreement with the Calendar that we have considering that we are on the sunset days and we need to get organized so that we can transact our businesses in good time and therefore we can deliver to our people.

Secondly, Madam Speaker, I have seen the considerations that are being made traditionally and others by circumstances so that we may be able to move along smoothly and transit to various periods that we have and therefore I stand to support and say that of course recesses are good when they are well organized because they give us some momentum and some strength that we need to continue and to also generate more businesses.

Therefore I have looked at it from previously what we said that we take a lot of consideration so that members do not loose and I can see everything has been factored in and taken into great consideration and therefore I look at the committee and want to congratulate the committee the Chairperson and members because they have taken a lot of time to make sure that what has been proposed previously by Members has been put into consideration and therefore I support. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Katumo. Hon. Kisini, any member in the extended sitting you may have a word to say.

**Hon. Kisini:** Thank you Madam Speaker, I also want to stand up and comment the committee of the House Business for the good work they have done. Madam Speaker, we have been given the sequence of events from today up to the end of year, actually up to to 2022 starting January. It is good we are going to plan ourselves, we know what to do at what time, the committee has considered all the factors even the time to approve the budget come next year, come this year and the recesses.

It is good that we also go for a recess maybe to meet our constituents and it is also good we have been shown when we have the holidays, so Madam Speaker, I do support the report because it has taken care of all factors. Thank you, Madam Speaker.

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

*(Question put and agreed to)*

**PROCEDURAL MOTION**  
ADJOURNMENT FOR SHORT RECESS FROM  
11<sup>TH</sup> MARCH, 2021 TO 5<sup>TH</sup> APRIL, 2021

**Hon. Speaker:** Hon. Members, under this Order, we have one business we have one business by the Hon. Majority Leader and I believe that Hon. Whip Moses Mitaa is holding brief; I can see him already waking up. Proceed, Hon. Mitaa.

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

Hon. Speaker, that aware that Standing Order 24 (1) provides that except for the session commencing immediately after a General Election, the regular sessions of

the Assembly shall commence on the second Tuesday of February and terminate on the first Thursday of December

Aware that this fifth Session of the Second Assembly began on 9<sup>th</sup> February 2021; Noting that crucial business has been transacted during this session including approving the Annual Development Plan 2021/22, Machakos County Finance Bill 2020, Machakos County Climate Change Bill 2020, Machakos County Water Policy and various Committee reports; Acknowledging that the House approved an Assembly Calendar pursuant to Standing Order 25(1) and aware that the Calendar of the Assembly guides the House on when to have a break and when to resume sittings;

Aware that the approved Assembly Calendar indicates that the Assembly will go for a short recess from Thursday 11<sup>th</sup> March, 2021 to Monday 5<sup>th</sup> April, 2021;

Aware that the recess will afford Committees time to compile various Committee reports and also to consider the County Fiscal Strategy Paper;

Further aware that the recess will afford Members to participate in the upcoming senatorial by-elections;

Hon. Speaker, I wish to move the motion that pursuant to Standing Order 24(3) the Assembly resolves to adjourn the sitting of Wednesday, 10<sup>th</sup> March, 2021 for 2.30 p.m. to enable Members attend to meetings called by their political parties and thereafter pursuant to Standing Order 25(3), the Assembly takes a short recess from Thursday 11<sup>th</sup> March, 2021 to Monday 5<sup>th</sup> April, 2021 in accordance with the Assembly Calendar for the Fifth Session.

**Hon. Speaker:** Thank you, Hon. Mitaa. Who is your seconder?

**Hon. Mitaa:** I wish to call upon Hon. Joseph Mutiso to second my motion.

**Hon. Speaker:** Hon. Joseph Mutiso.

**Hon. P.J. Mutiso:** Thank you, Hon. Speaker. I second the motion.

**Hon. Speaker:** Thank you.

*(Question proposed)*

Hon. Members, I invite you to debate the motion. Hon. Katumo; I will come to you Hon. Ndambuki.

**Hon. Katumo:** Thank you, Madam Speaker. I want to support that motion of adjournment for a short recess. Madam Speaker you understand we have been starved by numbers in this House because members have been of course going out for the various businesses or political campaigns and it wise that we take an official leave so that we can do and perform and Madam Speaker, if we remain here a few of us they might think that we are not doing the right thing. It is wise for us to take that short recess so that we can go out there.

What I know is we are going to deliver and as we come back by 6<sup>th</sup> April, 2021 we anticipate that we have our Senator seated to deliver a message for us as a County of Machakos

and therefore I support that we go out. Also I have seen this adjournment motion also takes into consideration that Easter Holiday; it is good to remember our Lord what happened and therefore as we reflect going forward it is good to be renewed, refreshed and nourished so that we come here energized so that we can kick our last foot forward for the year 2021. Thank you, Madam Speaker. I support.

**Hon. Speaker:** It sounds sad the last part of it; you kick your last something. Of course, that is the reality in the ground. Hon. Ndambuki.

**Hon. Ndambuki:** Thank you, Madam Speaker. Madam Speaker Indeed that motion is timely putting into mind that we have a civic duty that we have to exercise come next week where the county of Machakos is going to elect their third Senator and therefore the House to go back to where we come from and sensitize our people on the roles of a Senator so that we may be able to elect a Senator who is going to help the county of Machakos, draw resources from the National Government, help them negotiate for better things and more better things for Machakos people. Thank you.

**Hon. Speaker:** Thank you very much, Hon. Ndambuki. Hon. Rozina.

**Hon. (Ms.) Kanini:** Thank you, Madam Speaker. Madam Speaker, majority of us are in this Assembly courtesy of political parties and therefore it is our right to participate in elections. That is our responsibility and without much ado, I support the adjournment. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Rozina. Does the mover of the motion have any reply?

**Hon. Mitaa:** Thank you, Hon. Speaker and I want to congratulate my colleagues and as it has been stated, we are here through political parties and we are all conversant that such political parties have candidates and it is upon us to support our candidates and that is why Hon. Speaker we found it good to request for that time so that we can promote our parties on the ground and ensure that our county gets the best out of the candidates so that we may progress well with our work bearing in mind Hon. Speaker, the Senator will be working hand in hand with this Assembly for us to perform our roles very well Madam Speaker so thank you and I wish the best candidate to carry the day.

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

*(Question put and agreed to)*

## ADJOURNMENT

**Hon. Speaker:** Thank you, Hon. Members. At this juncture, the sitting is adjourned and to resume of the 6th day of April, 2021 at 10.00 a.m. Have a good time.

The House rose at 11.53 a.m.