

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF MACHAKOS

OFFICIAL REPORT

Tuesday, 15th March, 2023

The House met at 3.00 p.m.

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

PRAYERS

PETITION

PETITION FROM THE FIRST DEPUTY GOVERNOR OF MACHAKOS COUNTY

Hon. Speaker: Hon. Members, we have one Petition and I want to take you through that petition. Hon. Members, the Assembly through the Office of the Clerk is in receipt of a petition from the first Deputy Governor of Machakos County, Mr. Bernard Muia Tom Kiala dated 24th February, 2023 and received by the office of the Clerk on 27th February, 2023. Pursuant to Standing Order 199(2)(b), I proceed to present the Petition to the Assembly.

Hon. Members, the petitioner is a resident of Machakos County and the petition is in relation to outstanding dues amounting to Ksh. 45,738,183.60. The petitioner draws the attention of the Assembly to the following:

- (i) The outstanding dues accumulated from the year 2014 up to the end of the term in service as the Deputy Governor in August, 2017.
- (ii) The dues include costs incurred in hiring a vehicle for use, fuel expenses, salaries for domestic staff, security personnel, County Executive Committee sittings, Airtime, Gratuity and House Allowance.

Hon. Members, the Petitioner further alleges that despite having written to the Machakos County Government Secretary in November, 2018 and in October, 2022 only Ksh. 595,398.20 was paid in 2019. The Petitioner has disclosed that the subject matter and issues in respect to this Petition are not pending in any court of law, constitutional or legal body.

Hon. Members, the Petitioner's prayers to the County Assembly is to seek for intervention so that the Machakos County Government Treasury pays the first Deputy Governor of Machakos County outstanding dues amounting to Ksh. 45,738,183.60. Hon. Members, Standing Order 200 provides that the Speaker may allow comments, observations or clarifications in relation to a petition presented or reported and such total time shall not exceed thirty minutes.

Further, Standing Order 201(1) provides that every petition presented or reported pursuant to this part, shall stand committed to the relevant Sectoral committee. In this regard, the Petition is hereby committed to the Labour, Public Service and ICT Committee. The Committee has 60 calendar days to consider and table a report on the petition to this House pursuant to Standing Order 201(2). Thank you, Hon. Members.

Yes, I can allow two comments.

Hon. Mbili Ndawa (Matuu, MCCC): Before comment Madam Speaker, I would request the matter before the House; I think that Petition should be handled by two joint committees; Labor and Finance because there are issues on monies. If you exclude finance, labor may not be able to handle finances so kindly make determination of that matter.

Hon. Speaker: Thank you.

Hon. Brian Kisila (Makutano/Mwala, MCCC): You have given me permission. Madam Speaker it is only fair that we are fair to everybody and personally I support the Petition but I think 60 days for a man who has been suffering for all this time is too long. Madam Speaker, can we reduce the time with your permission to 30 days so that we can do justice to a fellow brother.

Hon. Speaker: Make a recommendation; how many days are you suggesting?

Hon. Brian Kisila (Makutano/Mwala, MCCC): Madam Speaker, unless the Standing Order stipulates 60.

Hon. Speaker: I am guided on that issue, Hon. Member. You may have a seat first.

(Hon. Kisila took his seat)

(Loud consultations)

Hon. Carol. Somebody was just talking can you first of all give me an opportunity to say what I wanted to say. Thank you. Now there is this issue of time given in this Petition is a lot like 60 days but what I have been guided and advised is that in as much as the Standing Order talks about 60 days, the committee can bring the report earlier. So the committee can take cognizance of that concern. There was this issue of two committees to be combined. Yes, chairman of labor.

Hon. Joshua Mwonga (Masinga Central, WDM-K): Madam Speaker, I think this is a House of procedure and we cannot behave as if we are in an Indian bazaar whereby each and every Member is suggesting and they are not raising their hands so that the Speaker can catch their eye. Madam Speaker, on this I want to thank you for referring the matter before the committee that I chair but I am not against this being joint committee of the three committees which have been mentioned by these Members that is the Finance committee, and also the Justice committee; we can have a joint sitting and make it precisely the Chair will be chair for labor. Thank you.

(Laughter)

Hon. Speaker: According to me, maybe I stand guided; I am not final to some extent. I thought a committee can co-opt another or members of another; is that allowed? When it co-opts

the Chair of the committee co-opting the other remains the Chair even the vice remains the vice. A comment from you DS.

Hon. Stephen Mwanthi (Ekalakala, WDM-K): Thank you, Madam Speaker. I think the precedence that we have been observing and bearing the fact that it will involve some monies, it is good we have the joint committees so that finance committee can deal with the budgetary allocations for these amounts if the Petitioner is found that he is supposed to be paid then the finance committee will be in a position to follow up on budgetary allocations for the same because the monies will have to come from the finance department. So now when they meet whoever becomes the chair or not now that one belongs to the committees that will be---

Hon. Speaker: I will give guidelines on that one but before you sit Hon. DS can you also comment on the issue of legal affairs committee also being co-opted.

Hon. Stephen Mwanthi (Ekalakala, WDM-K): Madam Speaker, for sure this is a Petition and being a Petition Justice and Legal Affairs Committee is supposed to be there because it deals with cases and this is one of the cases and again the Petitioner was working in a labor department so there is nothing wrong if we have the three committees sitting on this. Thank you, Madam Speaker.

Hon. Speaker: Do we have any guidance from the Standing Orders to that end. Hon. Minority Leader.

Hon. Mbili Ndawa (Matuu, MCCC): Madam Speaker, maybe to share an experience from the last regime. All the Petitions that were talking about monies were handled by the Finance committee which Mheshimiwa DS used to chair so it is only fair. Mheshimiwa Brian, I do not know what you are losing if the two committees come together to address this anomaly or this problem.

In fact, the intention of the House is to ensure that each party gets justice. So as long as finances are being mentioned, there is no way you can detach the Finance committee and the issue of the chairperson who is supposed to be the chair, when it comes to joint committees we have two co-chairs. There is no one Chair who can be senior that the other we call them co-chairs and there is no competition of who is superior to the other one.

Hon. Nicholas Nzioka (Machakos Central, WDM-K): May I proceed, Madam Speaker.

Hon. Speaker: You may proceed, Majority Leader.

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Thank you. Madam Speaker, I agree with the Minority Leader that if the committee is going to do a joint report, I know the first page is going to be a joint report of the Labor and Finance committee, so it is only fair that we have co-chairs for the same so that we have consensus on things that are going to be discussed within the report.

Hon. Speaker: Sorry. I request that you repeat what you have said. Kindly, for my sake.

Hon. Nicholas Nzioka (Machakos Central, WDM-K): I am saying is if a joint report unless we would want to have two reports, then if it is a joint report then I think it is important we have co-chairs of the joint report because the other chair may refuse and I am not anticipating may refuse recommendation of the report and that is going to harm the Petitioner more and I have seen it in National Parliament. A Report or a Petition having more than one chair. Thank you, Madam Speaker.

Hon. Speaker: Okay. Yes.

Hon. Joshua Mwonga (Masinga Central, WDM-K): You had given guidance on this matter and as I stand here I have no objection of the matter being handled by the two committees; I have no objection on that. I can even rescind being the Chair of the joint committees for the interest of the Petitioner. So I think we should not dwell much on this issue; I think the House and the mood is that we have a joint sitting of the two committees whereby I am the Chair Labor and my brother there is the Chair Finance. Left to us I think things will move smoothly, Madam Speaker. That is an assurance I want to give. Whoever will bring the report here it is neither here nor there but we serve the interest of the Petitioner. Thank you Madam Speaker.

Hon. Speaker: Thank you.

Hon. Mbili Ndawa (Matuu, MCCC): Point of information, Madam Speaker.

Hon. Speaker: Yes.

Hon. Mbili Ndawa (Matuu, MCCC): The way Mheshimiwa is going I think is the right way. In fact, it is only fair for him to decline being the chair because of conflict of interest. The Petitioner hails from his ward and if he chairs the meeting, there will be conflict of interest. So the best person to chair is the chair Finance.

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Point of Information, Madam Speaker.

Hon. Speaker: Point of information from Majority Leader then Hon. Vincent.

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Madam Speaker, I am amazed and I want clarification from the Chair of labor because he is saying in the interest of the Petitioner; are we only looking at the interest of the Petitioner or even the other side. The Petitioner has petitioner somebody or some institution?

Hon. Speaker: Hon. Ngunga after that.

Hon. Vincent Mutie (Upper Kaewa/Iveti, WDM-K): Thank you, Madam Speaker. It attracts me not on who chairs and who does not chair. But what concerns me that this is a labor case. This is a labor case; it is someone who was not paid their dues. It is not yet budgeted for;

we are actually ascertaining whether it is true this person was supposed to be paid.

(Applause)

At what point when we are trying to discuss about the financial implication, we have already drawn a conclusion that is supposed to be paid.

Hon. Speaker: There you are!

Hon. Vincent Mutie (Upper Kaewa/Iveti, WDM-K): So I think, in my view, I disagree with the idea that we should have a joint committee. Let the Labor Committee first determine that, indeed, there were atrocities conducted or committed against that Petitioner.

(Applause)

Then at that point when the Labor Committee determines an atrocity was committed, now the Finance Committee will act on the recommendations of the Labor Committee. I thank you.

Hon. Speaker: Hon. Mbuva.

Hon. Charles Mbuva (Kangundo West, GDDP): Thank you, Madam Speaker. The Hon. Vincent almost preempted my submission but I will just choose to emphasize. Madam Speaker, the Petitioner is explicit as to what pleadings he is making. He is enumerating that he is owed money, he was an employee in the office of DG and this is purely a matter domiciled with the Labor Committee because these are grievances from an employee. The nature of this petition and the task will be to ascertain whether the things which he is alleging to be owed, whether he was entitled, that can only be done by the Labor Committee to see if genuinely he deserved what he is talking about. As to when he will you will be paid if he is found to qualify payment that is a story for another day.

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Point of information, Madam Speaker.

Hon. Speaker: Okay.

Hon. Nicholas Nzioka (Machakos Central, WDM-K): If what you have read is what I'm reading to the House, then this matter is not actually a matter of Labor Committee. I will paraphrase; the Petitioner's prayers to the County Assembly is to seek for intervention so that the Machakos County Government, Treasury pays their first Deputy Governor of Machakos outstanding dues, amounting to his amount Ksh. 45 million. So he is not asking the House. The Petition is not about whether he was sacked, whether he was in employment, or whether he was wrongfully dismissed he is actually asking to be paid. So it is not even a labor matter. It is a matter of the finance department. If that is the way we are going to go, these are the prayers. He is asking for money he is not asking to be reinstated or to be sacked.

Hon. Vincent Mutie (Upper Kaewa/Iveti): Hon. Speaker, I think the Majority Leader is misleading and misquoting what you read. Actually, you realize in the introduction where it began. It first establishes that he was an employee. Therefore, this case is arising to something that happened when he was already in office. It is not a debt in terms of this person asking for money, which may be he gave to the Treasury. This is a right which this person was entitled to. When he says that he was not given salaries for domestic staff, who establishes that a DG is entitled to domestic staff?

(Applause)

When he says that he was not paid dues for security personnel, who establish that the DG is entitled to security personnel? That is not the Department of Finance. Let us be fair to the truth.

Hon. Speaker: Thank you, Hon. Vincent.

Hon. Mbili Ndawa (Matuu, MCCP): Hon. Speaker, before you conclude, I will also wish to make him an application for you to make a determination. Because the Petition is mentioning other people leave about himself---

Hon. Speaker: Which other people are these?

Hon. Mbili Ndawa (Matuu, MCCP): The staff. Is there written consent for him for them.

(Loud consultations)

Hon. Speaker: I will handle that.

Hon. Mbili Ndawa (Matuu, MCCP): Allow me to conclude. If you are to represent somebody in court, you will get consent to appear before that particular person. In the Petition, you have not read any annexure to show that there are so-called employees have given the Petitioner permission to Petition on their behalf. So the Petition is not properly in the House.

Hon. Speaker: Point is taken.

Hon. Mbili Ndawa (Matuu, MCCP): Secondly, I want also you to make a determination whether an elected person is an employee, an elected person like MCA Ndawa; am I an employee of the County Government of Machakos? I am not; the DG was an elected person because he was elected together with Governor Mutua. So there is no way you can purport---

Hon. Speaker: Was entitled to payment of his salaries?

Hon. Mbili Ndawa (Matuu, MCCP): Of course, he was but again.

(Laughter)

What he was supposed to get, I think that is something that is set by the SRC but we don't have any proof; he ought to have attached, the last payment to say I was paid---

Hon. Speaker: Hon. Minority Leader, have a sit I make a ruling.

(Hon. Ndawa took his seat)

Issue number one, is whether or not the former Deputy Governor was an employee of the County. Yes, indeed, he was and with him, was staff attached to him, the way we have our staff attached to the Speaker and the staff that is attached to him is entitled to petition through him. There is nothing wrong with that. There is nothing wrong because they are under him, the Speaker's office, Governor's office, Deputy Governor's office and they are under the member, the senior member.

Secondly, where does this Petition lie? Where is it domiciled? This Petition is purely a labor issue.

(Applause)

Why is it a labor issue? It is the Petitioner having been an employee of the County Government of Machakos was never paid a salary for the period; he has enumerated grounds in his Petition and how he arrived at this figure. For us to establish whether this is true or not true, it must go through an investigation done by the Labor Committee so that the Labour Committee can bring us a report and say, this is true or it is not true. This information must be verified by the committee concerned.

(Applause)

In fact, if you asked me, the Finance Committee has no role to play here at this particular point but it will have a role maybe later when we have established some of these things. So the decision is that this matter is committed to that Labor and ICT committee to table a report in less than 60 days for the concerned Petitioner to get justice and then from there, we will look at the report. That matter is settled that way.

(Applause)

STATEMENT

BUSINESS FOR THE HOUSE FOR 15TH MARCH, 2023

Hon. Speaker: May call upon Hon. Nicholas Nzioka. Come forward and make a Statement.

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Thank you, Madam Speaker. Thank you, Madam Speaker.

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Thank you, Madam Speaker.

Hon. Speaker, the House Business Committee met today on 15th March, 2023 to prioritize business for the House as forwarded by Committees and Hon. Members pursuant to the provisions of Standing Order 151(6)(d). The Committee balloted as follows:

Wednesday 15th March, 2023

Afternoon at 2.30 p.m.

- (a) Petition by the First Deputy Governor on unpaid dues by Hon. Speaker.
- (b) Statement on Status of Revenue Collection and Measures put in place to achieve maximum revenue for Machakos County by Hon. Brian Kisila, MCA, Makutano/Mwala Ward.
- (c) Statement on Cleaning Services in Kangundo Level 4 Hospital by Hon. Dickson Maundu, MCA, Kangundo Central Ward.
- (d) Report on Status of Barabara Mashinani grading program by Hon. Muoki Musila, Chairperson, Transport, Roads, Housing and Public Works Committee.
- (e) Motion on alteration of the Calendar by Hon. Stephen Mwanthi.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member.

STATEMENTS SOUGHT REVENUE COLLECTION POTENTIAL OF THE COUNTY

Hon. Speaker: May call upon Hon. Brian Kisila, MCA Makutano/Mwala Ward to seek a Statement.

Hon. Brian Kisila (Makutano/Mwala, MCCP): Thank you, Madam Speaker. Madam Speaker, I would like to make a statement on the status of revenue collection measures put in place to achieve maximum revenue in Machakos County.

Hon. Speaker, aware that Article 185(3) of the Constitution states that the County Assembly while respecting the principle of separation of powers, may exercise oversight over the County Executive Committee Members and any other County Executive Organs;

Hon. Speaker, aware that Section 157(1) of the Public Finance Management Act, provides that the County Executive Committee member for finance shall, in writing, designate persons to be responsible for collecting, receiving, and accounting for such county government revenue as the County Executive Committee member for finance may specify in their letters of designation;

Further aware that Section 157(2) of the same Act provides that the receiver of county government revenue is responsible to the County Executive Committee member for finance for ensuring that the revenue for which the receiver is responsible is collected or recovered, and is accounted for;

Acknowledging that the Machakos County Revenue potential is estimated to be Ksh. 3 Billion Kenya or more where else the Department of Finance and Revenue Management through the Revenue Directorate has not been meeting its annual

target of Ksh. 1.6 Billion but only collecting two-thirds of this target in the recent financial years;

Hon. Speaker, Considering that not meeting Revenue collection targets affects the total disbursements from the Exchequer hence negatively affecting the county's development projects;

Hon. Speaker, I wish to seek a statement from the County Executive Committee Member for the Department of Finance, Economic Planning and Revenue Management on:

- (i) What strategies, the Department is putting in place to ensure the County achieves its full potential in revenue collection?
- (ii) The systems and controls they are planning to implement to ensure all the loopholes that lead to revenue leakage are sealed.
- (iii) The support they require from the Assembly so as to achieve their full potential.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. member and before I commit this particular statement to the committee concerned, I would allow members to ventilate a bit on this if that is okay.
Hon. Francis Kitaka.

Hon. Francis Kitaka (Ndalani, WDM-K): Thank you, Madam Speaker. I would want to acknowledge that the statement being sought by Hon. Kisila is in good faith because we all know that our collection for the county is below the targets that we have been focusing to achieve. However, this House yesterday decided to cut down the budget of the recurrent expenditure for the department of finance. My question remains; if we really want to achieve our targets, how will the department achieve when we are still bringing down their recurrent expenditure.

We need people to be engaged so that we can maximize on our revenue collection and the staff to be facilitated. Hon. Members, we need a budget. So, as we ventilate on this matter I will be looking forward to be advised by our Hon. Members and the Assembly at large on what measures because I will give you an example, we have less than 400 revenue clerks in Machakos County. How are we going to raise Ksh. 3 billion when we are still struggling to have all the areas earmarked for collection with less staff. It is a matter that needs to be considered. How will we do it when we are not mobile?

We cannot achieve this and the department needs to be facilitated and for this to happen, the department's budget needs to be checked again. So, my humble plea Members, we need money but we need to spend money to bring more money on board. Thank you, Madam Speaker.

(Applause)

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

Hon. Vincent Mutie (Upper Kaewa, WDM-K): Thank you, Madam Speaker. I am interested with the comments by the Chairperson in regard to 'you need money to get money' and that is the summation of his comments. My concern is, at what point is the money lost? Do we continue to pump good money into bad money?

The other question that I think the committee needs to first ascertain is what the department with the budget that it has been given. Before we give you more money, kindly account for the little that we have given you. In fact, let us not hide in the disguise that 'ooh the finance department is under-funded, ooh the finance department has no staff, ooh the finance department is static and not mobile.' Ask yourself, where is the revenue? The revenue is in the shops where people get the Single Business Permits (SBP). Then you find that officers in the department issue fake SBPs and they take the money in return. At least we can confirm this from our wards.

This Statement is important and it will in fact justify the need for more money. Let the CECM give us a confirmation that for the last three years you have been raising Ksh. 1.6 billion for the last three years, you have raising Ksh. 1.2 billion or whatever amount they have been raising but the catch phrase should not be that we have not been able to perform because we did not have money.

The truth is that we have been around, I present drawings to the County Department of Planning for approvals on a daily basis and one thing I have established is that there are corrupt officers in those departments. Do we need to give them more money to continue being corrupt? No! What we need is prudence in management.

(Hon. Kisila and Hon. Mwonga consulted loudly)

Hon. Speaker: Hon. Brian and Hon. Mwonga, last warning.

Hon. Vincent Mutie (Upper Kaewa, WDM-K): Prudence in management, sincerity in approach and accountability at its best; that is what is lacking. Let this Statement come with those answers.

Hon. Speaker: Thank you, Hon. Vincent. Hon. Minority Leader and after Hon. Mwonga will take the stand.

Hon. Mbili Ndawa (Matuu, MCCP): Thank you, Madam Speaker. Today you have gotten my right title. I will start by thanking Mheshimiwa Brian Kisila for seeking this Statement; in fact it is long overdue. I want to inform the House that whatever used to happen in the department of Finance in the last regime is exactly what is happening today. This is the high time as a House we need to be very key to ensure that all the monies that are due for the County go to the County kitty.

Hon. Speaker, I do not believe we need a big crowd of revenue officers to get more money. There is a saying in the Bible; you do not need many people to demonstrate, you can demonstrate alone and achieve what you want to achieve (??) I want to request, if the committee can benchmark with other counties which are doing very well on the issue of revenue collection and I would refer them to go to Meru County.

In Meru County, they do not use many revenue clerks to collect money; what they did is to build their own banking hall which has several tellers and each has somebody manning it. Let us pass information to the traders that they are required to go and pay that money whatever they are supposed to go and pay to that bank. The money will go to the account and come with the receipt and I am sure if we go that way, we will be able to raise our revenue collection.

I personally went to Meru one time with the Deputy Governor who was the CECM finance and what we learnt was, the former Governor Kiraitu realized that the revenue was not coming as expected and because of the influx of street boys in Meru town---

(The Hon. Speaker consulted with the Deputy Speaker)

Let me pause so that the Speaker can hear what I am saying.

Hon. Mbili Ndawa (Matuu, MCCP): Can I continue?

Hon. Speaker: Continue; sorry for that.

Hon. Mbili Ndawa (Matuu, MCCP): Because of the street boys who were many in the town, he wondered how he would address the issue of the street boys. He picked all of them and took them for training on military drills for two weeks. Then he said he is going to give the revenue clerks one month off. These street boys were then taken to all parking areas and whenever you come with your car, they just show you where to park the car and come next to your door, salute you and say 'welcome to *Meru, lipa Ushuru, Jenga Meru.*' So, within that one month, the money that used to be collected by the revenue clerks was more than four times. That is adequate proof that the revenue clerks are not honest.

He took the boys to another training so as to address the issue of street boys. They were trained on painting and all the government buildings in Meru are painted by these street boys; there is a Meru Youth Service. So, he addressed two issues at the same time and when the revenue clerks were brought back to take up their positions, they were given a target. The money collected when the street boys were manning the parking areas, that is the amount that was expected and up to now I understand they have not gone down.

I am very sure, since Machakos is very vast, we can have a teller in Machakos; those around Machakos can go and pay their and we reduce the number of the clerks or assign them other jobs. In other sub-counties like Yatta, Matuu, Mavoko and we have others and I am sure we will address this and monies will go directly to the bank but this issue of getting money and putting in the pocket to send in the evening, I am very sure if you sent someone to go and harvest honey for you before you get what you expected, a big percentage will have gone elsewhere and that person will be left trying to take the one in his hands.

So, Hon. Speaker, the Statement is timely; let us advise our CECM finance. I know he is someone of substance and I am very sure he can address this issue. Let us, as an Assembly, assist them so that they collect enough money to be able to deliver to the electorates. Hon. Chair Finance, seek permission from the Speaker and take your team to Meru or any other place to benchmark and if you are going there, kindly take two members from the Executive side so that they can see for themselves. Thank you, Hon. Speaker.

(Applause)

Hon. Speaker: Thank you very much. Hon. Mwonga, briefly.

Hon. Joshua Mwonga (Masinga Central, WDM-K): Madam Speaker, I am agreeing with the sentiments of all the Members who have contributed before me and since we are in a

learning process, it is just a word of advice to my brother Chair Finance that whenever a statement concerning his committee or the department is sought, he should not be in a hurry to answer. He should liaise with the concerned department so that he can get answers on the same. He is not in any way in position to reply to a Statement before seeking some clarification from that department.

The other thing Madam Speaker, on this Statement, the House will want to know the revenue potential of our county and revenue mapping. Thank you, Madam Speaker.

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

Hon. Daniel Ndwiki (Mlolongo/Syokimau, WDM-K): Thank you, Madam Speaker. I support the Statement and it has come at the right time. It is the high time we maximize revenue collection in our County. For example, I come from a place where a lot of cash exchanges hands. The County does not maximize its collection in my area so, the issue of having more staff to collect more money, I do not agree with my Chair on finance because many finance officers does not guarantee will collect a lot of money for the county.

So, the best thing is to have policies and see our potential on where we can collect money that we do not collect. I live in Mlolongo and it is neighbouring Nairobi and Kitengela. When I talk to my people, they prefer doing business in Kitengela than Mlolongo. We should ask why they prefer that and they will give you answers; in Mlolongo we do not have water. So, if we pump money in the department of water, those traders who prefer to go and do business in Kitengela will do it in Mlolongo and Machakos will collect more revenue.

So, we should what factor leads to people not doing business in our area. It is good to maximize the collection and have other sectors like health. Most people in Mlolongo prefer going to Kitengela Medical or somewhere in Cabanas. We need to ask ourselves why they do not come to the dispensaries in Mlolongo or around Athi River. They will tell you there is no infrastructure and that is why we have taken the budget to improve the infrastructure so that we encourage investors and collect more money.

It is not about having few staff in the department of finance or the revenue collection. So I support, let that report be checked upon and recommendation come. In fact, we have the potential of collecting times three of what we collect. In fact, Hon. Kisila you should have stated about Ksh. 4 billion not Ksh. 3 billion because we have the potential. Visit our industries in Athi River and Mlolongo and you see how money gets off our hands. So it is high time that we check on those departments and we make sure that we maximize the collection of tax in Machakos so that we get what we need to get for the development of Machakos County. Thank you, Madam Speaker. I support.

Hon. Speaker: Thank you very much. Hon. Katiti, Hon. Kaloi and then we close this chapter at that point.

Hon. Boniface Katiti (Muthetheni, UDA): Thank you, Madam Speaker. More money does not equate to more people. More people does not equate to more money. We are at the age of automation, technology, so the best thing that we can do is to make our automation systems viable and available. Once you increase human capital it does not mean that you reduce the leakage that is there. So the best thing is to automate our accounting systems so that our staff

there can be accountable, be responsible for the collection of revenue that they get. Thank you. So I support the Statement.

Hon. Speaker: Thank you, Mheshimiwa Kaloi.

Hon. Jeremiah Kaloi (Athi River, WDM-K): Thank you, Madam Speaker. The Statement is coming at the right time and my request or my urge is this County can collect even as Mheshimiwa says more than the Ksh. 3 billion. The leakage is all over we can see them especially on the side of Mavoko sub-county. The loopholes, the leakage is all over. It is my suggestion that the department that collects revenue if possible the finance department should do an overhaul of all those people who are collecting the revenue in this County. Those are some measures.

The County can also tap more revenue. There are areas that I am sure if well looked like we have big ranches within the County. We are not sure if these ranches are paying revenue for these lands. So this County can collect more money we utilize the opportunity. We do the overhaul of the revenue officers and a thorough scrutiny and a good way of collecting money. We understand that there is a time there were so many paybill numbers, Mpesa numbers but now I think we should be looking at one central account whereby the whole money is being banked there. So I support the Statement and we will move the same way.

Hon. Speaker: Thank you, Hon. Member. Hon. Chair finance I can hear you have received tips how to collect this revenue and I hope you are going to put into practice. At this juncture I wish to commit that Statement to Finance and Revenue Collection Committee. I think we have given timeframe when to look at it. Thank you, Hon. Members.

COMPETITIVE TENDERING PROCESS ON SOURCING OF CLEANING SERVICES AT KANGUNDO LEVEL IV HOSPITAL

Hon. Speaker: May I invite Hon. Dickson Maundu, MCA Kangundo Central Ward to proceed and make his Statement?

Hon. Dickson Maundu (Kangundo Central, MCCP): Thank you, Madam Speaker. I have noticed in the Order Paper I was written as Dickson Maundu, MCA Tala Ward. I do not come from Tala I come from Kangundo.

Hon. Speaker: Members, you can make that correction on your Papers. Thank you.

Hon. Dickson Maundu (Kangundo Central, MCCP): Thank you, Madam Speaker. I want to make a statement on the cleaning services in Kangundo level 4 hospital.

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

Aware that Part 2(2)(a) and (c) of the Fourth Schedule to the Constitution of Kenya provides that the functions of the County government include County health services, including County health facilities and the promotion of primary health care;

Hon. Speaker, pursuant to the Standing Order No. 41 of the Assembly Standing Orders, I wish to seek a statement from the Chairperson of the Assembly Committee on Health and Emergency Services concerning the following matters: Whether Kangundo Level 4 Hospital duly conducted a competitive tendering process on sourcing of cleaning services;

Hon. Speaker: I am sorry for that proceed Hon. Dickson.

Hon. Dickson Maundu (Kangundo Central, MCCP):

What were the circumstances that warranted the single sourcing procedure of the cleaning services in the same facility?

Hon. Speaker: Thank you, Hon. Member. I hereby commit that statement to Health and Emergency Services Committee.

Hon. Vincent Mutie (Upper Kaewa/Iveti, WDM-K): Madam Speaker, since it has been committed to our committee I give a commitment that we will follow up the matter and respond to the issues raised. Definitely, we will leave no stone unturned until we get the right information.

(Applause)

Hon. Speaker: Thank you, Hon. Chair of the Committee of Health.

MOTIONS

APPROVAL OF REPORT ON STATUS OF BARABARA MASHINANI GRADING PROGRAM

Hon. Speaker: May I call upon Hon. Mbuva.

Hon. Mbili Ndawa (Matuu, MCCP): Hon. Speaker.

Hon. Speaker: Yes.

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

Hon. Speaker: Briefly.

Hon. Mbili Ndawa(Matuu, MCCP): Yes on the issue that is coming. I was of the opinion that since the report has been given to us I was proposing we be given time then we take it back to the House Business Committee for re-balloting then we debate next time.

Hon. Speaker: Maybe the concerned Member could make his statement. Hon. Mbuva; holding brief for Hon. Muoki *wa* Musila proceed.

Hon. Charles Mbuva (Kangundo West, GDDP): Thank you, Hon. Speaker I ones again

thank you for your Solomonic wisdom. You have continued to inspire the House with your wisdom.

(Applause)

Hon. Speaker: Thank you.

Hon. Charles Mbuva (Kangundo West, GDDP): A while ago you just made a good decision and even now you have done another one.

Hon. Speaker: Thank you. I hope there will be much Solomonic wisdom---

Hon. Charles Mbuva (Kangundo West, GDDP): We expect many more are on the way. Hon. Speaker, the Minority Leader would have done a shortcut by talking to me a while ago. It would have been shorter and easier. Altogether I do request Madam Speaker that I defer the tabling of this Motion to the next Order Paper. Please Madam Speaker I would want to prepare adequately to prepare it as expected.

(Laughter)

Hon. Speaker: Thank you.

(Applause)

Permission granted to have this paper deferred to the next Order Paper next time. Thank you, Hon. Mbuva.

Hon. Brian Kisila (Makutano/Mwala, MCCC): Madam Speaker, does it mean that Hon. Mbuva was not prepared adequately to come and present this report.

Hon. Speaker: I believe maybe emerging issues came up and he thought he should go back and prepare again. Thank you. For efficiency purposes.

ALTERATION OF CALENDAR OF THE ASSEMBLY

Hon. Speaker: May I invite Hon. Stephen Mwanthi, Deputy Speaker, MCA Ekalakala Ward to proceed and move the Motion.

Hon. Stephen Mwanthi (Ekalakala, WDM-K): Thank you, Hon. Speaker.

Hon. Speaker, that aware that the Assembly commenced its Second Session on 14th February, 2023;

Aware that the House approved an Assembly calendar for the Second Session on 14th March, 2023 pursuant to Standing Order 25(1);

Acknowledging that Standing Order 25(4) provides that the House may by resolution, alter its Calendar or adjournment date;

Aware that there is need to have members trained on the processing of County Integrated Development Plan and procedures of the House and later resume to consider critical business of the Assembly for effective delivery of service to the residents of the County;

Hon. Speaker, I wish to move the Motion that notwithstanding the resolutions of the Assembly made on 14th March, 2023 and pursuant to Standing Order 25(4), the Assembly resolves to alter its Calendar (Regular Sessions) for the Second Session of the Third Assembly to adjourn for short recess on Wednesday 15th March, 2023 and resume its regular sittings on Tuesday, 28th March, 2023 and that the Assembly Calendar (Regular Sessions) for the Second Session be altered accordingly.

I call upon Hon. Joshua Mwonga to second the Motion.

Hon. Speaker: Mheshimiwa Joshua Mwonga.

Hon. Joshua Mwonga (Masinga Central, MCCP): Thank you, Madam Speaker. I am a Member of the House Business Committee. I do second and say this is in order we are within our Standing Orders.

Hon. Speaker: Thank you, Hon. Member.

(Question proposed)

(Question put and agreed to)

ADJOURNMENT

Hon. Speaker: The House adjourns to Tuesday, 28th march, 2023 at 10.00 a.m.

The House rose at 4.03 p.m.