

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

**Wednesday, 20th December, 2017**

The House met at 10.24 a.m.

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

PRAYERS

**Hon. Speaker:** I am bowing to an empty House; what is happening members?

*(Laughter)*

This Christmas is taking people away. Let us start the last day of this session.

**COMMUNICATIONS FROM THE CHAIR**  
**PRIVILEGES OF MEMBERS**

**Hon. Speaker:** Hon. Members, under this Order Paper, I have some communication for the House. How I wished the House would be full but I do hope that those who are not here will get the message in one way or the other because it is going to affect all the members who are here, Members of this House.

The first communication is on privileges of members. Hon. Members, Parliaments the world over are Houses of procedure and traditions and practices have over the years been borrowed from one parliament to another for effective conduct of Members and House Business.

Article 117(2) of the Constitution of Kenya provides that, 'Parliament may, for the purpose of the orderly and effective discharge of the business of Parliament, provide for the powers, privileges and immunities of Parliament, its Committees, the Leader of the Majority Party, the Leader of the Minority Party, the Chairpersons of Committees and Members.'

Hon. Members, further, Article 196(3) of the Constitution provides that, 'Parliament shall enact legislation providing for the powers, privileges and immunities of County Assemblies, their committees and members.'

Hon. Members, Section 17 of the County Governments Act provides that, the national law regulating the powers and privileges of Parliament shall, with the necessary modifications, apply to County Assembly.

Hon. Members, pursuant to the provisions of Article 196(3) of the Constitution and Section 17 of the County Governments Act, the Parliament of Kenya enacted the County Assemblies Powers and Privileges Act No. 6 of 2017. This Act provide for the powers, privileges and immunities of County Assemblies, their Committees and Members and they make provision regulating admittance to and conduct within the precincts of County Assemblies.

Hon. Members, Section 16 of the County Assemblies Powers and Privileges Act, is of utmost importance in this communication. It provides that 'the Committee of Powers and Privileges may find a Member to be in breach of privilege if the Member does any of the following;

- i. Televises, broadcasts or transmits electronically House or Committee proceedings without permission of the Speaker or Chair of the Committee (sections 25)
- ii. Assaults, threatens, uses abusive language, obstructs, molests or insult any Member or Staff member of the Assembly (sections 26(1)). We may have to call somebody here and punish them because we are dealing with issues of disturbing the Assembly business and it is just happening behind us. Anyway---
- iii. Fails to honor invitations/ summons to a Committee of the Assembly or the House or fails to provide documents, information that is requested or gives misleading information (sections 27).
- iv. Refuses to obey the Orders of the Speaker issued under section 38 which include:-
  - (a) Appropriate dress code for members.
  - (b) Deductions for meals and refreshments at the canteen.
  - (c) Conduct of business in Committees and in the House

Hon. Members, I also draw your attention to Section 17(3) of County Assemblies Powers and Privileges Act, which provides the following; where a County Assembly finds that a Member has committed a breach of privileges by doing the ones which I have enumerated in the foregoing, the County Assembly may, in addition to any other penalty to which the Member may be liable under this Act or any other law including the penal code of Kenya, impose any of the following penalties:-

- i. A formal warning;
- ii. A reprimand;
- iii. An order to apologize to the County Assembly or a person in a manner to be recommended by the Committee of Powers and Privileges;
- iv. The withholding, for a specific period of time, of the member's right to the use or enjoyment of any specified facility provided to the Members;
- v. The removal or suspension of the member for a specified period from any a County Assembly position occupied by the Member;
- vi. Impose such fine in terms of the Member's monthly salary and allowances as the House might determine;
- vii. The suspension of the Member for such a period as the House may decide, whether or not the county assembly or any of its committees is scheduled to meet or sit during that period;
- viii. Vacation of the seat altogether pursuant to Articles 75(2)(b) and 194(1)(c) of the Constitution.

Hon. Members, your attention is further drawn to Section 17(4) of County Assemblies Powers and Privileges Act, which provides that, 'where a County Assembly finds a member has committed a breach of privilege, the County Assembly may, where appropriate, instead of or in

addition to the imposition of a penalty under subsection (3), refer the matter to the Director of Public Prosecutions for criminal prosecution.’

Hon. Members, I do request all the Members to go through the provisions of the County Assemblies Powers and Privileges Act carefully, familiarize yourselves with all the privileges that you have and at the same time familiarize yourselves with the conduct that constitutes a breach of those privileges.

Hon. Members, I have noted in the few days we have been here with lots of regrets that there is some deplorable conduct coming from some of you. Hon. Members, I felt that this is the right time to draw your attention to the conduct which is unbecoming and to the penalties which you are likely to suffer if you enter to such conduct.

Hon. Members, the Chair took time to observe the conduct, for the last three months and that is sufficient enough now to read to you the riot act. What that means is, you must enjoy the privileges you are given with responsibility. If you breach them, the Chair is not going to hesitate to take action against the member who is in offensive conduct, of course through this House. It is important as you go for your long recess to go and think about it, and then to read as much as you can so that when we come in the next session, you are not caught on the wrong side of the privilege law.

Hon. Members, I do ask that you remain truthful and honest to your calling, and you can only do so if you show the conduct of a Hon. Member. Remember you are being watched by the public; you may not know that even when we are here our business is being watched outside there and it is not going to be business as usual that members are going to be misbehaving in the precincts of the assembly, in the assembly and in committees.

That goes also members for your dressing; remember the gentlemen are required to be in ties throughout, if we are in committee meetings and if we are in the assembly in plenary. The House where it is sitting, even if it is under a tree you must respect. So, don't assume the privilege will be abused just because you are doing some report writing in Naivasha or Mombasa or wherever.

Wherever there is a business of the House you must behave, you must be well dressed for that purpose. The ladies have a wider choice but they need to dress appropriately. We do not want indecency in this House.

The other issue Hon members that goes with this, you will be able to look at the law itself, and read and I believe you find all the details. The office of the Speaker is open for every member any time for any member who wants clarification.

#### DECLARATION OF INCOME, ASSETS AND LIABILITIES

Hon. Members, the second communication from the Chair is on the declaration of income, assets and liabilities. You remember when you were sworn in, you were taken through some address by the EACC and you were asked to file your declarations, this is the final reminder, Hon. Members, the last day is today. If you don't submit your declaration of income, asset and liabilities there are penalties which can arise and I would want you to be saved from those penalties and please follow on the requirement before you go on the long recess.

#### RE-ESTABLISHMENT OF COMMITTEES

Hon. Members, the final communication is on this House's proposal to establish certain committees that had been deleted or removed by an amendment by the last assembly shortly

before it left its office. That issue, Hon. Members, has been brought to the Committee on Procedure and Rules that I chair and it is a matter that I am handling because in my estimation and the estimation of the committee it is necessary to re-look into our Standing Orders and amend appropriately.

That is not the only issue for amendment but there are other issues that we have noted in the three months we have been applying the Standing Orders that will need an amendment. and I wish to communicate to the House that come the next session, that is going to be the first business of the powers and rules committee so that the wishes of the Assembly are fulfilled and the assembly is enabled to serve the public better.

Hon. Members, that is the communication from the Chair. Thank you, Hon. Members. Mr. Clerk, proceed.

### **PAPER LAID**

#### **ADVISORY BY THE ATTORNEY GENERAL ON THE FORMATION OF THE COUNTY COMMITTEE AFTER A GENERAL ELECTION**

**Hon. Speaker:** Hon. Members, under this Order, we have one Paper as listed in the appendix by Hon. Muthoka.

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

**Hon. Speaker:** Hon. Muthoka, you are not supposed to address the House from that particular point, you are supposed to be at the position at the Table.

*(Hon. Muthoka moved to the Table)*

**Hon. Muthoka.** Okay, sorry. Madam Speaker, I wish to lay the following Paper on the table of the Assembly today Wednesday, 20th December, 2017; Justice and Legal affairs committee report on advisory by the Attorney General on the formation of the County Committee Member after a general election. Thank you, Madam Speaker.

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

### **NOTICE OF MOTION**

#### **ADVISORY BY THE ATTORNEY GENERAL ON THE FORMATION OF THE COUNTY EXECUTIVE COMMITTEE AFTER A GENERAL ELECTION**

**Hon. Speaker:** Hon. Members, under this Order we have one notice of motion by Hon. Muthoka.

**Hon. Muthoka:**

Madam Speaker, that aware that the Governor is mandated to appoint with approval of the County Assembly, the County Executive Committee in accordance with Article 179(2)(b) of the Constitution and aware that the Governor forwarded names of five nominees for approval by the County Assembly;

Further aware that the assembly did not approval the CECs for lack of qualifications in view of the provisions of Section 3 (3)(b),(c) and (d) of the County Governments Act, Sections 7, 8, 9 and 10 of the Public Appointments (County Assemblies Approval) Act, 2017 and Chapter Six of the Constitution; Madam Speaker, aware that three of the nominees were serving in the first County Executive Committee and have continued to serve after the approval hearings, the committee on Justice and Legal Affairs has found it unlawful for them to remain in office after their nomination was rejected by the County Assembly and aware that Section 42(2) of the County Governments Act provides that the county executive committee should be constituted within 21 days of the swearing in of Members of the County Assembly after a General Election; I wish to give the notice motion that this Hon. House discusses and approves the report on advisory by the Attorney General on the formation of the County Executive Committee after a general elections presented by the Justice and Legal Affairs Committee.

Thank you, Madam Speaker.

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

*(Applause)*

### MOTIONS

#### CONSERVATION OF KATUNGA FOREST

**Hon. Speaker:** Hon. Members, under this Order, we have two motions; first by Hon. Museku and the second one by Hon. Kieti.

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

Madam. Speaker, that aware that the locals in Mumbuni North Ward take care of trees in Katunga forest plantation which is managed by the Kenya Forest Service; Aware that the service does not extend any benefits to the local community as provided for under section 45(2)(f) of Forest Conservation and Management Act, 2017;

Noting that during the harvesting of the trees, the Kenya Forest Service contracts private contractors to harvest mature trees for timber and aware that none of the locals is awarded the contract;

Aware that this contributes to exploitation of the community that takes care of the trees;

Acknowledging that paragraph 10(b) of part 2 of the Fourth Schedule of the Constitution of Kenya, 2010 gives the County Governments the mandate of implementing specific National Government policies on Natural Resources and Environmental Conservation including forestry;

Aware that section 43(6) of the Forest Conservation and Management Act, 2017 provides that the Kenya Forest Service shall consider interest of local communities in the management of public forests;

Madam Speaker, I wish to move the motion that this House resolves that the Department of Environment commences discussion with the Kenya Forest

Service in-charge of Katunga forest with a view of ensuring the local community in Mumbuni North Ward are involved in the forest conservation programs from tree planting, nurturing and awarding contracts to harvest mature trees in Forest. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Museku. You have a seconder?

**Hon. Museku:** Yes, I would like to request the Hon. Margret to second the motion. Thank you.

**Hon. (Ms.) Mwikali:** Thank you, Madam Speaker. I wish to second strongly the motion by Hon. Museku on this very important aspect of our community.

Madam Speaker, natural resources, being a mandate of the county Government, it will be prudent for the natural resources to benefit our people. Natural resources are key to the well-being of our community and our people, therefore it is very important to involve them that they may own and be part of their own benefits and well-being. Therefore, I second the motion.

Thank you, Madam Speaker.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Museku and Hon. Margaret.

*(Question proposed)*

Hon. Members, the motion is open for debate. I expect the members of the Environment, Lands and natural resources committee; are they here? Hon. Kieti.

**Hon. Kieti:** Thank you, Madam Speaker. I stand to support the motion by Hon. Museku that the people of Mumbuni north who are neighbors to Katunga forest be involved in safeguarding and caring for the environment and at the same time they are beneficiaries when the mature trees are being harvested.

Noting that this forest acts as a catchment area for water for the people living within Mumbuni north and its environs, it is very important that the community is involved even when the harvesting of the trees is being done so that they can continue to protect and guard the forest from intruders or people who are likely to harvest the trees without the authority.

At the same time, when the community is involved in protection of the forest and also benefiting from the forest, they will be able to protect the catchment area and ensure that there is no encroachment to the forest because in the recent past we have seen trees being cut and the land is left bare and that is likely to cause a lot of soil erosion which was evidenced last year when the trees were cut. So, I support the motion that this community is involved in protection of the area and the benefits when the trees are being harvested.

Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon Kieti. Hon. Mueni.

**Hon. (Ms.) Mueni:** Thank you, Madam Speaker. I stand to support the motion. I ask the people who are cutting the trees, not to cut and when you cut one, you plant two so that the people there can benefit and when they are sold, the money to be returned back to the people and the Mheshimiwa to be watching that and to be making the youth to get employment from that forest.

Sometimes you get up in the morning you see the trees are cut, you don't know who has cut. So, it is very important for Mheshimiwa to know what is happening in his area, I think he sleeps at home every morning. Thank you, Madam Speaker.

*(Laughter)*

**Hon. Speaker:** Trust, Hon. Mueni, to bring some light moment to this house and we thank you very much Hon. Mueni for that.

*(Applause)*

We want further contributions. Hon. Mitaa.

**Hon. Mitaa:** Thank you, Madam Speaker. I stand to support the motion by Hon. Paul Museku, because it seeks empowerment for the locals and for the locals to have desire to take care of the forest. Not only in Mumbuni, but within our county people need to have a say on the resources within their reach.

So, I think it can be a source of income to the locals especially when it comes to harvesting of trees and if they can be empowered and given the opportunity or priority to undertake the issue of harvesting trees, I think it can also encourage them to take care of the resources within their reach. So, Madam Speaker, I stand to support the motion. Thank you.

**Hon. Speaker:** Thank you, Hon. Mitaa. I will come to that side Hon. Members. Hon. Jeremiah. Where is Hon. Steve Mwanthi?

**Hon. Munguti:** Thank you, Madam Speaker. I stand to support the motion brought by our Hon. Museku, this is a nice motion and I want to support it simply because within our county, we have very few forest and Katunga forest being one of them. Actually, I witnessed two years ago, the forest was deforested by our county government and those who were awarded the contracts did not belong to Mumbuni neither the people belong to Machakos.

So, it is prudent for this House to ensure that when the harvest comes, all the contracts are given to the locals, particularly from Mumbuni so that they may benefit from the harvesting of the forest. Also aware that we must conserve our forest so that at least we may conserve our environment.

Tree planting is one of the best things that we can have in this nation and for this matter, Katunga forest being one of our biggest forest we have in the county, I stand to support this motion so that when they harvest, immediately they harvest they are given the opportunity to plant other seedlings which will replace those which have been harvested so that at least we may conserve our environment.

Aware that the ozone layer has been affected due to industrialization, and when we plant trees they clear the carbon monoxide which is caused by our industries and therefore I stand to support this motion so that we can conserve our environment. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Jeremiah. Hon. Geoffrey.

**Hon. Kamulu:** Thank you, Madam Speaker. I start by thanking Hon. Museku for bringing this motion about Katunga forest. Katunga forest is not affecting Mumbuni area alone it neighbors many wards, Upper Kaewa being one of them, the other side is also affecting Machakos central, Kathiani central.

So., Madam Speaker, it is in order that we involve the community surrounding those areas actually to participate in conservation of the forest within the region. So, I support the fact that department of environment commences discussion between it and the forest so that the members can be involved in the same.

In fact, Madam Speaker, the relationship between the forest and the communities surrounding the region is not one of the best because the people have a lot of negativity as far as the forest is concerned, so this discussion will give an opportunity to the community to know the importance of conserving the forest.

One day when I was coming from Machakos, I found the forest officers impounding goats in that area; in fact, I had to get involved, but I thank them because they cooperated with me and they managed to release the goats which they had already confiscated. In fact, they fired bullets in the air so that they can disperse crowds there. The motor bike men had decided to say no that the goats should not go, but I thank them because we cooperated and they released them.

So, there is also need during that discussion they hold seminars or discussion between the community members within those areas so that they can work together, they can network and the foresters see the need, actually to consider the neighborhood so that they can work in good relationship.

Madam Speaker, there is also an issue of when they are exploiting the forest; they use the commercial people to sell the wood to them. They don't sell singly to the neighborhood. So it is also good that when they are selling in large numbers, they also sell to the individuals so that they can feel that they are part of what is happening in the forest.

So, Madam Speaker, actually there is need to have this cordial relation between the committee and the foresters so that they can involve the people within so that things are done well. So, I support the motion and thank my brother here for bringing the motion because it also ensure the people within my area also see that I am also doing something about their voice through my brother.

*(Applause)*

Thank you very much, Madam Speaker. Asante sana.

*(Laughter)*

**Hon. Speaker:** Hon. Members, as you continue in the debate, I draw your attention to the provisions of the Fourth Schedule of the constitution that is part 2 paragraph 10(b), so it is within your mandate to discuss matters relating to implementation of specific national government



policies on natural resources and environmental conservation including forestry; it is about forestry and then there is Article 69 of the constitution which requires that the state, and remember you are part of the state, must work to achieve and maintain a tree cover in Kenya of at least 10 per cent. The records that we have so far indicates that we may be somewhere around 2 per cent so we have a lot to do as a nation to increase the tree cover up to 10 per cent.

There was a time it was calculated during the late Hon. Michuki was minister for environment that each adult member, if we are to achieve this 10 per cent by 2030 on the vision 2010, each adult member is required to plant a number of trees and you are supposed to plant for your family also for the children who are just born, and for the very old ones who cannot plant trees.

So, all of us here have a duty not only to legislate and debate on the issue of improving that forest cover but also the actual planting of the trees. So, you are actually in the right direction. Can we have few more considerations on this motion? Hon. Alice.

**Hon. (Ms.) Nzioka:** Ahsante, Bi. Spika kwa kunipa hiyo nafasi. Nimesimama kuunga mkono msawaada ama hoja ambayo imeletwa na mheshimiwa Museku, kwamba mazungumzo yawekwe baina wizara ya mazingara na wizara ya misitu. Bi. Spika, kama vile ambavyo unavyojua, sehemu ambayo ina miti ama upanzi wa miti, Bi. Spika, tunapata hewa safi, tunapata pia mvua. Bi Spika, kuna umuhimu wananchi wa sehemu ya Mumbuni ya juu kuhusishwa ni kwa ajili kwenye huo msitu wakati kuna upanzi wa miti wapewe kipao mbele kwa maana upanzi ukiwa unaendelea wao ndiyo wanaweza kulinda huo msitu.

Bi. Spika, kama kuna rasilimali ambayo iko katika sehemu, wananchi katika sehemu hiyo wana sehemuya 90 kwa mia kuhusika ama kufaidika katika huo mradi. Bi. Spika, kama vile ambavyo unajua, kuna amri, ama sheria iliwekwa ukikata mti mmoja unapanda mbili. Wananchi sehemu hiyo wakihusishwa huo msitu utalindwa. Wakati ambavo kuna miti ambayo imekua inataka kuondolewa, pia wakihusishwa watapata vitu kama kuni, watapata pia miti ya ujenzi maana ni sehemu ambayo iko kwao.

Kwa hivyo Mheshimiwa Museku amekuwa na nia njema ni kwa ajili ya wananchi wa sehemu yake na pia tuangalie misitu yote ambayo iko katika Kaunti ya Machakos ili kulinda na kuhifadhi maana Bi Spika, tumekuwa na jangwa sehemu mbalimbali ni kwa ajili hatuna miti, maana sehemu ambayo kuna miti mvua hupatikana.

Bi. Spika, ukikumbuka miaka ya nyuma enzi zile ambazo tulikuwa na wabeberu kenya, kulikuwa wamelinda misitu, wamelinda miti na nchi yetu ilikuwa na rotuba. Bi Spika, ukiangalia nukta tatu ya sehemu ama nchi ya Kenya imekuwa ni jangwa na imekuwa ni shida kwetu kupata maji, kupata mchanga mzuri ambayo tunaweza kuza chakula.

Kwa hivyo, Bi. Spika, naunga mkono kusema mazungumzo yanapowekwa, wananchi wa wodi ya Mumbuni ya juu wapewe kipaombele ili kuzungumzia na pia kuweka mikakati mwafaka ambayo italinda msitu wa Katunga, maana ni msitu ambao hata enzi ya babu zetu ni msitu ulikuweko, na msitu ulisaidia sehemu ya Mumbuni.

Bi. Spika, sehemu ya Mumbuni ni kwa ajili ya huo msitu kulikuwa na maji unakuta visima, unakuta wamepanda nduma za kula, vitu kama mboga, sukuma utapata ziko huko lakini sasa Bi. Spika, ukitembea utakuta ni sehemu ambayo imekauka; ni kwa ajili ya miti kukatwa bila mpango. Kwa hivo akiwekwa, kitu ambacho ni chako ukijua ni chako utakilinda. Kwa hivyo ahsante Mheshimiwa Museku kuleta msawaada, tuungane pamoja kusaidia watu kutoka Mumbuni na Kaunti ya Machakos. Ahsante.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Alice. Hon. Francis Kalumu.

**Hon. Kalumu:** Thank you, Madam Speaker. I would like to start by congratulating Hon. Museku for this motion, because it reflects how the country is today there is a lot of iniquity and imbalances when it comes to giving back to the society. I wonder about how does it come that when you are planting you are involving me, when you are protecting until it matures you are involving me. When it comes at the time of harvesting, you don't involve me. Why?

I was the one who planted, who took care of it and now it has come that I am not in the harvesting. How do you motivate me to continue taking care of that forest? Madam Speaker, I find it very important for this motion to go through, because it will motivate the residents of Mumbuni and the surrounding wards, to be able to be motivated when they are given an opportunity to harvest when the trees matures.

Madam Speaker, it is like cooking food for a family and when you start serving you just serve the neighboring families you don't serve your own people. That one is improper; it is good for this House to resolve that each and every forest within the county of Machakos the residents surrounding that forest should be given an opportunity to harvest the trees when they mature.

So with those few remarks, Madam Speaker, I support 100 per cent that the residents of Mumbuni be given an opportunity to harvest the trees when they are mature. Thank you, Madam Speaker.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Francis Kalumu. Hon. Ndawa and allow me to congratulate you for graduating.

*(Applause)*

Hon. Members, it is something to be emulated. Hon. Ndawa even as he represents the public here ably is also improving his education and he graduated yesterday. Let us hear from the wisdom you gathered.

*(Laughter)*

**Hon. Ndawa:** Thank you so much, Madam Speaker. I stand here to support the motion on the following grounds. There is a policy in Kenya which says: if any organization or institution is making decision, those who are to be affected by the decision must be involved in the decision-making. So, what do I want to say; the people of Mumbuni North where we have Kwa Katunga forest are the people who are affected by the decisions which are made for that forest and should be involved in the decision-making and should be involved at the initial stages not at the final stages.

So, I support the motion and say that if it is possible let us have representatives of the community of Mumbuni in the board which manages that particular forest so that the residents of Mumbuni can own or can feel ownership of the forest.

The other issue is about another policy which says feed the nation then export. What does that mean? It means if we grow something here, before we export we have to make sure that the people in that locality are satisfied. We cannot export to other areas when we are starving. So, people of Mumbuni should be given the first priority, when the trees are harvested they should be given the opportunity to buy either timber, to buy firewood, or whatever they want to buy.

The other issue, Madam Speaker, there is what we call social cooperate responsibility. The people who manage the forest, should also give back to Mumbuni people. They should do some projects so that they can prove to the community of Mumbuni that they own that particular forest. Madam Speaker, this motion is very important and I believe this the high time this Hon. House should correct the mistakes which have been there before and set policies that should never be contravened by anyone.

So, I would also suggest the area member of the county assembly should also be part of the board which manages that particular forest so that he can also represent and he can have information what is happening in his ward. It is quite unfair to have boards in our wards and members of the county assembly who are the representatives of the people are not part of the board.

*(Applause)*

We need to ensure or to put a policy that any board within any ward the MCA of that particular area should be part of that board. Madam Speaker, I support the motion and I say there is no need of arguing much, because the motion is the best.

*(Applause)*

We know the benefits of trees there is what we call relief rainfall which is caused by trees and mountains. So, this forest is ensuring that we have enough rainfall in the area. So, we need to conserve it. There is what we call forest motto which says 'learn to conserve for a better tomorrow.' Madam Speaker, I support the motion. Thank you.

**Hon. Speaker:** Thank you, Hon. Ndawa. I call upon Hon. Museku, the mover of the motion to reply.

**Hon. Museku:** Thank you, Madam Speaker. First of all, I would like to thank my fellow Hon. Members of this House for supporting this noble motion in a very loud and a very clear manner. I think we all know as most of you have articulated the importance of trees, the importance of forests. Katunga forest is the main catchment area for water for this area. Katunga forest, if preserved, has enough water resources to be able to actually supply the entire Machakos town with water.

The only way we are going to preserve Katunga forest and ensure that it continues giving the benefits it should to its residents and the people of the county, is by ensuring that we get community buy-in. The people who guard this forest, the people who plant this forest, the people who live within these forest areas, we need to get their buy-in and how do we get their buy-in? You get their buy-in by ensuring that whatever benefits are being accrued from those trees or from those forests, they are direct beneficiaries.

The minute they start seeing people coming from outside the area benefiting from the trees, then you will definitely get conflict of interest between those people and the people who are supposed to be protecting the forest and the people around there. Therefore, I think Madam Speaker, all the Members who have spoken here have come out clearly on this issue and I would urge this House to pass this motion as you have all agreed on it to the great benefit to the people of Mumbuni North and also to the entire county. Thank you so much.

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

*(Question put and agreed to)*

Hon. Members the house has admitted the motion and it is committed to the committee on environment, lands, energy and natural resources to interrogate the motion and all the necessary documents and laws and to report to this House on or before the 20th March, 2018. Hon. Members, thank you.

*(Applause)*

*(Hon. Speaker left the Chair)*

*(Deputy Speaker [Hon. Museku] took the Chair)*

**Hon. Deputy Speaker:** Mr. Clerk, proceed.

#### MACHAKOS COUNTY ANNUAL DEVELOPMENT PLAN FOR 2018/2019

**Hon. Deputy Speaker:** Hon. Members, we have a motion by the Hon. Cosmas Kieti, chairperson trade, planning and industrialization committee. Hon. Kieti

**Hon. Kieti:** Thank you, Mr. Speaker.

Aware that every county shall prepare a development plan in accordance with Article 220(2) of the constitution of Kenya 2010;

Aware that the county executive committee member for planning shall not later than the 1st September in each year submit the development plan to the county assembly for approval and send a copy to the commission of revenue allocation at national treasury;

Aware that the Machakos County Annual Development Plan (ADP) for the financial year 2018/2019 was prepared pursuant to Public Finance Management act section 126 and submitted to the Assembly to the department of trade economic planning and industrialization on 19th October, 2017;

Aware that the trade planning and industrialization committee considered the Annual Development Plan and made recommendations;

Mr. Speaker, I wish to move the motion that this Hon. House discusses and approves the Machakos County Annual Development Plan for the financial year 2018/2019.

I call upon Hon. Johanna Munyao to second the motion.

**Hon. Munyao:** Thank you, Mr. Speaker. I stand to second the motion that this Hon. House discusses and approves the Machakos County Annual Development Plan for the financial year 2018/2019. Give that or rather acknowledging the fact that failure to plan is planning to fail; plan is the first stage of any implementation process.

When you plan you are able to question yourself on the amount of resources available in terms of time, material and the rest and you are able to know what is possible when and I therefore, I wish to acknowledge again the fact that the Annual Development Plan will guide the County towards a successful implementation of the programs which are set for the financial year 2018/2019.

I therefore wish to second that this Hon. House discusses and approves the Machakos County Annual Development Plan for the year 2018/2019. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you, Hon. Johanna. Hon. Kieti you may present the report. Mr. Speaker, the Annual Development Plan (ADP) for the FY 2018/2019 was prepared and submitted as per Section 126(2) Public Finance Management (PFM) Act, 2012 which requires the ADP reflect County government's priorities and plans and describes how the County government is responding to changes in financial and economic environment. The ADP should include programmes to be delivered and each programme should have details such as:-

- i. The strategic priorities to which the programme will contribute.
- ii. The services or goods to be provided.
- iii. Measurable indicators of performance where feasible.
- iv. The budget allocated to the programme.

Mr. Speaker, the Section 126 (2) of the PFM Act also requires that the ADP spells out payments to be made on behalf of the county government, including details of any grants, benefits and subsidies that are to be paid and to give a description of any significant capital development.

Further detailed description of proposals with respect to the development of physical, intellectual, human and other resources of the county including measurable indicators where those are feasible and a summary budget in the format required by regulations and any other matter required by the constitution should be included.

Mr. Speaker, the PFM Act Section 126 (3) requires the County Executive Committee member responsible for planning to submit the development plan to the county assembly for its approval and send a copy to the Commission on Revenue Allocation and the National Treasury.

Further, Section 126(4) of the PFM Act requires the County Executive Committee member responsible for planning to publish and publicize the ADP within seven days after its submission to the county assembly.

Mr. Speaker, the Annual Development Plan (ADP) was submitted to the County Assembly by the Department of Trade, Economic Planning and Industrialization on 19th October, 2017 and committed to the Committee on Trade, Economic Planning, Investment and Industrialization on 8th November, 2017.

*Mandate of the committee*

Mr. Speaker, the Committee on Trade, Economic Planning and Industrialization was established pursuant to the second schedule of the Machakos County Assembly Standing Orders with specific mandate on all matters related to economic planning, tourism, trade development, regulation including markets and outdoor advertising; trade licenses (excluding regulation of professions); fair trading practices and statistics; and all matters relating to the delineation and management of decentralized units, urban areas and municipalities.

#### *Committee composition*

Mr. Speaker, the members of the committee are as listed;

- |     |                       |                  |
|-----|-----------------------|------------------|
| 1.  | Hon. Cosmas Kieti     | Chairperson      |
| 2.  | Hon. Judas Ndawa      | Vice-chairperson |
| 3.  | Hon. Anastasia Mutuku | Member           |
| 4.  | Hon. Anthony Mulu     | “                |
| 5.  | Hon. Betty Nzioki     | “                |
| 6.  | Hon. Christine Koki   | “                |
| 7.  | Hon. Johana Munyao    | “                |
| 8.  | Hon. Josephat Kasyoki | “                |
| 9.  | Hon. Justus Katumo    | “                |
| 10. | Hon. Mark Muendo      | “                |
| 11. | Hon. Mohammed Ali     | “                |
| 12. | Hon. Peter Mutiso     | “                |
| 13. | Hon. Winfred Mutua    | “                |

#### *Committee observations*

Mr. Speaker, the Committee discussed and analyzed all the planned programmes by all the County Departments, the County Public Service Board and the County Assembly; and made the following observations;

#### *County Executive*

Madam Speaker, the County Executive has a mandate of supervising the administration and delivery of services in the county as well as the formulation and implementation of policies and their monitoring and evaluation. In the ADP highlights one main programme for the Department, namely;

- Co-ordination and supervisory services whose objective is to enhance effectiveness and efficiency in service delivery.

Under the main programme there are and two sub-programmes namely:-

- General administration and support services which is geared towards increasing efficiency and effectiveness of service delivery in the Department.
- Coordination and supervisory services across departments including research and baseline surveys reports with a view to increase efficiency in operations across the departments.

Mr. Speaker, the total projected budget estimates for the County Executive Department as highlighted in the 2018/2019 ADP is Ksh. 659,678,500.

*Department of public service, ICT and labour*

Mr. Speaker, the Department is tasked with providing leadership in Public Service Management, enhancing efficiency and productivity within the County Public Service, promoting accountability to facilitate delivery of results and development of County ICT infrastructure to facilitate communication.

Mr. Speaker, the programmes and projects for the Department of Public Service, Labour and ICT as indicated in the ADP are as follows:-

- General administration and support services for increased efficiency and effectiveness in service delivery within the Department.
- Information, Communication Services and ICT infrastructure whose key outputs are;
  - a) Enhance connectivity within Departments and sub-counties.
  - b) CCTV surveillance system in major towns
  - c) ICT strategy and policy documents
  - d) Business Systems implementation such as e-mail systems.
  - e) Support to e-government services.
  - f) Internet connectivity and Data centre.
- Training, Research and Development as a means of increasing human resource capacity.

Mr. Speaker, the total projected budget estimates for the Department of Public Service, Labour and ICT as indicated in the 2018/2019 ADP is Ksh. 1,000,000,000.

*Department of trade, economic planning, investment and, industrialization*

Mr. Speaker, the strategic objective of the Department is to establish a sustainable and vibrant business and investment environment, spearheading formulation and implementation of sound economic policies and the carrying out periodic monitoring and evaluation.

Madam Speaker, the Programmes for the Department of Trade, economic planning, investment and, industrialization indicated in the ADP are as follows:-

- General administration and support services for increased efficiency and effectiveness of service delivery in the Department.
- Trade development whose sub-programmes are;
  - a) Construction of Jua kali sheds,
  - b) Construction of office block.
  - c) Construction of toilet blocks in market centres.
  - d) Capacity building of youth and women groups through training on entrepreneurship and access to affirmative action funds such as Youth and UWEZO funds.
  - e) Trade development joint loans to SMES, and
  - f) Establishment of a Business Development and Investment Center.

- Industrial development whose sub-programmes are:
  - a) Industrial resource mapping, development of industrialization policies and master plan.
  - b) Construction of industrial park/factory in each sub-county.
  - c) Construction of fruit processing industry/factory.
  - d) Purchase of specialized equipment (stone crusher).
  - e) New Machakos City.
- Economic Planning and Statistical Services whose sub- programmes are:
  - a) Feasibility studies on major projects to be initiated.
  - b) Monitoring and evaluation of all county projects to increase their completion rate.
  - c) Periodic surveys to improve policy formulation and evidence-based planning.
- Grants transfer (Machakos Investment Promotion Board)

Mr. Speaker, the committee noted the following;

- a. The programme/priority listed as Grants transfer (Machakos Investment Promotion Board) did not show any outputs or performance indicators that would make the programme measurable despite having an allocation of Ksh. 50 Million.
- b. The committee also observed that capacity building of Youth and Women groups on UWEZO funds should be suspended as UWEZO fund was a national agenda.
- c. On issuance of loans to SMEs, it was not clear whether there was a legal framework for issuance of trade development joint loans issued to SMEs.

Mr. Speaker, the total projected budget estimates for the Department of Trade, economic planning, investment and, industrialization as indicated in the 2018/2019 ADP is Ksh. 600,000,000

#### *Department of finance and revenue management*

Mr. Speaker, the Department intends to improve on revenue collection, improve allocations of resources to various County departments and safeguard county assets. Mr. Speaker, the programmes for the Department of Finance and Revenue Management as indicated in the ADP are as follows:-

- Public Financial Management, under this programme whose main outcome is a transparent and accountable system for the management of public financial resources, the key sub-programmes are:
  - a) Resource mobilization aimed at increasing revenue source.
  - b) Budget formulation, coordination and implementation.
  - c) Supply chain management services.
  - d) Accounts services through maintenance of books of accounts and preparation of financial reports.
  - e) Audit services.



- Human resource management and support services – the expected outcome for this programme is efficiency and effectiveness in the execution of the Departments’ mandate.
- Capital grant (Ward Development Fund)

Mr. Speaker, the total projected budget estimates for the Department of Finance and Revenue Management as indicated in the 2018/2019 ADP is Ksh. 1,249,942,443.45

*Department of decentralized units and county administration*

Mr. Speaker, the Department is composed of two Departments namely: Department of Decentralized Units and County Administration and that of Environment and solid waste management. The mandate of the Department is provision of efficient and effective service delivery to the people of Machakos, management of liquid and solid waste and provision of affordable energy and the maintenance of law and order.

Mr. Speaker, the programmes for the Department of Decentralized Units and County Administration as indicated in the ADP are as follows:-

- General administration and support services with human resource management and support services as the main sub-programme.
- Administration of field services with the key outputs being improvement in the implementation of government policies, participation of the public on matters of Government policy and complementing of national security organs in the protection of life and property.
- Solid and liquid waste management through the provision of efficient and economical refuse collection and disposal services.
- Hygiene and sanitation through construction of modern toilets in every town and market.
- Security Services with the main sub-programmes being;
  - a) Boosting police presence in the County through provision of fueled patrol vehicles,
  - b) Implementation of the Nyumba Kumi initiative in partnership with the national administration.
  - c) Setting up of Machakos Forensic Centre through public-private partnership (PPP) with a University.
- Inspectorate with the main sub-programme being training of Inspectorate officers.
- Dog Unit: the main sub-programme being training of dogs.

Mr. Speaker, the committee observed that the programme on forensic unit was not a priority to the County and should not be funded. Members also observed that the County had trained inspectorate officers previously and therefore minimal funding was needed.

Further, the committee observed that disposal of County dogs had been recommended in the ADP for 2016/2017 and was concerned why the programme had been included. Mr. Speaker, the total projected budget estimates for the Department of Decentralized Units and County Administration as indicated in the 2018/2019 ADP is Ksh. 1,121,254,106

**Hon. Deputy Speaker:** Point of order.

**Hon. Ndawa:** Thank you, Mr. Speaker. I want to draw the attention of the Chairman that figures he is giving is not true. It is Ksh. 121,254,106. You said Ksh. 1 billion and some thousands and you forgot the millions. Thank you, Sir.

**Hon. Deputy Speaker:** Thank you, Hon. Ndawa. The correction is noted.

**Hon. Kieti:** Thank you Hon. Ndawa. He is also my vice-chairman. So it is good that you are noting and you are assisting me. So it is Ksh. 1,121,254,106. Thank you for the correction.

*Department of agriculture, livestock, fisheries, water and irrigation*

Mr. Speaker, the Department is further divided up of two Departments namely: Department of Agriculture, Livestock and Fisheries and Water and Irrigation. The Department plans to ensure food security and incomes; advanced agro-based industries and agricultural exports; and enhance sustainable use of land and water resources as a basis for agricultural enterprises, ensure adequate and reliable supply of water and sewerage services, irrigation development and water storage.

Mr. Speaker, the programmes for the Department of Agriculture, Livestock, Fisheries, Water and Irrigation indicated in the ADP are as follows:-

- General administration and support services whose sub-programme are;
  - a) General administration and support services; human resource support services (administration) Department of Agriculture, Livestock and Fisheries.
  - b) General administration and support services; human resource support services (administration) Department of water and irrigation.
- Crop development and management programme whose key output will be to increase crop productivity through free tractors, seeds, and fertilizers.
- Livestock resources management and development programme with the key output being increased livestock productivity through indigenous chicken projects, dairy and general extension services.
- Fisheries development key output being the increase in fish production.
- Veterinary services whose key output will be healthy livestock, high quality and safe livestock products.
- Agriculture training center programme whose key output will be to build the capacity of farmers.

Mr. Speaker, the programmes for the Department of water and irrigation are---

**Hon. Deputy Speaker:** Hon. Mueni, what is your point of information?

**Hon. (Ms.) Mueni:** Mr. Speaker, I think this is a very important report and we are not having quorum and I think members are having the Christmas fever so I don't know whether it is important to continue reading of the report to chairs where there are no members. So, I think you can check on that, Mr. Speaker.

**Hon. Deputy Speaker:** Hon. Mueni, I think the House has quorum and that is the reason why we are going on. Continue, Hon. Kieti.

**Hon. Kieti:** Thank you, Mr. Speaker. I wish to continue. Mr. Speaker, the programme for water and irrigation are;

- Water supply and sewerage whose sub-programmes include;
  - a) Sewerage system and sanitation management.
  - b) Management of water supplies.
  
- Water resources and storage management whose sub-programmes are;
  - a) Water harvesting programme.
  - b) Management of water sources.
  
- Development and promotion of irrigation schemes whose sub-programme is rehabilitation and expansion of existing canals, irrigation schemes and development of new ones. With the key output being working irrigation schemes in the entire county.

Mr. Speaker, The total projected budget estimates for the Department of Agriculture, Livestock, Fisheries, Water and Irrigation as indicated in the 2018/2019 ADP is Ksh. 999,250,000.

*Department of health, environment and emergency services*

Mr. Speaker, the Department plans to improve accessibility to health care services with key emphasis being laid on preventative and promotive health through disease control services, family health services and environmental health and sanitation. Mr. Speaker, the programmes for the Department of Health, Environment and Emergency Services indicated in the ADP are as follows:-

- Curative and rehabilitative services whose key output is access to quality, efficient and effective medical services.
- Promotive and preventive services with the key outputs being elimination as well as reversal of communicable conditions, environmental health and sanitation, and quality assurance.
- Emergence services through timely response to emergencies.
- General administration and planning whose key output is improved quality of healthcare services, reduce waste time and client complaints and motivate health workers.
- Environment Management whose objective is realization of a sustainably managed environment and natural resources.

Mr. Speaker, the committee observed that the programme on Environment management which is under this Department had no documented expected outputs or indicators and no funds were allocated to this programme in the Annual development plan.

The committee further noted that most of the ambulances had stalled and as such there was no need for more ambulance operators and paramedics but rather the allocation of funds for maintenance of the existing ones.

Mr. Speaker, the total projected budget estimates for the Department of Health, Environment and Emergency Services as indicated in the 2018/2019 ADP is Ksh. 3,687,119,268.

*Department of roads, transport, public works and housing*

Mr. Speaker, the Department is responsible for the construction and maintenance of roads, educational and health facilities and general buildings. This is aimed at providing quality infrastructure, housing and efficient transport services to support social-economic activities within the County.

Mr. Speaker, the programmes for the Department of Roads, Transport, Public Works and Housing as indicated in the ADP are as follows:-

- General administration and support services whose sub-programmes are support services and human resource administration aimed at increasing efficiency of service delivery in the Department.
- Road development, maintenance and management programme whose objective is to expand, rehabilitate and maintain the road network in addition to building capacity for road construction. The sub-programmes here include;
  - a) Grading of rural access roads aimed at making County roads accessible.
  - b) Improvement of road drainage infrastructure through (Kenya Roads Board) KRB funding.
  - c) Upgrading of selected County roads to tarmac standards.
  - d) Road maintenance unit (RMU) through KRB standards of pothole patching.
- Housing development and human settlement programme whose objective is to facilitate the production of decent and affordable housing in both urban and rural areas. Sub-programmes include;
  - a) Housing development through developing of Government housing units.
  - b) Refurbishment and maintenance of County Houses.
- County Government Building for provision of services delivery through refurbishment of existing County buildings and development of a Sessional Paper on integrated County development policy framework, guidelines and information on zoning, urban planning and building as well as the establishment of a development approval unit.
- County fleet management through development and implementation of a transport policy, repair and maintenance programme through functional garages and installation of car tracking systems for all fleet.

Mr. Speaker, the committee observed that the programme on Housing Development and Human Settlement was not a priority and would have little impact to the public and called on its suspension since resources were scarce.

Mr. Speaker, The total projected budget estimates for the Department of Roads, Transport, Public Works and Housing as indicated in the 2018/2019 ADP is Ksh. 732,718,864.

*Department of education, youth and social services*

Mr. Speaker, the Department is responsible for the access to childhood education, empowerment of youth and the provision of social support to the less fortunate in the County. It is intended that will be done through imparting of pertinent skills, sensitization, identification and nurturing of talent among the youth and the enhancement of basic education.

Mr. Speaker, the programmes for the Department of Education, Youth and Social Services as indicated in the ADP are as follows:-

- General administration and Planning whose main sub-programme is support services aimed at increasing efficiency in service delivery within the Department.
- Basic education and village polytechnics (vocational centers) the main sub-programme here is educational support services with the key outputs being;
  - a) Increased access, enrolment and retention rate.
  - b) Attainment of the required teacher child ratio.
  - c) Increased awareness on early childhood development.
  - d) Increased education facilities.
  - e) Facilitation of county education forums.
  - f) Provisions and facilitation of trial examinations.
  - g) Increased access to vocational training.
- Youth Development Services – Youth empowerment being the main sub-programme with the following key outputs;
  - a) Reduced unemployment and establishment of Machakos youth fund.
  - b) Equipping of ICT centres/Libraries at youth centres.
  - c) Youth polytechnics management.
  - d) Identification and development of talent among youth.
- Gender and Social Development – the main sub-programme here is empowerment of vulnerable groups. This will be done through establishment of a database for Persons with Disabilities (PWD), the Elderly, Childcare and HIV/Aids welfare programmes---

**Hon. Mitaa:** Point of order, Mr. Speaker.

**Hon. Deputy Speaker:** What is the point of order?

**Hon. Mitaa:** Mr. Speaker, Sir, I stand under Standing Order 27. Aware that Standing Order 27(2) provides that business shall be interrupted at 12.30 p.m. on the occasion of a morning sitting. Aware that Standing Order 27(3)(a) provides the House may extend sitting time and aware that a motion to extend time shall be moved 30 minutes before the appointed time of adjournment, Mr. Speaker, I wish to move a motion that the House resolves to extend the time of sitting until business is concluded. I beg Hon. Masesi to second my motion.

**Hon. Masesi:** Thank you, Mr. Speaker. I stand to second that the House extends its sitting until the business of the House is through. The report is crucial and it is good for this House to go through this report and make the conclusion. Thank you.

*(Question put and agreed to)*

**Hon. Deputy Speaker:** Continue Hon. Kieti.

**Hon. Kieti:** Thank you, Mr. Speaker. We were in the last bullet.

- Bursary allocation. The Department intends to award Ksh. 5 Million in each of the Forty (40) wards.

Members observed that there was no provision for the establishment of a Board and an operational account for Persons with disabilities as provided for in Section 4 of the Machakos County Persons with Disabilities Act, 2016

Mr. Speaker, The total projected budget estimates for the Department of Education, Youth and Social Services as indicated in the 2018/2019 ADP is Ksh. 1,129,760,000.

*Department of land, urban development, energy and natural resources*

Mr. Speaker, the mandate of this Department is to enhance sustainable use of land, management of energy and natural resources in the County.

Mr. Speaker, the Department comprises of;

1. Lands and Urban Development.
2. Energy and Natural Resources.

The programmes in the Department as indicated in the ADP are as follows:-

- General administration and support services whose sub-programme are;
  - a) General administration and support services; human resource support services (administration) in the Department of Lands and Urban Development
  - b) General administration and support services; human resource support services (administration) in the area of Energy and Natural Resources
- Land policy and planning, whose main sub-programme is Land acquisition aimed at ensuring availability of raw materials and land for County projects.
- Urban planning and Development, the sub-programme here is Urban planning with key outputs being; controlled development, improvement of county revenue collection, planning and development of 13 markets, preparation of zoning plans for Ekalakala, Katangi, Kithyoko, Masii, Kitanga, Kathiani, Tala, Mavoko; approval of Chumbi plan, reviewing and approval of Matuu and Mlolongo towns.
- County electrification with key outputs here being enhancement of power supply and distribution towards a 24-hour business environment, increased well lit streets/roads and markets aimed at enhanced security and improvement of capacity to light-up homes and schools.

- Conservation and natural resources; the sub-programme here is the rehabilitation of degraded rivers and water conservation with the key outputs being improved conservation of natural resources so as to safe guard the ecology, protection of rivers, improvement of water retention and water harvesting for domestic use.
- Afforestation whose key output is increased tree cover from the current percentage of 3.3 per cent to 6.7 per cent, procure and distribute 3000 tree seedlings, introduce sustainable income generating programmes for vulnerable groups.

Mr. Speaker, The total projected budget estimates for the Department of Land, Urban Development, Energy and Natural Resources as indicated in the 2018/2019 ADP is Ksh. 1,162,874,449.

*Department of tourism, sports, culture, cooperative development and marketing*

Mr. Speaker, the Department is tasked with the promotion of culture, sports development and posterity of the county. It intends to do this through prioritizing international and domestic tourism, tourism product divergence and standardization, drug and substance control, sports development, infrastructure development for production of film art and music, and the promotion of cooperative development and marketing.

Mr. Speaker, the programmes for the Department of Tourism, Sports, Culture, Cooperative Development and Marketing as indicated in the ADP are as follows:-

- General administration and planning the main objective here is effective formulation and implementation of policies within the Department through the following sub-programmes;
  - a) Team building and training activities.
  - b) Purchase of power generator and housing.
  - c) Office extension.
  - d) Car park sheds and cabro for ample parking for staff and visitors.
  - e) Office renovations by well-maintained offices and compound
  - f) Rain water harvesting.
  - g) Expansion of Department fleet through acquisition of double cabin pick-up truck.
- Heritage and culture whose sub-programmes are;
  - a) Cultural festivals heritage and Culture activities aimed at preservation and promotion of the Kamba culture.
  - b) KICOSCA (Kenya inter-county sports competition)
  - c) Celebration of National days.
  - d) Support to community groups
  - e) Construction of cultural centres.
- Management of recreational facilities - Sports whose sub-programmes are:
  - a) Management and development of sports facilities by construction of a sports academy.
  - b) Talent search as means of providing opportunities to youth in the field of sports.

- c) Provision of sports kits to youth groups.
  - d) Promotion of sports through awareness creation.
  - e) Maintenance and improvement of existing sports facilities.
  - f) Sports officials training and conferences.
- Liquor management through sensitization of the society on sustainable management of alcohol use and adverse effects on drug abuse.
  - Law enforcement and licensing alcohol manufacturers, distribution and sellers.
  - Tourism development and marketing whose sub-programmes are;
    - a) Tourism/recreational developing and marketing through diversifying tourism attraction in the County, publicizing tourist sites and areas in magazines, guide books and websites.
    - b) Holding annual expos and exhibitions as means of showcasing tourism potential within the County.
    - c) Holding beauty pageants.
    - d) Holding Machakos fashion week.
    - e) Sports tourism events.
    - f) Construction and rehabilitation of monuments, sites and curio outlets.
  - Management of recreational facilities – Parks sub-programmes here being;
    - a) Machakos People’s Park maintenance and development.
    - b) Completion of VIP Section structures and roundabout near the Machakos People’s Park.
    - c) Completion of amphitheatre and increase in sewerage holding capacity at the Machakos People’s Park.
    - d) Completion of storm water drainage and construction of swimming pool, basketball court and lawn tennis court at the Machakos People’s Park.
    - e) Construction of the Katangi people’s park.
  - Entertainment – this will be done by carrying out projects such as nurturing and supporting audio and video art groups and talents, construction of office block, studio, godown and perimeter fence and installation of furniture, fitting and video/audio recording infrastructure.
  - Beautification - this will be done through planting trees and flowers, clearing bushes along roads and major highways in the County, and construction of monuments and rehabilitation of existing ones and the erection of signage and billboards.
  - Co-operative development and Marketing whose main objective is promotion of cooperative movement activities and growth within the County.

Mr. Speaker, the committee observed that the Department did not outline the key outputs and performance indicators for Cooperative development and marketing. Mr. Speaker, the total projected budget estimates for the Department of Tourism, Sports, Culture, Cooperative Development and Marketing as indicated in the 2018/2019 ADP is Ksh. 753,550,000.

*County Public Service Board*



Mr. Speaker, the County Public Service Board as provided for under Section 59 of the County Governments Act, 2012 is responsible for the provision of competitive human resource that serves the needs of the County.

Mr. Speaker, the programmes for the County Public Service Board as indicated in the ADP are as follows:-

- General administration and planning aimed at increasing operational efficiency and coordination in the entire Department.
- Human resource administration with key outputs being; management of human resource, comprehensive human resource audit and creation of a job portal.
- Construction and civil works for office block, toilet and parking shed.
- Purchase of generator.
- Purchase of an office van.

Mr. Speaker, The total projected budget estimates for the County Public Service Board as indicated in the 2018/2019 ADP is Ksh. 125,567,617.

#### *County Assembly*

Mr. Speaker, the legislative authority of the County is vested and exercised by the County Assembly. Key objectives of the County Assembly are; to provide oversight over the County executive, provide facilities for Members of the County Assembly to effectively carry out representational function and develop a legislative agenda for the County while enabling the public and stakeholders to own the legislative process.

Mr. Speaker, programmes for the County Assembly as indicated in the ADP are as follows:-

- General administration and planning aimed at increased operational efficiency and coordination of the County Assembly activities.
- Legislation and oversight; enactment of laws and ensuring improved service delivery by the County government.

The Sub-programmes include;

- a) HR, Administration and coordination services.
- b) Financial management services.
- c) Legislative services.
- d) Development projects.
- e) Other transfers.

Mr. Speaker, the total projected budget estimates for the County Assembly as indicated in the 2018/2019 ADP is Ksh. 1,085,177,202.

*(Applause)*

#### *General observations*

The committee observed that the sum total of the ADP summary as submitted is Ksh. 13,307,392,449.85 while the actual estimated total county budget as analyzed by the committee is Ksh. 14,365,392,449.65.

Mr. Speaker, from the committee's scrutiny, the summation of the Department of Public Service, Labour and ICT is erroneously entered as Ksh. 1,000,000 instead of Ksh. 1,000,000,000. While in the Department of Trade, Economic Planning, Investment and Industrialization, the summation is Ksh. 600,000,000 instead of Ksh. 650,000,000. In the Department of Tourism, Sports, Culture, Cooperative Development and Marketing, the summation is Ksh. 753,550,000 instead of Ksh. 762,550,000.

### *Recommendations*

Mr. Speaker, the Committee makes the following recommendations for the amendment of the Annual Development Plan 2018/2019;

1. The Executive should adhere to the ceiling of Ksh. 585,926,041 set by the Commission on Revenue Allocation (CRA) and reduce its figure from Ksh. 659,678,500.
2. The Department of Trade, Economic Planning, Investment and Industrialization should;
  - a. Have a legal or policy framework before loans are issued to small and medium size enterprises (SMEs) and youth.
  - b. The Department should utilize the information gathered from periodic studies and surveys done so far before asking for further funds.
  - c. Delete programmes/ sub-programmes on:
    - i. Construction of toilet blocks in market centres which are duplicated as a programme under the Department of Decentralized units.
    - ii. Capacity building of youth and women groups on access to UWEZO funds.
    - iii. Trade development joint loans.
    - iv. New Machakos City.
3. The Department of Decentralized Units and County Administration should;
  - a. Delete sub-programme 5.3 on Machakos Forensic Centre as it was not a priority to the County citizens.
  - b. Programme 6 on training should have minimal funding since Inspectorate officers have been trained in the previous financial years.
  - c. Delete programme 7 on the dog unit since the unit was scrapped during interrogation of the 2016/2017 ADP and is non-existent.
  - d. Consolidate funds allocated for construction of toilets in the Department of trade, that is Ksh. 40 million and Department of Decentralized, Ksh. 100 million, to one kitty.
4. The Department of Agriculture, Livestock, Fisheries, Water and Irrigation had several activities under one programme and this made implementation difficult. The committee recommends that the Department prioritizes few activities which are implementable and sustainable.
5. The Department of Health, Environment and Emergency Services under support services should suspend recruitment of 40 ambulance operators and 40 paramedics.

6. In the Department of Roads, Transport, Public Works and Housing the committee recommended of programme 3.1 on Housing development to be deleted as it was not a priority in the County.
7. In the Department of Education, Youth and Social Services the committee noted that there were several performance indicators per programme and this led to none implementation of key projects such as equipping of polytechnics. The committee recommended the following:-
  - a. Under programme 2.1 the Department to undertake employment of ECDE teachers and construction of ECDE classes in the Wards which do not have classes and equip them.
  - b. Under programme 3.1, the Department should undertake rehabilitation and equipping of polytechnics only.
  - c. The Programme 4 Gender and Social development sub-programme 4.1 on empowerment of vulnerable groups, the Ksh. 150 million should be provided for the establishment and operationalization of a Board for persons with disabilities and also the opening of a functional account for the people with disabilities.
8. In the Department of Land, Urban Development, Energy and Natural Resources, the Committee noted that the programme on afforestation should have minimal funding. The Department should partner with other institutions such as schools and churches to undertake afforestation and also encourage corporate social responsibility which would ensure sustainability and the effective monitoring of the afforestation projects.
9.
  - a) For the Department of Tourism, Sports and Culture, the committee recommends Minimal funding for the following sub-programmes:-
    - i. Cultural festivals, heritage and cultural activities.
    - ii. Construction of cultural centres.
    - iii. Provision of sports kit.
    - iv. Promotion of sports, maintenance and improvement of sports facilities.
    - v. Sports officials training and conferences.
    - vi. Beauty pageants.
    - vii. Machakos Fashion Week.
    - viii. Completion of VIP Section structures.
      - ix. Completion of office block, studios, go down and perimeter fence and installation of furniture, fittings and video/audio infrastructure for recording and performances
    - x. Annual talent search and nurturing events.
    - xi. Construction of monuments and rehabilitation of existing ones, erection of signage and billboards. Talent search at approximately Ksh. 10 million as opposed to Ksh. 45 million.
    - xii. Monuments and curio outlets.
    - xiii. Completion of roundabout near the Machakos People's Park at about Ksh.1 million.

- b) Funding for Sub-programme on Kenya Inter-county Sports Competition (KICOSCA) should be increased to Ksh. 20 Million from the current allocation of Ksh. 12 Million.
10. On Cooperative Development and Marketing Department, the committee noted that an allocation of Ksh. 25 Million was made without any documentation on expected key outputs as well performance indicators. It is therefore the committee's recommendation that the operations of this Department be reviewed with a view to document activities and programmes that will be measurable and therefore warrant allocation of funds.
11. The committee observed that Departments had reported various achievements in the previous financial years. Sectoral committees should look at the Departments they oversight on with a view to ascertain whether what is reported is the true position on the ground.

### *Conclusion*

Mr. Speaker, an ADP is a crucial working tool for the County Government and is a requirement for funds to be released by the National Government. The Machakos Annual Development Plan 2018/2019 will sufficiently guide this County towards the path of success if implemented exactly the way it is on paper.

Mr. Speaker, the committee on Trade, Planning, Investment and Industrialization will in the financial year 2018/2019 unlike previous years and in collaboration with the Budget and Appropriation committee follow through the budget making process to monitor and ascertain that programmes and projects identified during the Annual development planning stage are included in subsequent budget policy papers such as the County fiscal strategy paper and on the Budget itself.

Likewise, I call upon all committees to study their respective Sections and try to match the programmes with the budget they shall be interrogating soon. Mr. Speaker, it is therefore my privilege, on behalf of the Trade, Planning, Investment and Industrialization Committee, to table the report on Annual Development Plan 2018/2019 financial year to this Hon. House and recommend for its approval. A summary of the revised budget estimates is attached for ease of reference.

Thank you, Mr. Speaker.

*(Applause)*

**Hon. Deputy Speaker:** Thank you, Hon. Kieti, the Chairperson, Committee on Trade, Economic Planning and Industrialization. I would like you to get somebody to second you on adoption of this report before it is debated.

**Hon. Kieti:** Thank you, Mr. Speaker. I call upon Hon. Ndawa to second the report.

**Hon. Ndawa:** Thank you, Mr. Speaker. I stand to second the adoption of the report that has been tabled by Hon. Kieti. Thank you.

**Hon. Deputy Speaker:** Thank you, very much Hon. Kieti and Hon. Ndawa.

*(Question proposed)*

The floor is open for discussion. Hon. Kalumu.

**Hon. Kalumu:** Thank you, Mr. Speaker. I would like to first commend for the good work the Chairman has done but before we adopt this ADP, I would like to point out some few issues which were left behind. If you can remember very well the opening speech of His Excellency the Governor of Machakos mentioned some few issues which touched on the development of Machakos County which I did not see them here and I would beg if there is something that can be done, they be included.

One is on the Department of Lands, I did not see anything concerning the adjudication of land and issuing of titles to the residents of Machakos County. Because that is one factor which us missing in our County. When you issue title deeds to the residents of Machakos you will have empowered them to go to the bank and be given loans and start business and support their families. That way, we will start fighting poverty.

The other one I did not see is on the Department of Transport and Roads. We all agree that our roads are very crucial and they are in a very poor state but I did not see any allocation for construction of drifts and some bridges in our areas, in our Wards, I did not see that allocation and anything concerning. It is my prayer that it is included.

Another thing that I noted is, just a moment, I did not hear anything to do with the.....although it was in the recommendation, construction of new polytechnics and equipping of the existing ones to a modern state. Mr. Speaker, the ADP is very clear and when we forget some issues, we can include them.....I do not know whether we can include them in the existing.....when the year is running, maybe I just wanted to see whether those ones, Mr. Chairman maybe I have made a mistake or those ones you had taken care of.

Maybe you can inform the House through the Chair whether those which I have recommended were already taken care of. Thank you, Mr. Speaker.

**Hon. Speaker:** Hon. Mitaa.

**Hon. Mitaa:** Thank you, Mr. Speaker, I wish to thank the Chairman, Hon. Cosmas Kieti and the Trade, Planning and Industrialization Committee for the job they have done so far. Well, I think being the first assignment we must congratulate them for they have managed to achieve. However Mr. Speaker, I think, I would have suggested if Hon. Members would be given opportunity to interrogate this report.

*(Applause)*

To be given time to go through the report because yes they have read for us and if we pass it, some things we might not have seen them now and I do not know whether we will have another opportunity to interrogate the report again if we pass. I do not know the implications of us adopting the report as it is at this moment because some recommendations like I have seen under health, they have talked about health, number 5, the Department of Health, Environment and Emergency Services and a support service should suspense recruitment of 40 ambulance operators and 40 paramedics.

I think they would have gone further and said, instead of this we purchase modern ambulances because actually the ambulances we have right now, they are lifesaving, I do not know how, I am not good in that Department but they can only transport patients but we need ambulances with the equipment, fully equipped like a moving ICU; equipped and in case of emergencies they can offer and the staff in those ambulances they can save lives. Again, Mr. Speaker---

**Hon. Deputy Speaker:** You are rising on a point of order or point of correction?

**Hon. Mitaa:** I think the Member has not decided what she wants to say.

**Hon. Deputy Speaker:** Okay.

**Hon. Mitaa:** I can wind up, I can wind up....I am almost winding up---

**Hon. Deputy Speaker:** Hon. Mitaa, let me just hear what Hon. Constance has to say. Hon. Constance.

**Hon. (Ms.) C. Nzioki:** Thank you, Mr. Speaker. I think the Hon. Member is not aware that the ambulances are equipped even to the nurses and the Clinical Officers. Thank you.

**Hon. Deputy Speaker:** Point of information Hon. Mueni.

**Hon. (Ms.) Mueni:** Thank you, Mr. Speaker. For us we are not debating about whether the ambulances are better or not. What we are saying is that we make the County of Machakos better if this motion is passed. So, I do not know whether the Member was aware of what she is saying. We do not care whether she knows how the ambulances are.

**Hon. Deputy Speaker:** Hon. Mueni, I think everything that we discuss here matters, I believe what you are saying is that we continue with the discussion and we cannot ignore what the Hon. Member has said. She has said that the ambulances are equipped and I think it is up to the Hon. Member who was given that information to comment on it. Hon. Mitaa, please go ahead.

**Hon. Mitaa:** Thank you, Mr. Speaker. I would request Hon. Members to avoid wastage of time and respect others opinions. I am not here to attack any one. Again the report is also not recommending; since this budgeted issue, where we have reduced, I think we need to be told we have other needy Departments which I think they have been underfunded like the department of agriculture.

I think what I have read as I have been given, it is too little; so I wish they would recommend somewhere, where they feel like we do not need to prioritize the funds, I think they would have also recommended that another department which has more needs or stressing needs might be given the funds.

So, Hon. Speaker, Sir, I wish to request, okay, I might not have another opportunity to talk, but I wish to request that we have more time with this report, we go through it, so that we understand it better. It is my prayer. Thank you, Mr. Speaker.

*(Applause)*

**Hon. Deputy Speaker:** I will come back to this side. Hon. Kisini.

**Hon. Kisini:** Thank you, Mr. Speaker. I want to applaud the Committee of Trade for such a voluminous report which contained many things and they have almost touched everything, I think they really did a commendable job, they were also talking of millions of shillings. Only that to raise a point that when we try to check at the annex and that is also as my colleague said, the department of Health, Environment and Emergency Services and I am the Chairman of Environment, whereby the allocation of that Department is Ksh. 3,687,119,268. They did not allocate me anything, Environmental Management is given dash, dash, dash.

I wonder how we are going to manage the Environment without funds. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Hon. Musyoka.

**Hon. Mutinda:** Thank you, Mr. Speaker. I think the committee has done a good job and I think there is need to give Members more time to interrogate this report because when you check like the Department of Agriculture, Livestock, Fisheries, Water and Irrigation, which seems to be very big is allocated money like slightly less than a billion and another Department like Decentralized Units and County Administration is allocated over a billion.

Now, when you weigh what is supposed to be done by this two Departments, you will see there is need to allocate more money to this Department of Agriculture, Livestock because it has these issues of vaccination and a lot has to be done like marketing of the agricultural products and such things.

So, there is need for this House to see on it that the priorities of the Departments are checked. If water is also in that Department and Irrigation and those are the key issues down there with our people who need water seriously and we have to spend less than a billion and another Department is spending over a billion and its weights are not so serious, I think that has to be checked and the other thing is, Mr. Speaker, an area they have talked of 3,000 seedlings to be purchased.

Now, those 3,000 seedlings are not even enough for one forest like Mumbuni; we need over 10,000 for a forest and now when we are talking of 3,000, is it per ward or we are talking of 3,000 for the whole County or per forest? So, that has to be clarified because we have to ensure that when we are talking of afforestation, we aim at attaining the minimum eight per cent forest cover which is International Standards which should be attained by every Nation. So, I think it is important that we check on such things.

So, Mr. Speaker, I think we need more time so that we get to understand this thing and also the issue of public participation; is this what our people have given as what they need? Is it what our people are waiting down there? Is it what is pinching in their shoe? So, that one has to be checked.

The other thing is when the His Excellency the Governor was here, the speech he gave is not being matched by this paper. There were 1,000 transformers, I remember in that report there was report of the banks, you are talking of table banking, investing for people to be getting the money. There were a lot of issues that were in that speech which are not now being reflected in this ADP report.

It is like that is a different road map and this is a different road map. So, I think there is need for the committee to match this, that report and this one so that we are pulling towards the same direction. Thank you, Mr. Speaker.

**Hon. Kieti:** Point of information.

**Hon. Deputy Speaker:** Just a minute. Yes, Hon. Kieti, point of information.

**Hon. Kieti:** Thank you, Mr. Speaker. I want to clarify to the House, that the ADP is a document that captures the development agenda of the County for a given period of time. This document is prepared by the County Executive as you have seen in the preamble. The County Executives who are concerned are the ones who prepared this document. This document is shared, a copy is given to other Government institutions, so as we discuss or cross-check the documents here, it has also gone to the department of Finance and other Departments.

There is a Member who wondered, if we made some reduction and we omitted in some Departments, where is this money going to? When we look at the general observations that we made, the money or the total submission was Ksh. 14 billion and when you compare with what the County is supposed to spend according to the law, they are supposed to spend Ksh. 13 billion; so, when you do proper calculations, there is a difference of about Ksh. 73 million which will be left out.

So, when some of these programmes are omitted, it does not mean that there will be gain or there is money that would be left. Otherwise, Members will have time to interrogate this report in their own departments so that you are able to get a clear picture of what we are talking about.

Otherwise, at the moment we stand to be guided because every Department has been allocated money by the Executive according to the priorities. Thank you, Mr. Speaker. Before I sit, for you to be able to understand the summary of the ADP which is at the back, we have the main programme and we have sub-programmes and the money that has been allocated for a given programme.

A Hon. Member was wondering, there is no money for equipping of polytechnics; I think that one was mentioned. A Hon. Member has also wondered about roads; I think what we have here is just a capping, we do not have the finer details like this money is meant for tarmacking, this money is meant for this. So, I think those final details will come at the departmental levels, Mr. Speaker.

**Hon. Deputy Speaker:** Just before we continue just to try and summarize what that Hon. Member is saying, for clarity purposes, what you are saying is that the figures you are suggesting they be adjusted so that you can come within the ceilings. So, the budget was prepared above the ceilings as stipulated by the CRA and therefore the omissions or the adjustments you are saying need to be done are to be done for it to come to within the constitutional ceilings. Is that correct? Hon. Kisila.

**Hon. Kisila:** Thank you, Mr. Speaker. I will be very straight and very candid. I have looked at this report and I think, although the committee did a very good job, it fails the level of my absorption on the basis that they did not get the details which this House requires.



*(Applause)*

So, I stand here to oppose completely the adoption of this report and let me tell what we have to continue doing as a House, whatever comes here has to be well-thought out if you want us to support it and if it is not good we will say it is not good. I will continue being a Member who supports this.

If you look at this report, Mr. Speaker, it does not actually address the real issues facing our people on the ground and even if it was prepared by the Executive, this committee should have critiqued what the Executive was proposing to see if it is in line with the needs of our people. Tell me, if you look at the budget allocated to the department of Tourism, almost Ksh. 700 million versus the department of Water with Ksh. 900 million. What are we talking about?

*(Applause)*

We need to .....gentlemen, when you sit in a committee please do not just sit and pass reports because you want to pass them. This cannot pass.

Number two, Mr. Speaker, if you look at the health sector, we are not even talking about building new health centers for our people. I am not seeing it anywhere. If you look at it even further, go to areas like urban planning and development on page 13, you are only talking about 13 markets and in my Sub-County, Mwala Sub-County; only one market called Masii.

Does it mean that we are lesser than the rest of the Sub-Counties, this is not adding up and why only Katangi? Katangi, we were told in the last five years was given money. Why is it being given money again?

*(Applause)*

I was in a committee which we were told Katangi has been done. So, why is it that afforestation, no money is being allocated? If you go to beautification, we do not need money for beautification? We need things which can help our people.

*(Applause)*

We pass a very key Motion here on cattle dips, which is very important to the livelihood of our people. I am not seeing it being allocated anywhere; I need cattle dips in my area. You cannot say we do not give money for environment when in my Ward we are not having rain because we do not have forests.

Health plan, Makueni has initiated a Health Plan, Universal Health care for our people, we are not seeing it here being captured here how it is going to help our people. Mr. Speaker, seeds, fertilizers, okay, you have talked about it, mango factories for my people at home; I am not seeing it here. So, this document is very substandard and to me, it does not match---

**Hon. Kieti:** Point of order---

**Hon. Kisila:** No, let me finish. It does not meet the quality of discussions we have been having in this House---

**Hon. Deputy Speaker:** I think it is important we address ourselves through the Chair. Do not cross shout another Member. I think he has a point of order. Let us hear the point of order from Hon. Kieti.

**Hon. Kieti:** Thank you, Mr. Speaker. I think a Member has sought permission that the Hon. Members have time so that they can go through the document and understand it because at this level I know Members will not understand what we are talking about. So it is good that you first learn the contents of the document---

**Hon. (Ms.) Mwikali:** Point of order Mr. Speaker.

**Hon. Kieti:** You will be able to make conclusions.

**Hon. (Ms.) Mwikali:** Point of order, Mr. Speaker.

**Hon. Deputy Speaker:** A point of order on a point of order? Let him finish then you continue Hon. Mwikali.

**Hon. Kieti:** So, my humble request is that, Members take time and then go through the document, compare the document with the ADP which we got and the summary that you have and after that if there are any queries at your own departmental levels, you will be able to understand this document that we are talking about. Otherwise, everything has been captured which you are wondering about. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Let me, before you continue Hon. Kisila, just try and make a clarification here; what we are looking at here is the Annual Development Plan and as such my expectation is that this Annual Development Plan has emanated from a previous County Integrated Development Plan. I do believe that, we are going to form, this House is going to formulate its own CIDP from which ADPs will be made in the future life of this Assembly.

I know we have got very many issues which the various Members are raising and are going to discuss which will be raised and included in the CIDP for them to be picked. I think, in my opinion, let us first of all give ourselves a bit of time to look at this report as it is and maybe continue on its debate in the afternoon.

Members have some time to go and have a look at it, we do have deadlines which need to be made; the input of this report, ADP is what forms the basis of the County Fiscal Strategy Paper which is going to be presented on 28th February, 2018 which will be barely two weeks after we have resumed the Assembly.

Therefore, it is important for us to review this report today and agree on what needs to be reviewed or what needs to be adjusted so that during the recess period, we will be saying we will be giving the originator of that document which is executive, time to go through the changes which we are talking about before they can be able to implement the report. It is a report which from what I have seen, is not a final report, they have given recommendations for the report to be approved on conditions of adjustments being made. So, on that basis, you may continue, Hon. Kisila.

**Hon. Kisila:** Thank you, Bw. Speaker. With all due respect, whether this report is just recommendations, we must at any given time do what is right. Now, if you look at the amount allocated to a swimming pool for Ksh. 15 million, at the People's Park, with all due respect to that, do my people need a swimming pool or they need a dam in Mwala? If you look at the amount of money he allocated to beautification, we cannot just be rubber stamping---

**Hon. Ndawa:** Point of order!

**Hon. Deputy Speaker:** Point of order, Hon. Ndawa.

**Hon. Ndawa:** Thank you, thank you, Mr. Speaker, Sir. I think you have just given us a direction and I think that is the best way. The document we are talking about has not emanated from the committee; it emanated from another office and that is the executive and whoever was coming with the document, was basing his arguments on the CIDP which was passed by the previous Assembly, not this Assembly.

As you have said, this Assembly will come with its own CIDP. At the moment we could not insert things which are not captured in the previous CIDP. So, we just made few recommendations and I think, Mr. Speaker, I would request because several Hon. Members have requested that we have time to look at the document, I think it is good we buy your advice that we break for lunch, we look at the document then in the afternoon we come and talk about the document. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Before I allow anybody else to continue, Hon. Kisila, you might finish your argument then we move on.

**Hon. Kisila:** Whether we will break for lunch or not, garbage in is garbage out and if we fail to plan properly, let me tell you why our predicament as a House will be, it is when we start passing things for the sake of passing them. If you found the document which you have been given by the Executive.....let me finish if you allow me. If you have found the document which you have been given not worth the salt, you should have put those things Bw. Ndawa in the recommendations and that should have come in the final recommendation. So, that as a House we adopt something which is what we accept.

*(Applause)*

Mr. Speaker, I want to rest my case and say one thing---

**Hon. P.J. Mutiso:** Point of information before---

**Hon. Deputy Speaker:** Let the Member rest his case. Hon. Kisila, you are through? I believe.

**Hon. Kisila:** You have not been given permission to speak.

**Hon. Deputy Speaker:** Hon. Mutiso, just let him close---

**Hon. Kisila:** Let me give my closing remarks.

**Hon. Deputy Speaker:** He is finishing because there are too many interruptions, I just want him to---

**Hon. P.J. Mutiso:** I wanted to give him a point of information.

**Hon. Deputy Speaker:** Okay, point of information. Continue.

**Hon. P.J. Mutiso:** Mr. Speaker, what I wanted to put across is that in anything that is brought in this House like this report, it is for these Members to add or correct what has been left out. The committee is not final, so, I request Hon. Mheshimiwa from Mwala, to add what he can add and correct what might be wrong instead of beating about the bush. Thank you, Mr. Speaker.

*(Applause)*

**Hon. Kisila:** Thank you, for saying my points.

**Hon. Deputy Speaker:** Let me allow Hon. Kisila please conclude your presentation.

**Hon. Kisila:** Thank you, for making it look like I am beating about the bush but I represent the third largest ward in Kenya. Please understand and when I speak, I speak for a lot of people. I think we will not, I have put the points which we need to add and we cannot add them in this House; they need to come as a full report and I hope they have captured the. What I am saying is, I am standing here to completely oppose adoption of this report as it is because it does not meet the standards set in this House. Thank you, Mr. Speaker.

*(Applause)*

**Hon. Deputy Speaker:** Hon. Cosmus.

**Hon. Masesi:** Thank you, Mr. Speaker. I stand to oppose the report and urge this House to completely not to support the document as it is. The Chairman has declared before this House that this is not the final document, we would like to have the final data of the report for this House to support. Mr. Speaker, Hon. Members, you have noticed that our Ward fund lies on the department of Finance and Revenue Management and we have no figures on how much was the estimates of the Ward Development Fund.

**Hon. Kieti:** Point of order, Mr. Speaker.

**Hon. Deputy Speaker:** Point of order, Hon. Kieti.

**Hon. Kieti:** Mr. Speaker, I want to reiterate that we have just sought for time so that Members may understand this because when you look at the ADP, they have given ceilings of how much money goes to the Ward Development Fund. It is here, around Ksh. 800 million, it is

within this document. So, as Members as we challenge this document or this report, we first need to know or to understand it. These are financial matters and some of us may not be very much conversant with this information.

In the preface, on page one, it is clear that, the document that we are challenging, the ADP, this one, it has already been taken to the Commission on Revenue Allocation and other Departments as we have said. So, the budget Committee will make use of this document and the Finance Committee so that they allocate money because we are talking about the Fiscal Paper which comes from the Governor, which now indicates the projects that are intended.

It is at that level where Members can make their input and challenge the Fiscal Paper. But now challenging the ADP, I think Members you just need to make your inputs or your recommendations. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Hon. Members, I think I hear and see the mood of the House. What I need to make a ruling on this issue and I give guidance as follows. From the items or from the issues which have been raised before this House by the various Hon. Members, it is evident that there is need for this report to be reviewed further by the committee which was working on this report.

I will therefore direct that, this report is taken back to the committee which was reviewed in this report and I urge Members, all Members with pertinent issues, now that you have the report with you, go diligently through that report and get in touch with the committee on Trade so that all your input are incorporated and I direct that this report is reviewed again by this House when the House resumes again in February.

*(Applause)*

It should be reviewed as a matter of priority considering the deadlines we have on the County Fiscal Strategy Paper, so that we can do everything in an orderly and in a more inclusive way. So, I refer the report back to the Committee.

*(Applause)*

## ADJOURNMENT

**Hon. Deputy Speaker:** Therefore, this House stands adjourned to today, Wednesday, 20th of December, 2017 to resume at 2.30 p.m.

House rose at 12.59 p.m.