

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF MACHAKOS
OFFICIAL REPORT

Wednesday, 26th April, 2023

The House met at 10.20 a.m.

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

PRAYERS

(Quorum Bell rung)

STATEMENT REPLY
IMPLEMENTATION STATUS OF LOCUST CONDITIONAL GRANTS

Hon. Speaker: May I invite Hon. Charles Mbuva to come and make his Statement.

Hon. Charles Mbuva (Kangundo West, GDDP): Thank you, Madam Speaker. I would wish to give a response to a Statement sought by the Hon. Peter Kilonzo on 29th March, 2023. Madam Speaker, it is good the member is in the House that he will concur or otherwise whether he agrees with the response to be satisfactory.

Hon. Speaker: Okay; you may proceed.

Hon. Charles Mbuva (Kangundo West, GDDP): Hon. Speaker, Standing Order 41(3) provides that where a member requests a statement from the Committee Chairperson relating to matters under the mandate of the Committee, the Speaker may either appoint a day for the statement or direct that the Statement sought must be restricted to matters within the mandate of the Committee and which have been exhaustively dealt with and concluded by the Committee or where the Chairperson is authorized by members to issue preliminary reports to the House.

Hon. Speaker, on 29th March, 2023 during the afternoon plenary sitting, a Statement on implementation status of Locust Conditional Grants by Hon. Peter Kilonzo, MCA, Mbiuni ward, was sought seeking the following:

- (i) What is the status of the disbursement of the conditional grant funds meant to benefit organized groups in Mbiuni Ward?
- (ii) What is the status of the Construction of Kwakatusya Dam in Mbiuni Ward?

Hon. Speaker, in response to the above Statement, the committee requested from the Chief Officer, Agriculture and Food Security, and the department responded to the aforementioned statement through a letter.

The Emergency Locust Response Project was funded to address the effects of the Desert locust invasion that started in December 28, 2019 posing a threat to food security in the country.

The project is funded through a loan from World Bank as a conditional grant whose objective is to restore farmers' livelihoods affected by the Desert Locusts.

The project is implemented in five wards that were highest affected by the Desert Locust Invasion of 2020; the Wards are Mbiuni, Matungulu North, Kivaa, Masinga North (??) and Kibauni.

Project Objective

The objective of the projects is to prevent and respond to the threat to livelihoods posed by the Desert Locust outbreak and to strengthen Kenya's systems for preparedness of locust invasions. The project also responds to the effects of recurrent droughts to farmer's livelihoods.

Intervention Areas

1. Support to Micro Projects by funding proposals from organized groups.
2. Support to Sub-Projects which means funding Community Projects.
3. Support to farmers Producer Organizations through Farmer organizations to strengthen marketing.

Status of disbursement of Conditional Grant Funds to organized groups

Model and Process of funding

Hon. Speaker, mobilized groups write proposals that are considered for funding. Approved groups proposals are funded in phases depending on the availability of funds. The table gives analysis and status of groups in terms of funding.

Status of Groups funding

No. of Proposals Developed	No. of proposals Approved for funding	Proposals funded		Proposals for funding		Balance of Proposals not funded
		(phase 1)	(Ksh.)	(phase 2)		
95	88	16	2,399,160	16	4,000,000	56

Summary value chains for phase 2 funding are as follows; Madam Speaker, this is categorization of the groups which will be funded the areas they will be investing in.

Value chain	Number of groups
1. Goat Meat	10
2. Poultry	4
3. Beekeeping	2
Total	16

Status of construction of Kwa Katusya Dam

Hon. Speaker, Kwa Katusya water pan is located in Mumbuni village of Mumbuni sub-location. The water pan was excavated in 1958 to supply water for domestic use and for livestock. Over the years, siltation has occurred thus reducing the reservoir capacity. The site

was identified through public participation starting from the development of the Community Action Plan and leaders' participation.

Chronology of activities leading to the identification of the project and subsequent preparatory activities

Madam Speaker, I refer members to a full page table starting from page 243 to 244; it is a chronology of the events in preparation to the works to begin at Kwa Katusya dam. I would request Members read for themselves because it is fairly detailed but you can see from each day beginning with public participation, election of the PMC, to leaders' engagement to statutory approvals because for a dam to be constructed there are also statutory bodies involved in giving approvals for designs and so on.

Madam Speaker, allow me to go to the current status of where the project is as at now.

Hon. Speaker: Proceed.

Hon. Charles Mbuva (Kangundo West, GDDP): Currently, the Environmental Assessment Reports (SPR) is at the NEMA offices waiting for attachment of the hydrological survey. A re-design will also be done to factor water drawing points. Hon. Speaker, the budget for the Project is Ksh. 10,000,000 and not Ksh. 13,000,000. That is the end of my response, Madam Speaker, and thank you very much.

Hon. Speaker: Thank you very much, Hon. Member. Before I find out whether Hon. Peter Kilonzo, the Member who requested for this response is satisfied, may I invite Members to ventilate on this Statement reply. Hon. Ndambuki.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Thank you, Madam Speaker. I rise to seek clarification from the Chair of Agricultural Committee whether we have a ward by the name Masinga North. Thank you, Hon. Speaker.

Hon. Speaker: I will give you an opportunity to respond.

Hon. Charles Mbuva (Kangundo West, GDDP): Madam Speaker, I am also not aware of a ward known as Masinga North but I read the response as it is. You realize Madam Speaker, this is not our own committee-written response, it has come from the Executive but I think it is a typing error. I think the intention was to write Masinga Central.

Hon. Speaker: Thank you, I think that is well-guided. Do we have more Members to ventilate on this response? At this point may I call upon Hon. Peter Kilonzo to tell us whether the response is satisfactory?

Hon. Peter Kilonzo (Mbiuni, UDA): Thank you, Madam Speaker. I want to appreciate the work well done by our able Chair of Agriculture and Cooperatives. This is a well elaborated response and the issue of the balance of proposals not funded. I understand that where they got the response from the Executive, the responsible Chief Officer ought to have given us a plan on how the remaining groups will be given that money because I understand that when this project was identified, we had what is known as legitimate expectation and this other groups have gotten

their support program and if for this other groups there is no substantial answers as to why they are not considered then it may raise some eyebrows. That is the one issue I wanted the Chair to consider.

Another issue is about Kwa Katusya Dam. I want to say, this project is timely and if executed it will serve not only the people of Mbiuni ward but the people of Machakos County and it is going to elevate the economic value of that area. Madam Speaker, currently, everyone is crying of hard economic times and the only way to ensure our people have something in their pockets is when they have food security and this dam will serve as one of the projects that will elevate my people in the area. Therefore, I support what Mheshimiwa has said with all my body parts. Thank you.

(Laughter)

Hon. Speaker: Point of information.

Hon. Boniface Maeke (Kalama, CCU): Thank you, Madam Speaker. From what the report is written, we are talking of Katusya water pan. It is good for us to understand that there is a difference between a dam and a water pan. A water pan may be something measuring 25 meters whereas a dam may go up to 150 metres. So, it is proper so that it goes on record that there is a dam which is being build there yet what is on record is a water pan which is a bit smaller.

Hon. Speaker: So, it a dam or a pan?

Hon. Boniface Maeke (Kalama, CCU): From the information for the Chief Officer, it is Katusya water pan.

Hon. Speaker: So, we want to believe it is a pan not a dam? Point of information; what is the issue now?

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Thank you, Madam Speaker. I am not an expert on matters water but I can imagine a pan worth Ksh 10 million because we are being told the project is worth Ksh. 10 million. Can a water pan be constructed with such an amount? I just want to understand that and I am not an expert in matters water.

Hon. Speaker: Okay. Hon. Johana

Hon. Johana Munyao (Mutituni, MCCC): Thank you, Madam Speaker. Mine is on the status of groups funding; I may not be good in English but Madam Speaker I have two words which are a problem to me. We have proposals funded in phase one which are 16 and we have proposals for funding in phase two; to me it means that they have not yet been funded.

Therefore, we have a balance of proposals not funded which are 56 so are the 16 proposals for funding not supposed to belong to the 56 to make them 72? That is my problem and where I go wrong with English. Thank you.

Hon. Speaker: A legislator needs to have a grip of the English command and I believe it is on a light touch. Mheshimiwa Maeke, you want to respond?

Hon. Boniface Maeke (Kalama, CCU): Rather, we want to ventilate because the Majority Leader has raised a very valid point and this being a House, I believe what we speak here goes to many people listening to us. It can be possible for us to have a water pan which can range from 10 meters to 200 square meters. So, we may not know whether the Ksh. 10 million is sufficient enough or more unless we understand the size of the proposed water pan or dam.

So, I would make a proposal that the Agriculture Committee to come to this House with more details. This report came from the Chief Officer, Agriculture and probably a site visit or more enquiry will make the House to have a more informed and the Member who sought the Statement will be able to tell them if we are building a dam or a water pan worth this amount of money. Thank you.

Hon. Speaker: Hon. Charles Mbuva, can you comment on the issue raised by Mheshimiwa Johana, Hon. Maeke and the Leader of Majority.

Hon. Charles Mbuva (Kangundo West, GDDP): Madam Speaker, to begin, the project is a water pan but it is difficult for us to differentiate properly the difference between a dam and a water pan. The name given here by the CO is a water pan; so we take on record it is a water pan. As to what size it is and whether it can cost that much, now those are details.

Hon. Speaker: But we need the details whether the project for a water pan can cost that amount.

Hon. Charles Mbuva (Kangundo West, GDDP): Thank you, Madam Speaker. We will go and dig further and on a later date bring the details of the size of the project and scope of works to indicate why it comes up to Ksh. 10 million. Well-guided, Madam Speaker.

There was a question raised by Hon. Johana and I think this table is very explicit and it was read audibly with the table showing the groups, the total number is 95 those which have written proposals and Members do understand where groups write proposals there is a process. Once the 95 proposals were received, 88 were approved for funding and that means the 88 qualified the criteria I think that is self-explanatory. Then, because it has been said it is depending on the availability of funds, a phase one of 16 groups was identified and Ksh. 2,399,000 disbursed.

On the second phase, there is only one missing word; proposals approved for funding. I think there is a missing word. In phase two another 16 groups have been approved for funding. So, to answer competently, the Hon. Members, the second phase is 16 groups and the figure to be awarded to them has already been identified as Ksh. 4 million. So, it is fair to say it is only 56 groups now which are yet to be considered because the funds for those 56 are not yet allocated. Thank you, Madam Speaker.

Hon. Speaker: Thank you.

Hon. Johana Munyao (Mutituni/Ngelani, MCCC): Point of information, Madam Speaker. I do not agree with Hon. Mbuva. I would have gone closer to agreeing with him if he

had indicated that there is a budget already for the 16 groups for phase two and there is no budget for the 56. But when we talk of proposals approved for funding and you are telling us we have 88 which were approved for funding; what of the 56? Is it not a balance of proposals approved for funding?

I think we should be clear; it is either there is budget for the 16 and no budget for the 56. Otherwise, with the approvals, we should be having everything as a balance not approved for funding.

Hon. Speaker: We may have to request the committee then to go back and get these details concerning what is funded and what is not and there is an issue that was raised by Hon. Peter Kilonzo about the schedule of program concerning the balance of the proposal not funded because if we requested for proposals together and you have been funded and I have not, I tend to feel like I have been left out. It is important to have a schedule of how the disbursement will be done.

So, on those three accounts, I would request the Committee to go back and do a follow up on the issue of funding, enquire whether Kwa Katusya is a dam or water pan and the size and bring the report to the House.

Hon. Charles Mbuva (Kangundo West, GDDP): Well-guided, Madam Speaker.

Hon. Speaker: Thank you very much. Members we have exhausted that. Proceed to the next order.

MOTIONS

APPROVAL OF REPORT ON COUNTY RECEIVER OF REVENUE FOR HALF YEAR FOR FINANCIAL YEAR 2022/2023

Hon. Speaker: May I invite Mheshimiwa Paul who is holding brief for Hon. Francis Kitaka, to proceed and move the motion.

Hon. Paul Wambua (Kibauni, PTP): Thank you, Madam Speaker. You will allow me to address the House is a mask because I have a serious cold.

Hon. Speaker, that aware that Article 185(3) of the Constitution of Kenya provides that a County Assembly while respecting the principles of separation of powers, may exercise oversight over the County Executive Committee and any other County Executive organ;

Aware that Standing Order 190(5) provides for the mandate of a sectoral committee to include among others studying, assessing and analyzing the relative success of the Departments as measured by results obtained as compared with the stated objectives and making reports and recommendations as often as possible including recommendation of proposed legislation;

Further aware that the Second Schedule of the Standing Orders mandates the Finance and Revenue Collection Committee to consider all matters relating to the management of County public finance and revenue collection and noting that the Department of Finance, Economic Planning and Revenue Management submitted a report on receiver of revenue for the second quarter for financial 2022/2023 pursuant to section 166 of the Public Finance Management Act, 2012;

Aware that the report was committed to the Finance and Revenue Collection Committee for consideration and aware that the Committee has compiled a report;

Hon. Speaker, I wish to move the motion THAT this Hon. House discusses and approves the Report of Finance and Revenue Collection Committee on Receiver of Revenue for the 2nd quarter of the financial year 2022/2023 for consideration and adoption. I wish to call Hon. Irene Mulu to second.

Hon. Irene Mulu (Nominated, WDM-K): I second, Madam Speaker.

Hon. Speaker: Thank you.

(Question proposed)

I now wish to request to debate this motion but before I do that may I call upon Hon. Paul to give us highlights of the report.

Hon. Paul Wambua (Kibauni, PTP): Thank you, Madam Speaker. Before I give the highlights of the report, I want to, on behalf of the great people of Kibauni, relay I do not know whether to call them apologies for what happened in Malindi. The pastor that is in question of having massacred so many people, has his origins from Kibauni and we are saddened by such a happening and we would like to let the world and Machakos know that the people of Kibauni are not bad people and not of such a calibre and that this is an exceptional case.

Hon. Speaker: They are still allegations until investigations are complete.

Hon. Paul Wambua (Kibauni, PTP): Now I go to my report and I start on page 8 on the background. Section 157(1) of the Public Finance Management Act (PFMA) 2012 provides that, the County Executive Committee member for finance shall, in writing, designate persons to be responsible for collecting, receiving and accounting for such county government revenue as the County Executive Committee member for finance may specify in their letters of designation.

Pursuant to this provision, Mr. Mike Senga, Chief Officer, Revenue Management was designated on 20th July, 2018 by the County Executive Committee Member for Finance to be the receiver of revenue for the County. Section 157(2) of the PFMA provides that, a receiver of county government revenue is responsible to the County Executive Committee member for finance for ensuring that the revenue for which the receiver is responsible is collected or recovered, and is accounted for.

Section 166(1) of the Public Finance Management (PFM) Act provides that an accounting officer for a county government entity shall prepare a report for each quarter of the financial year in respect of the entity. Section 166(2) of the same Act provides that, in preparing a quarterly report for a county government entity, the accounting officer shall ensure that the report—

- (a) Contains information on the financial and non-financial performance of the entity; and
- (b) Is in a form determined by the Accounting Standards Board.

Further, Section 166(3) of the PFMA provides that, not later than fifteen days after the end of each quarter, the accounting officer shall submit the quarterly report to the County Treasury. Section 166(4) of the same Act provides that, not later than one month after the end of each quarter, the County Treasury shall—

- a. Consolidate the quarterly reports and submit them to the County Assembly;
- b. Deliver copies to the Controller of Budget, National Treasury and the Commission on Revenue Allocation; and
- c. Publish and publicize them.

Article 183(3) of the Constitution of Kenya 2010 provides that the County Executive Committee shall provide the County Assembly with full and regular report on matters relating to the County. Further, Article 185 (3) of the Constitution of Kenya 2010 provides that a County Assembly, while respecting the principle of the separation of powers, may exercise oversight over the County Executive Committee and any other County Executive organs.

Pursuant to these provisions of the Constitution, the Receiver of Revenue for the County Government of Machakos submitted the second quarter report and financial statements for the period ended 31st December, 2022 on 21st January, 2023.

REPORT OF RECEIVER OF REVENUE FOR THE FINANCIAL YEAR 2022/2023

The Receiver of Revenue reports the amount of own source revenue collected by the County for the first half of the FY 2022/2023.

Own source revenue collected over the period under review

The receiver of revenue targeted to collect Ksh. 1,690,079,200 in the FY 2022/2023 as budgeted in the Machakos County Appropriation Act, 2022. During the period under review, the receiver of revenue managed to collect Ksh. 469,698,367 translating to a 27.2 per cent of the targeted revenue.

The Receiver of Revenue targeted to collect 50 percent of the total revenue budget during the period under review. The target was not attained due to disruptions of electioneering period, drought and change in governing policies as a result in change in County leadership.

Table 3.1 provides a comparison between the budgeted revenue per source and actual collection. It also gives the percentages achieved. I do not think I will need to go through because we have the report but overall we performed dismally at 27.2 per cent of the total budgeted revenue collection.

I also note that only two fiscal streams that is physical planning and development as well as parking fees managed to collect revenue above 50 per cent of the target. Others like hospital fees, penalties and miscellaneous receipts recorded zero in collection.

Madam Speaker, from table 3.1, only two revenue streams attained 50+1 percent collection during the period under review, namely parking fees at 66 percent and physical planning at 59 per cent.

A comparison between the targets of revenue collection for the FY 2022/2023 and the total actual collections of own source revenue in the FY 2021/2022 reveal some inconsistencies that the receiver of County revenue should address. These include Revenue from Single Business Permit was targeted at Ksh. 270,705,582. When we checked the financial year 2021/2022, this revenue stream had collected Ksh. 279,702,729 which means it was an improvement of 10 per cent from FY 2020/2021.

It means that such a revenue stream with an upward trajectory should have been given a higher target but we see in our target for 2022 it is given as Ksh. 270,000,000 which is lower than what was collected in 2021.

Cess was targeted to collect Ksh. 467,010,353 and had attained a level of 36 per cent translating to Ksh. 170,031,988. In FY 2021/2022, this revenue stream managed only Ksh. 7,358,762 which was a drop from Ksh. 15,334,465 realized in FY 2020/2021 under the same period of time. So it means that our targets for cess were ambitious even though the Department was managing and further scrutiny needs to be done.

Madam Speaker, further scrutiny of the revenue streams for FY 2022/2023 in comparison with previous years reveals that some revenue streams seems to have been re-named while others have been merged or left out completely thus showing inconsistencies from the Finance Act 2021. Some examples include parking fees in FY 2022/2023 appears as new revenue stream while previously we had bus-park and off-street parking. It seems that off-street parking has been merged with bus-park or has been completely left out.

Public health services fees in FY 2022/2023 appears as new revenue stream while we had health revenue in previous years. Hospital fees seem to have recorded zero revenue in FY 2022/2023.

Introduction of administration control fees and charges while leaving out revenue streams such as enforcement management unit, weights and measures, motor cycle registration, social services and sports management unit, firefighting and ambulance management. Introduction of property rent while leaving out house rent, interest/penalties on stall rent and plot/stall rent.

Madam Speaker, in addition, several revenue streams have been left out in the report by Receiver of County revenue showing inconsistency in revenue collection and failure to follow the Finance Act 2021 which has prescribed revenue streams and specific names for them. The revenue streams that have collected revenue in FY 2021/2022 but are missing in FY 2022/2023 are:

1. Slaughter house fees/livestock which had recorded increase of 46 percent in collections from Ksh. 8.5 million in FY 2020/2021 to Ksh. 12.5 million in FY 2021/2022.
2. Liquor which had recorded increase of 44.5 percent in collections from Ksh. 53.9 million in FY 2020/2021 to Ksh. 61.6 million in FY 2021/2022.
3. Sand gravel which was at number 10 in the rank of revenue collection in FY 2021/2022 at Ksh. 19.4 million.
4. We also note that the County has not stopped sand harvesting.
5. Quarrying extraction fees which was at No. 4 in the rank of revenue collection in FY 2021/2022 at Ksh. 146.8 million. Previously in FY 2020/2021, this revenue stream had collected Ksh. 230.7 million and it is an important stream to be missed out.
6. Tourism, water sales, Machakos noise pollution and agri-farm have also been left out and they are in the Finance Act 2021.

The County Receiver of Revenue has merged a number of revenue streams that were reported individually in previous financial years but some of the merged streams have reported zero collections. The new revenue streams and the merged streams are:

1. Cess consisting of Farm produce, quarrying, livestock, sand and fish farming. Fish farming did not record any revenue collection.
2. Land/Poll rates consisting of: land rates, land penalties/interest, arrears in land penalties/interest and arrears did not collect any revenue.

3. Single Business Permits consisting of annual business permit fees, business permit application fees, business permit penalties/interests and business permit arrears. Business permit arrears did not collect any revenue. Madam Speaker, we live in this County we know not every business pays its permits in time which means there must have been arrears that were not collected.
4. Property rent consisting of county housing, stalls/kiosks rent, plot rent, tenancy agreement, and transfer of property. Plot rent, tenancy agreement, and transfer of property did not collect any revenue.
5. Parking Fees consisting of street parking fees, registration fees, bus park fees, monthly toll/sticker fees, motorbike fees and reserved parking. Monthly toll/sticker fees, motorbike fees, reserved parking did not collect any revenue.
6. Market Fees consisting of market entry fees and hawking fees. Hawking fees did not collect any revenue.
7. Advertising consisting of billboard advertising, signage, roadshows, banners, posters, tent advertising, street pole/clock advertising. Signage, roadshows, banners, posters, tent advertising and street pole/clock advertising did not collect any revenue. Madam Speaker on this we would have expected, as a committee, this revenue stream to collect a lot of revenue considering that we are just out of campaign period where posters were all over especially our majority leader who had billboards and a lot of signage in town.
8. Hospital fees consisting of Level V and IV hospitals did not collect any revenue. Public health service fees consisting of public health permit, inspection of buildings, inspection for issuance of hygiene licenses, vaccination of yellow fever and typhoid, application for medical examinations, sanitation inspection for schools and rodent control did not collect any revenue. All revenue streams the ones I have read did not collect any revenue except public health service fees. Madam Speaker, we are aware that all employees of bars and restaurants in this County are supposed to be vaccinated and therefore, it is a worry that this line did not collect any revenue collection.
9. Madam Speaker, physical planning and development consisting of building plan approvals, enforcement/demolition, county planning documents, land valuation and registration fees, signboards, occupation permits, architectural designs by county officers and hoarding fees. Only building plan approvals and enforcement/demolition recorded revenue collection.
10. Hire of county assets consisting of: conference facility at ATC, agricultural mechanization services, hire of machines and equipment, hire of county stadia and hire of county halls. Only conference facility at ATC recorded revenue. As a Committee we are worried because our stadium has been used severally and this revenue was not recorded.
11. Conservancy administration consisting of: refuse disposal fees, noise control, dumpsite fees, sewerage fees, sale of seedlings, public cemetery and disposal of carcasses. Only refuse disposal fees and noise control recorded revenue collection.
12. Administration control fees and charges consisting of fire services, liquor licenses, salary refunds, social services, betting levy and weights and measures. Betting levy and measures did not record any revenue.

13. Park Fees consisting of: filming and photography fees, lodge tariffs and levies, park entry fees, and camping fees. Only filming and photography fees recorded revenue collection. Other fines, penalties and forfeiters consisting of: impounding fees, towing fees did not record any revenue. Miscellaneous receipts consisting of interests, dividends and commissions did not record any revenue collection.

Appendix 1 provides a comparison between revenue collected as at 31st December, 2022 of FY 2022/2023 with similar period in the FY 2021/2022. The report reveals that revenue collection performance for the period under review was at Ksh. 459.6 million which was better than that of the same period in FY 2021/2022 at Ksh. 336.1 million.

However, there is a concern on the high number of revenue streams that have not recorded revenue. For instance, in the six months to 31st December, 2022, no revenue is recorded for single business permit (SBP) yet businesses are started on daily basis.

Other revenue streams that can be highlighted of concern include that did not record revenue Business permit penalties and interest, plot rent, monthly toll/sticker fees, roadshows, banners, posters and street pole/clock advertising noting the high activities of politics as I earlier alluded.

Level IV and Level V hospitals, Application for medical Examination, Land valuation and registration fees

Upon analyzing the report, the requested for clarification on the issues raised from the Chief Officer, Revenue Management vide letters ref: MKSCA/PSC/CMM/FRC/VOL.8/62 and 63 dated 6th and 13th March, 2023 respectively.

RESPONSES OF THE CHIEF OFFICER, DEPARTMENT OF REVENUE MANAGEMENT

The Chief Officer, Revenue Management responded to the Committees concerns vide a letter dated 20th March, 2023. The responses of the Chief Officer were as follows:

Under-performance of Own Source Revenue (OSR)

On the reasons why own source revenue under-performed in the first half of the financial year only managing 27 per cent of the half-year target and the measures being undertaken to ensure the revenue target of Ksh. 1.6 billion was met, the Chief Officer informed the Committee the following:

The target for the first quarter was approximately Ksh. 845 million and this performance of OSR was 27 percent shy of the target. Compared with the same period in the previous year, the performance of OSR for the first half of 2022/2023 recorded an improvement from Ksh. 339 million to Ksh. 459 million representing an increase from 21 percent in 2021/22 to 27 percent in the year under review whose targeted revenue was Ksh. 1.69 billion against a target of Ksh. 1.68 billion in 2021/22.

The period under review was marred by tough economic conditions and political environment where the own source revenue could have performed better across the board. Low targets for Single Business Permit (SBP). Asked to explain why the target of Ksh. 270 million for Single Business Permit (SBP) in the year under review was lower than what we had in 2021/22 which was Ksh. 279 million and what determined targets for a revenue stream, the Chief Officer responded as follows:

There was an oversight in setting SBP targets as observed from the previous financial years as observed. Going forward, the Department will set a target based on the actual performance with an increment of 5 per cent.

Status of revenue automation, business registration and revenue mapping per Ward

Madam Speaker, we asked the Chief Officer on the status of revenue automation and the response given was that there was

- a. Full automation of revenue management system as outlined in the third generation County Integrated Development Plan (CIDP) with an estimated review cost of Ksh. 20 million and possible further automation.
- b. There is a planned mapping exercise for the County revenue streams in the FY 2022-2023 as observed in the recent tender advertisement dated Wednesday, 8th March, 2023 on the Nation Newspaper. The mapping exercise will enable the County to have all data set pertaining to revenue streams inclusive of business registered in the whole County.
- c. Also captured in the third generation CIDP were mid and end term review of the revenue mapping which will enable the County to have all data pertaining to revenue streams and their full potential.
- d. Merging of some revenue streams and inability to trace others. The response from the Chief Officer was as follows:
 - i. There was need to merge revenue streams to align to them to the financial reporting template provided by the National Treasury.
 - ii. The merits for merging include ease of revenue collection, reporting and timely submission of reports since the County was aligned to the available template.
 - iii. The revenue streams that were merged are: Slaughter House Fees: merged with market fees, tourism: merged with people's park fees and water: merged with water sales.

Hon. Peter Kilonzo (Mbiuni, UDA): Point of order.

Hon. Speaker: Yes.

Hon. Peter Kilonzo (Mbiuni, UDA): Thank you, Madam Speaker. Going with the spirit of the House we understand that Mheshimiwa had taken us through the summary and he is reading word by word and we are reading it for ourselves so I was asking if he can summarize. Secondly, Madam Speaker, is Hon. Dee well dressed? Thank you, Madam Speaker.

Hon. Speaker: On the issue of reading word by word, I think it is important matters of finance we get them right. However, I will request Hon. Member to summarize where necessary so that we can conclude.

Hon. Dee Kivuva, you are not properly dressed; you may go out and get dressed and come back.

Hon. Mutisya Kivuva (Nominated, WDM-K): Madam, can I make an appeal before I go out? There is a lot of *baridi* outside so I have a shirt and a tie inside if somebody can confirm.

Hon. Francis Ngunga: Madam Speaker point of order.

Hon. Speaker: I have made a ruling ---

Hon. Francis Ngunga (Mua, MCCP): When a Member is disorderly he has no airtime here.

(Laughter)

Hon. Speaker: We have made a ruling on that; get dressed and come back. Proceed Hon. Paul.

Hon. Paul Wambua (Kibauni, PTP): Thank you, Madam Speaker. Thank you, Hon. Peter Kilonzo, for coming to my aid.

(Laughter)

Madam Speaker, if this House allows me, I will just go the Committee observations and recommendations.

Committee Observations

1. That the Receiver of Revenue performed poorly at 27 per cent in half-financial year and that the poor performance and the reasons given were not adequate.
2. The National Treasury has provided a guide on how revenue collected was reported and this necessitated re-naming and merging of some revenue streams. However, the merging of revenue streams may give a loophole to underperformance of the revenue streams and non-collection of some streams if not well managed by properly training revenue collection officers. In addition, there is need to have consistence between naming of revenue streams and the Finance Bill.
3. The 5 per cent annual increment of the revenue stream targets was not realistic and was not informed by the prevailing economic conditions and was likely to be inconsistent with the budget since at times. For instance, in the FY 2022/23, own source revenue was set at Ksh. 1.69 billion whereas in 2023/2024 own source revenue has been proposed as Ksh. 2.05 billion which represents an increment of 21.3 per cent therefore increasing each revenue stream by 5 per cent will not realize the required revenue.
4. The non-automation of revenue collection was contributing to big losses in revue collection, in addition the department had been claiming that revenue collection had been automated in Machakos and Mavoko sub-counties but own source revenue continues to decline in these Sub-counties.

5. The department had not forwarded to the Assembly a new finance bill for approval.
6. The department has been using political interference as an excuse for not collecting revenue which the committee will not accept going forward.

Committee recommendations

1. The department explores the possibilities of having specific entry and exit points at quarries to ease revenue collection and monitoring instead of posting a revenue clerk in each and every gate of a quarry site.
2. The department provides the Assembly with scope of the intended full automation of revenue collection and the expected amount of revenue to be collected and make a deliberate effort to have automation of all revenue streams in the financial year 2023/2024.
3. Ensure annual increment of revenue targets per stream are realistic and based on the prevailing economic conditions of the County, the country, the world as a whole and not a mere 5 per cent blanket increase.
4. Ensure the naming of revenue streams was consistent with the finance bill and officers were properly trained on the new trends of naming revenue streams.
5. Ensure a request of extension to use the current Finance Act with justifications was forwarded to the assembly for consideration.

Thank you, Madam Speaker and this report is signed on behalf of the committee by our very able chairman Hon. Francis Kyalo Kitaka on 24th April, 2023. Thank you.

Hon. Speaker: Thank you, Hon. Member, for those highlights. May I now invite Members to proceed and debate on this matter? Hon. Ndambuki and then Hon. Maeke after that.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Thank you Hon. Speaker, I wish to thank the committee on finance and revenue collection for the insights on this report on the receiver of revenue on the second quarter. Hon. Speaker it is very clear from the report that as a government we have the potential to raise more revenue only that we need to tighten our revenue streams Hon. Speaker and for us to realize this Hon. Speaker every party that is concerned with revenue collection within the County needs to be steadfast on their roles Hon. Speaker. Then again we also need to build the capacity to ensure that they are up to the task. Thank you Hon. Speaker.

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

Hon. Musyimi Maeke (Kalama, CCU): Thank you, Madam Speaker, for giving me this chance. I want to applaud what the committee of finance has done, they have given us very good elaborative report very informative and I believe from their findings despite the much time they took it was worth the waiting.

However, Madam Speaker, my attention has been drawn to a report that our Level IV hospitals and Level V hospital are not collecting any revenue. I do not understand whether they did because we understand Madam Speaker most of our Members have paid NHIF; does it mean

that NHIF has not been paying Machakos? Does it mean we do not get money from the insurance? Does it mean that services in Level V hospital are free and Madam Speaker I want to tell you that services in the Level V hospital are not free because we visit that hospital we pay bills and I believe unless I stand to be guided, also cards from our patients NHIF and from the previous report were being told that they used to get a lot of revenue.

So I think that is a point that probably the concerned CO or CECM should shed a lot of light and if possible probably explain to us into details how come we are paying money in our hospitals and it is not being recorded as a source of revenue.

The other thing that I have seen, as the Hon. Member has spoken is we have a great potential of hitting even our targets. A great potential of collecting a lot of revenue and my prayer is if the concerned department can come up with tangible and practical ways, there is a proposal to dig tunnels in order to have an entry and one exit for the quarries and everything but I must tell you that digging that tunnel or not digging may not be the real thing because we have exit and even we have a lot of barriers.

For example, in Mlolongo we have a lot of barriers that in each barrier the revenue clerks are there but you find I do not know because of what because of probably lack of integrity or because of proper scrutiny you are supposed to pay Ksh. 3,000 probably somebody tells you to pay Ksh. 1,000 you will be tempted to pay the Ksh. 1,000 and fail to pay.

So we need enforcement on the revenue clerks because even if we dig holes and we dig tunnels on those roads to arrest the drivers they will always have a way of colluding and I believe there is a need and urgent need for a reshuffle and because you find that if I find a new revenue clerk and I find a new driver, it will be hard for them to collude but if a revenue clerk has stayed here for 10 years or a county officer is in charge there for 10 years.

For example, in Mlolongo and having being a contractor, I know what it means, because you will find that the same County officers especially the enforcement officers who come to ensure that you have the building permits and you have seen, Madam Speaker, that one of the areas we are not doing well is about houses. For example, if I am to build a house a big project probably I will need to be paying let us say for example Ksh. 30,000 for approvals but if I can go round and then I pay Ksh. 10,000 and somebody gives me protection for Ksh. 4,000 so there is a need for policy change and the first policy change probably the finance need to know is the officers on the ground have probably overstayed and especially in Mavoko Sub-county.

You will find an officer there and as Hon. Member for Athi River calls them you will find there are a lot of cartels who are around there and they protect people, they will protect you so there is a need for the CECM to really do a thorough shake up and probably thorough transfer to bring new and probably that will see a great change. Otherwise, I support the motion, Thank you very much.

Hon. Speaker: Hon. Maeke, I would like to refer you to page 15 of the report that addresses some of the concerns you have raised but some have not been addressed and so far as the poor collection or zero collection of revenue by the hospitals, the CO has tried to respond to it as stated on paragraph 4 on page 15 that in the report of revenue collection Level IV and IV hospitals had recorded nil collection and the CECM informed the committee that there was a big problem in the health facilities when he got into office. The department of health being the biggest budget consumer could not even report collection but the situation has been put under control. Currently all collection and NHIF remittances are swiped to the County CRF account

every Friday of the week and that the facilities were collecting not less than Ksh 1,000,000 per day.

So I take to see the explanation given previously not collecting any revenue but it is like they are trying to do the control. However, I agree with you that there is need for reshuffle and shake up of the cartels and of course the enforcement should be stringent. Thank you. Hon. Leader of Majority then Hon. P.K.

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Thank you, Madam Speaker. Yes indeed my attention has been drawn to page 11 of the report which the previous Hon. Members spoke of and is also about this nil report of revenue collected, some of us are fortunate enough to also be doing some business I am drawn especially to the area of No. 4 where they are saying there is Nil collection on transfer of properties. I just want not to think that in the half year of this report that there was no transfer of property in the county so I cannot imagine that.

Hon. Speaker: What paragraph is that?

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Sorry On page 11, Madam Speaker, roman (iv) when they report that property rent consisting of county housing, stalls, kiosks rent, plot rent, tenancy agreement and transfer of property. Property rent, tenancy agreement and transfer of property did not collect any revenue. That is unimaginable; every day if you go to Mlolongo land for sale, if you go to Machakos land for sale every other day. I cannot imagine, if this is happening then we are losing a lot of money and I think the CECM finance should really focus there.

There is also issue of hawking; hawkers did not collect revenue fee. Madam Speaker, I want to report to you that every day, almost every day I am rescuing my people from the law courts of Machakos because they did not pay so there are some who are paying and that is why they are not being arrested so also hawking the government is collecting money.

The issue of land rates that there is no reporting in arrears in land rate penalties and arrears did not collect any land revenue and this I do not get because we transact issues every day and *ukienda kutransfer* land or property the first this is you clear with your land rates and all the arrears so I think there is either misrepresentation of facts or wrong reporting and you can tell we need to improve on that.

Madam Speaker, since the vice chair for finance quoted or misquoted, he will clarify, I also want to say on the issue of roman (vii) indeed we cannot have Nil collection on advertisement. Also I want to report to this House, the business community in this town has been issued with invoices to pay signage and all those things and if they have been issued with invoices it means also last year they have been issued and they have paid. So we would urge that my personal contribution is that let us dig deeper into this matter of Nil revenue reporting. Some of these Nil reporting to me leaves a lot to be desired and I wish we could collectively urge that we get to the bottom of this matter.

Thank you, Madam Speaker, and indeed through Mheshimiwa Vice-chair, Finance the signage really helped and that is why partly why I was elected. Thank you.

Hon. Speaker: Thank you Hon. Members, Hon. PK.

Hon. Peter Kilonzo (Mbiuni, WDM-K): Thank you, Madam Speaker. I want first to appreciate work well done by this committee and thank you for Vice-chair for ventilating and giving us these facts. However, Madam Speaker, page 14 on the response that the CECM Finance gave to the committee there is recommendation that is saying that the department of finance that budget for a purchase of shovel and excavator to make roads at quarry sites, Madam Speaker, I want to say that it will be prudent that this department liaises with our department of roads and instead of purchasing the shovel and excavator for a temporary work then they get those machines from the department of roads instead of buying because we want to have money.

Then the last one, Madam Speaker, is that everywhere both the committee and the Chief Officer and the CECM are talking of automation so I want to understand; what is this automation or where are we coming from? With simple understanding that automation may mean that we implore technology and then reduce the human input, now because everything here is pegged on automation, it will be prudent that the department tells us we want to have automation and this will be the model because if the automation they are saying to me the automation is even operating today because when you pay through a paybill number that is an automation but I want to understand what is this automation because this seems to be artificial person or it seems to be a very big deal which when we are going to have it then we are going to achieve this target.

I have seen, Madam Speaker, that everywhere even next year the response as to why we have not achieved our target will be the non-automated issues. Therefore, Madam Speaker, can the committee or whoever is responsible give us what is this automation or where are we coming from. Are we using the old model that now we cannot achieve that which we intending to achieve. Therefore, Madam Speaker, thank you so much.

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

Hon. Francis Kavyu (Kinanie, MCCP): Thank you, Madam Speaker. I just want to support what the Members who have spoken ahead of me alluded to because unless the report is misleading the House almost on all revenue streams that have been indicated here they are ending with the same statement that did not record any revenue. If you see from roman (i) all the way, I do not understand whether it is what we call in Kiswahili *uriri* that after every comment that it had to end with the word not collect, did not record any revenue.

Especially on issues of cess at our quarries, I do not understand how they did not record any revenue and on daily basis we have people who are being paid by the County and our quarries are very busy on daily basis. So maybe the presenter of the report can give some clarity to the House what 'did not record any revenue collection' statement means because seems to be some confusion because even during the visits that we have made as committees to those areas, we normally go there and the revenue collection sites are normally very busy.

To add on the same unless we tackle the issue of leakage in terms of cash collection we will still have the same report in the next quarter where there is no significant improvement. Madam Speaker, what we want to see in terms of billboards and even in transfer fees that were not collected during that period, we want a report showing that if it is someone who has a billboard in Machakos that has not been paid for in that period, we also need to get clarity on when are they going to pay because every day on our way to Machakos in Mlolongo and every other part of this County, we have billboards being erected on daily basis.

So if the finances are not coming to the County coffers, then who is collecting the cash on behalf of the County because even before you put up any signage or billboard, I believe they are

normally paid up front. So what we need to establish as an oversight organ of this County is if the money is not coming to us to whom is it going to? Even for the hospitals monies are normally paid at the hospital; we have an accountant at the hospital so we want to understand the payments that were made during that period and where did they go and if somebody is found responsible they need to be surcharged on the same so that we can recover.

Our people want services and we cannot be singing the same song year in year out and just maybe to give a clear indication, I think with the Chair of Finance and some Members we were doing some calculations someday as we were discussing and we saw just one of the businesses within our County who are in the quarry sector, they are only paying on a monthly basis a fee that is equivalent to what they are supposed to pay on a daily basis. So at the end of the month it translated the County is losing closely to Ksh. 15 million that should be coming to the County but they are only paying an equivalent of what they should be paying on a single day at the end of the day and also there is no clarity especially on cess collection.

There is no clarity what model is being used because the normal small-scale consumers for them they pay per trip but now you find there is someone who is doing 100 or close to 150 trips but at the end of the month the amount they are paying does not tally with the number of trips that they are doing. We could not understand what is happening so that clarity is what we want and if we are going to deliver services to our people then we must roll our sleeves and assist the County to collect the revenue and I think that the report that was given sometimes during the transition, the indicative was that Machakos has a potential to collect over Ksh. 5 billion in a year but we are still at Ksh. 1 billion within a year.

So we need to help the County as an oversight body to make sure that there is no shilling that is being lost and if we focus clearly on the big revenue streams that we have as a County then we will not need to go to the villages where I have seen people moving around and harassing the kiosk owners at the remote areas asking them to pay Ksh. 5,000 or forcing them to have permits yet that person in a month if they manage to make a Ksh. 1,000 profit is a big success for them.

So we need to focus on the big revenue drivers for the county and ensure that we are not losing money, then at that point we can take advantage of that to cushion the small-scale traders who are struggling to make ends meet on a day to day basis. Thank you, Madam Speaker.

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

Hon. Daniel Ndwiki (Mlolongo/Syokimau, WDM-K): Thank you, Madam Speaker. First and foremost, I want to thank the Finance Committee for coming up with this report but Madam Speaker, this report is very shocking. When I went through this report, Madam Speaker, I can say that there is something wrong. Maybe the report is not accurate or there is something urgent that needs to be done. For example, Madam Speaker, as the many Hon. Members have contributed, we have revenue collection streams that we are aware that revenue was collected but when we read this report we see that there is nil or zero collection.

So, Madam Speaker, this report should not be taken easily because these are public funds that are meant to benefit the people of Machakos. For example, in our area we have those quarries and those big trucks which pollute for our people. Innocent people pass there, hundreds of them daily and they destroy our roads only to come and see nothing substantial has been collected from those lorries. Madam Speaker, we are aware that there are cartels, some lorries do not pay revenue to the county and they just pay to individuals. Madam Speaker, this needs to be

investigated because we cannot keep on letting people collect funds on behalf of the Machakos County. So Madam Speaker, as I support I suggest that more needs to be recommended.

When, Madam Speaker, I went through the recommendations I see just simple recommendations. Just improve on this or that but Madam Speaker, there must be some recommendations that investigations need to be done on those matters because some matters do not need investigations as it is something we can see with our eyes. We can see rent being paid, we can see land rates being paid, we can see approvals being paid but it is not reflecting in this report. So that means there are two channels of collection of funds and that is very unfortunate, Madam Speaker, for this House to have such report.

So, Madam Speaker, I suggest that the recommendations of this report be upgraded not just the simple 'check on this and that' but there should be a recommendation for investigation and prosecution of those who are responsible for those mess being undertaken by our revenue officers.

(Applause)

Madam Speaker, this is very bitter because we see and we do not get services because of those finances that go into the pockets of individuals. I support the report and I suggest the committee makes further recommendations on the same. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Members. I wish to invite the mover to reply and also address some of the issues that have been raised by Members. Some I would like to highlight; there was the issue of capacity building, zero revenue collection that has come out very clearly, there is an issue of automation and what is the model of technology used and there is the issue of leakage of cash collection from several places and the last issue that has been raised by Hon. Ndwiki concerning cartels and fraudulent activities taking place and that investigations need to undertake so that we can understand and get to know whether there are culprits.

Now when Hon. Paul, address those issues but I also wish to direct that the committee does thorough and in-depth on the issues raised by the Members especially the one of nil reporting. We all know that where there is nil reporting even when we are making our returns to KRA, nil reporting always raises eyebrows. So why nil reporting and we can see activities are taking place, revenue is being collected even without being told you know this is a billboard that has been raised here and there should have been money paid and then you make a nil reporting. So, Committee you go back and do a thorough in-depth on this.

(Applause)

Hon. Paul, proceed and reply.

Hon. Paul Wambua (Kibauni, PTP): Thank you, Madam Speaker. Thank you, Members for your input in this matter and welcome Mr. Chairman Hon. Kitaka I wish to ask that you let me finish the task you delegated to me. So, Madam Speaker, we have been having very tough discussions with the department of finance and I will start with the issue of NHIF. Previously, the County has not been receiving money from NHIF but only yesterday the CECM assured us

that they are going to follow up so that our debtors such as NHIF remit funds to the county because we were asking them, our hospitals take the larger share of the labor force in the County.

Our hospitals also take a larger share of the budget of the county and if the greatest consumer of our budget of our budget does not contribute to the budget then it makes the County unable to meet some of its development agendas because NHIF and the hospitals should be a contributor to the County kitty.

The CECM has also assured us that they are working on the people side of the revenue collection that they will be doing capacity building and as we are all aware they advertised for 435 positions for contract staff who will help map out revenue collection sources within the County so that we know how many shops are in our County, how much we expect to collect so that we set realistic targets

My grandfather usually told me *mbesa imanthawa na ingi*. So the department also intends to spend so as to collect more for this County. Madam Speaker, currently they have procured phones, there is also a plan to procure motor vehicles, a plan to improve capacity and all these will include spending so that at the end of the day the plan is to collect more. If we collect more even our wage bill which is at 58 per cent that ratio will go down below the recommended 35 per cent.

They will come with proposals so that this House allows them to spend on certain things and one of those things is automation and the plan that is there is that for things like building approvals, you as the client will be doing the application from the comfort of your house hence you still not interact with the person in the office although there will be machine interactions which will be controlled by them. You will do your application there, your calculations will be done by that machine and you will pay automatically.

Hon. Daniel Ndwiki (Mlolongo/Syokimau, WDM-K): Point of order, Madam Speaker.

Hon. Paul Wambua (Kibauni, PTP): That is the proposal.

Hon. Daniel Ndwiki (Mlolongo/Syokimau, WDM-K): Madam Speaker, point of order. Mr. Chairman, we are concerned with the collected funds that are not reported in this report. We are not concerned with how much we are planning to employ more people to collect much. We are concerned with what we know has been collected and has not reached; it is not reported in your report. Please can you clear the nil collection not what you have planned to do to make more collection. We want the already collected funds which are not on record. Thank you, Madam Speaker.

Hon. Speaker: Proceed.

Hon. Paul Wambua (Kibauni, PTP): Thank you, Madam Speaker. But Hon. Ndwiki I think you are bringing the cart before the horse. I was coming to your issue of nil reporting but I was going systematically down. On the issue of nil reporting, if you look at the annex attached at the end of the report you will see how we end up with these nil reporting. In my report, as I read the report, you heard me talk about something the department has done which is called merging of revenue streams so that, for instance, parking fees will be under bus park so that some of these revenue streams as they are supposed to be reported in the Finance Act have been merged by the

department so that---

Hon. Speaker: Page 15 merging of revenue streams is that?

Hon. Paul Wambua (Kibauni, PTP): Yes. So what I am saying is that we questioned about the nil reporting. It may not be nil reporting *per se* but what they have done is that, for instance on park fees, you will not see filming and photography fees but it will be called park fees but the greatest contributor is filming and photography and that is why in our recommendations we are saying that the department should not merge revenue streams. They should report them as they are in the Finance Act. So Hon. Ndwiki, it may not be nil reporting or collection as such but it is a matter of how the report has been done.

As we go for site visits, going forward we agreed as a department that we will be engaging the services of police force because what we are engaged in is fighting what Hon. Ndwiki likes to call cartels but we will not persecute them, we will prosecute whoever we find guilty. That will be done. Madam Speaker, let me thank my committee Members led by Hon. Chairman, Hon. Kitaka and the rest of the committee Members as indicated in the report for the good work they did and thank this House for the support as well as our Clerk Assistants for the support in putting all this together. Thank you, very much. God bless you all.

Hon. Speaker: Thank you very much, Hon. Member.

(Question put and agreed to)

ALTERATION OF THE CALENDAR OF THE ASSEMBLY

Hon. Speaker: May I invite Hon. Nicholas Nzioka.

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

Hon. Speaker, that aware that the second Session of the Third Assembly commenced on 14th February, 2023;

Further aware that pursuant to Standing Order 25(1), the Assembly approved an Assembly calendar on 14th March, 2023 and altered it on 15th March, 2023 through a House resolution and aware that the calendar provides that the House should adjourn for short recess on 3rd May, 2023;

Acknowledging that Standing Order 25(4) provides that despite the adjournment date as scheduled in the approved Assembly Calendar, the Assembly may by resolution, alter its Calendar or the adjournment date; Further aware that Standing Order 151(6) provides for the mandate of the House Business Committee which amongst others, is to prepare and if necessary, from time to time adjust the Assembly Calendar with the Approval of the House;

Noting that there is need for Members to consider nominees committed to various Committees for vetting and also interrogate the Third Generation County Integrated Development Plan (CIDP) 2023-2027 and subsequently report to the House and aware that these two businesses need to be fast-tracked;

Hon. Speaker, I wish to move the Motion THAT notwithstanding the resolutions of the Assembly made on 14th March, 2023 (Approval of Assembly Calendar) and 15th March, 2023 (alteration of Assembly Calendar) and pursuant to Standing Order 25(4), the Assembly resolves to further alter its Calendar (Regular Sessions) for the Second Session of the third Assembly to adjourn for short recess on Wednesday, 26th April, 2023 in the morning sitting and resume its regular sittings on Tuesday, 6th June, 2023 and that the Assembly Calendar (Regular Sessions) for the Second session be altered accordingly.

I call upon Mheshimiwa Francis Kitaka to second the motion.

Hon. Speaker: Hon. Francis Kitaka.

Hon. Francis Kitaka (Ndalani, WDM-K): Thank you, Madam Speaker.

(Question proposed)

May I call the mover to highlight on this issue of adjournment?

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Thank you, Madam Speaker. Madam Speaker, I request that we move this motion and support it since we have two important businesses that need to be done especially that Members are congregating here tomorrow on the issues of vetting nominees for the County Public Service Board and also some nominees for Chief Officers. Because of that important aspect I know many Members were not able to come to the House today because of doing background checks and some issues and also there is the third generation County Integrated Development Plan that as all Members are aware we will be sending all Members for a retreat in Mombasa to discuss and we thought we can adjourn the sitting this morning until the 6th of June, 2023. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member. May I now invite Members to debate the motion? Hon. PK.

Hon. Peter Kilonzo (Mbiuni, UDA): Thank you, Madam Speaker. I support the motion bearing in mind that we have been into this House and the schools have been closed and we need time to go and bond with our children who have been in boarding schools. It is also a time that we need to go and farm so that now we may avoid this drama of *maandamano* because *sufurias* will not reduce Madam Speaker---

Hon. Helen Ndeti (Nominated, WDM-K): Point of order.

Hon. Peter Kilonzo (Mbiuni, UDA):the economic hard times; it will be reduced by us going to farm and ensuring that we have food in our farms. Thank you, Madam Speaker. I support the motion.

Hon. Speaker: Hon. Kavyu.

Hon. Francis Kavyu (Kinanie, MCCP): Madam Speaker, I support the motion because the task that is ahead of this House, I think the recess will work for their good and will also give Members time especially for the committees that are having some of the nominees that they are looking at. Also I think the Appointments Committee will also have ample time to review and cross check the details of the nominees and also on 3rd of May we are also having a National convention for all MCAs Kenya at KICC. So it will also provide an opportunity for us to get also to attend that to discuss matters of devolution and the role of MCAs as an oversight body. Thank you.

(Applause)

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

Hon. Musyimi Maeke (Kalama, CCU): Thank you, Madam Speaker. I think today I am very lucky because a lot of people are not around and we are getting to speak repeatedly. Madam Speaker, as you understand---

Hon. Speaker: I have never denied anyone to speak.

Hon. Musyimi Maeke (Kalama, CCU): Thank you very much, Madam Speaker. We know you are among the best Speakers around and you are very good to us. I must say as the Hon. Majority Leader has said that convention is very important because you understand knowledge is power and where there is no consultation sometimes things do not work the way they are supposed to work. I am supporting the adjustment of the calendar that we had passed before and also echo Hon. Kavyu's word.

Madam Speaker, you understand it is evident now that Members are...I will not say they are not coming to the House but they are lacking the push and you know money works magic so as we go to contemplate on the way forward about our welfare, it has come in handy and I applaud the leadership because as we congregate in Mombasa we shall probably have time to attend that meeting at KICC. Thank you very much, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member.

(Question put and agreed to)

ADJOURNMENT

Hon. Speaker: The House adjourns to Tuesday, 6th June, 2023 at 10.00 a.m. Thank you, Members.

The House rose at 12.25 p.m.