

**REPUBLIC OF KENYA**  
**MACHAKOS COUNTY ASSEMBLY**

**OFFICIAL REPORT**

**Wednesday, 26<sup>th</sup> May, 2021**

The House met at 2.55 p.m.

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

**PRAYERS**

*(The House sat as a Kamukunji)*

**Hon. Speaker:** We can start our afternoon sitting; sorry there was a slight delay because there were other matters that we had to attend by still related to the Assembly.

**MESSAGE**

MESSAGE FROM THE HON. SENATOR AGNES KAVINDU MUTHAMA

**Hon. Speaker:** Hon. Members, under this Order, I have one business to convey to you and this is a message from the Hon. Senator, Hon. Agnes Kavindu Muthama and the message is dated 25th May, 2021. Remember Hon. Members we had invited the Senator alongside the Governor for the special sitting yesterday but the Hon. Senator could not make it and she gave out the following message, and Hon. Members this message is received by the Assembly under Standing Order 39 of the Assembly Standing Orders. There is provision for messages from the Governor and the Senator and it is under that Standing Order that I am conveying the message of the Senator.

The Senator addresses herself to the Speaker, the Hon. Members and the Clerk and she has sent here appreciation to you for having invited her to the special sitting of 25th May, 2021, and she finds it a historic moment for her and of course a great attainment for gender parity in leadership roles in the county, and she thanks you Hon. Members for the good work you have done as a County Assembly for the people of Machakos and in particular the people you represent this House.

She finds you committed and with a zeal or desire to serve your people. She says that her vision as the Senator of the county is to promote the principles of Chapter Six of the Constitution and particularly in regard to transparency and accountability and to make sure that each arm of the County Government performs its duties unhindered so that Machakos County can be transformed to greater heights in terms of development.

She thanks the principle of devolution and sees it as an opportunity because it has given her and you Members an opportunity to sit together and to reason together as a county and to make independent decisions as per Article 93 and 96 of the Constitution. She would have wanted to be with us but she was out of the country as I gave her apology yesterday and she says that she wants, through this message, to touch on several issues and she wants to start with the

heated.....what she calls the heated topic in the country of the BBI and how it concerns the devolved government, youth, women, people with disabilities and Kenyans at large.

I do appreciate myself as a practicing lawyer and the matter of the BBI is currently in no lesser court than the Court of Appeal and I will want to skip the part on the BBI much as I also as a proponent of the BBI and I am wishing it well through the court process noting the importance of that process to strengthening devolution and I will ask that I will leave it at that and allow me to make further comments on the message that she has given.

The Hon. Senator appreciates the president as a great devolution champion or a proponent of devolution and she says that he has implemented and actualized devolution as captured in the Constitution of Kenya 2010. She also appreciates the other leaders who work with His Excellency the President that is His Excellency Hon. Kalonzo Musyoka, Hon. Raila Odinga, Hon. Mudavadi, and Hon. Wetangula and other Kenyans from all walks who have joined hands so that they can entrench the devolution principle for the people.

She goes on to quote a wise man who said "in order to secure a great future you start by empowering the present youths" and this is her concern for the empowerment of the youth. She sees that the Constitution has provisions that provide for solutions to the youth problems that they face and she is hoping that, that desire in the Constitution is achieved.

She also mentions the issue of corruption which is of course the major problem in the country and she hopes that there will be a solution to the issue through other processes which we have initiated as a country.

She also addresses matters of land and says that her office has received many complaints from the public about the processing of searches for title deeds and title deeds and other land documents. She sees the Constitution addressing the issue of land also through the Land Act and other laws and she is urging the House, this House that is, and the county government as a whole to partner with her in resolving the many outstanding land issues in the county and she cites the Portland in Mavoko, Muli farm in Ndithini, Matungulu farm in Muthesya, Kengen land in Kivaa, Kapiti plains land in Kyumbi, Kimiti land in Matungulu, Drumvale land in Muthwani, Miwongoni land in Katelembu, and she says those are just a few, and she also calls upon the land registrar Machakos county and the County Commissioner to prioritize the issue of the printed titles to *wananchi* so that they can make use of them.

She goes further to refer to Article 96 of the Constitution, which gives the office of the Senator the power of representation and oversight of resources allocated to counties and to make sure that every coin is accounted for by County Governments, she says that in this regard, there is a special audit on Covid 19 funds which have proved, without doubt, she says, that money was not properly used and accounted for and she talks of double payments of allowances to some staff and Covid 19 national team allowances.

She talks of the audit that has revealed a total of Ksh. 1.9 million to 526 people which could not be traced in the suspension of payment schedules, she talks of medical allowances to non-medical staff made and she says that in this regard she requests the Governor to provide an explanation backed up with evidence to let them understand how it happened. Apparently, that is in reference to our County.

She further cites Section 87(1) of the Public Procurement and Asset Disposal 2015, which requires that before the expiry of the period during which tenders must remain valid, the accounting officer of the procuring entity should notify in writing the person submitting the successful tender that their tender has been accepted. She states that there is no evidence that the County Government of Machakos issued notifications to both successful and non-successful

bidders for the Ksh. 19.1 million tenders awarded to Bay Edge Enterprise Limited for the supply of non-pharmaceuticals as per the audit.

She says that those issues among others are in the special audit report of the auditor general of the Covid 19 funds utilization which is dated December, 2020, and she says those are matters of concern of the Senate as an oversight agency on behalf of the people of this county.

She also says this an issue also of harassment of *wananchi* by the inspectorate officers who are supposed to protect them and she says that has been brought to her attention and she cites an issue that occurred on 9th April, 2021, where some Inspectorate officers are said to have erected an unauthorized roadblock at Machakos showground along Machakos-Kyumbi road, and then she says that those officers threw the spiked metal bar towards a *matatu* that braked immediately, drifted off the road hitting a *Maruti PSV* that was on the road and she says that the *Maruti* was damaged, travelers got minor injuries and one lady broke her leg. She sees that as rogue act and she says that those officers need to be brought to justice so that such incidents don't occur in future.

She also says that she received complaints and reports for poor medical services and lack of medicine in county hospitals and she says that when health services are devolved, money is normally allocated for every county to cater for each county and that as the Senator she would wish to see the money used or the money in action in order to give the great people of Machakos standard healthcare; I guess it should be quality health services. She indicates that when our people are healthy, that will translate into a healthy economy as well.

She also cites the case of unpaid Community Health workers and the striking Level V hospital cleaners. She says there are striking Level V hospital cleaners and she says that is an eye sore that demands resolution by the House and the county executive. So she calls upon all of us, the Assembly and the county executive to move with speed and address the matter.

By way of concluding, she takes the opportunity to congratulate and thank the county health workers for doing a good job during the Covid-19 pandemic. She says they have been in the frontline to protect the people and she does not understand why some of them have not received their allowances up to now when there are some persons who have been double paid as per the special audit.

So she says finally, she wishes to request each and every one of you members to carry out your duties and responsibilities diligently to ensure a prosperous Machakos County. And she promises to work closely with this Assembly in the spirit of consultation and she will perform her duties which the people of Machakos have entrusted her with.

She reminds us that Covid is still very real and so we should not forget to wear masks, to wash our hands, to sanitize regularly and to get vaccinated when the chance arises. She prays to God to bless you as she thanks you and also prays to God to bless Machakos and to bless Kenya. That is the message Hon. Members from the County Senator Hon. Agnes Kavindu.

*(Applause)*

I just want to confirm that the message has already been put in your pigeon holes; what I was doing was tabling it before you and so you will interact with it and you will still also make comments on a later date. We will provide the opportunity, so check on your pigeon holes. We can carry on Mr. Clerk.

## PAPER LAID

**Hon. Speaker:** Hon. Members, under this Order, we had two Papers; the first one was to be on the Senator's message by Hon. Mitaa which I have already done by a way of reading the message to you as it is supposed to be and so the next Paper to be laid would be by Hon. Kamitu on the Budget Estimates.

#### BUDGET ESTIMATES FOR 2021/22 FINANCIAL YEAR

**Hon. Kamitu:** Thank you very much, Madam Speaker. Hon. Speaker, I beg to lay the following Paper on the table of the House today, Wednesday, 26th May, 2021; the Budget Estimates for the Financial Year 2021/22 from the Executive. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Kamitu. We have received the Paper and we proceed to next Order.

#### NOTICE OF MOTION

**Hon. Speaker:** Hon. Members, under this Order we would have had to notices of motions; the first by Hon. Mitaa which we have addressed under Order No. 3 Messages, and so now the next one is going to be actually it was only one. So has already been addressed under Order 3.

#### MOTIONS

##### ALTERATION OF ASSEMBLY CALENDAR APPROVED ON 10TH MARCH, 2021

**Hon. Speaker:** Thank you, Hon. Members under this motion, this is a motion that originates from the House Business Committee and it is going to be processed by Hon. Kamitu, Leader Minority Party.

**Hon. Kamitu:** Once again Hon. Speaker, I am here to give out a motion that is on alteration of Assembly Calendar approved on 10th March, 2021.

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

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

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

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

Further, Standing Order 25(4) provides that, despite the provisions of Standing Order 25(2) the Assembly may, by resolution, alter its Calendar or the adjournment date;

Hon. Speaker, Standing Order 151(5)(a) provides that the House Business

Committee shall prepare and if necessary from time to time adjust the Assembly Calendar with the approval of the Assembly. The Committee prepared an Assembly Calendar for the Fifth Session and was approved by the House on 10<sup>th</sup> March, 2021. The Committee has prepared amendments to the approved Calendar as a result of Covid-19 third wave interruptions;

Hon. Speaker, I wish to move the motion that pursuant to Standing Order 25(4), this House resolves to alter its Calendar (Regular Sessions) for the Fifth Session (2021), as adopted on Wednesday, 10<sup>th</sup> March, 2021 as per the report of the House Business Committee on the amendments to the Calendar of the Assembly for the fifth session tabled in the House today, 26<sup>th</sup> May, 2021.

Thank you. Hon. Speaker.

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

**Hon. Kamitu:** I now call upon Hon. Ndawa who is a member of House Business Committee to second the motion. Thank you.

**Hon. Ndawa** seconded.

**Hon. Speaker:** Thank you, Hon. Ndawa; he has seconded by bowing, reserving his right to comment later. We have a report Hon. Kamitu on this, and what I want us to do Hon. Kamitu, we would be very brief of this report; you can do the introduction.

**Hon. Kamitu:** Thank you, Madam Speaker, for your guidance. There is the report of House Business Committee on amendments to Calendar of the Second Assembly for the Fifth Session adopted by the House on 10th March, 2021. Madam Speaker. looking at the time, I would request you Madam Speaker that we leave the introduction that is in the preface, the mandate of the Committee because the Hon. House knows their mandate and even the committee composition. Madam Speaker, because of time with your permission, I would straight to amendments to the calendar of the year.

**Hon. Speaker:** Indeed I agree with you. I had actually said you do the introduction, the Members know that that committee and its work. So go to the amendments proposed.

**Hon. Kamitu:** Thank you, Madam Speaker. The Fifth Session of the Assembly commenced on 9th February, 2021. The House continued to be in session up to 10th March, 2021 when it adjourned for short recess pursuant to the approved calendar of the Assembly. The House was to resume its sittings on 5th April, 2021 as per the calendar of the Assembly but continued to be on recess as a result of interruptions of Covid-19 third wave.

Hon. Speaker, the President of Kenya issued Public Order No. 2 of 2021 during addresses to the country on 26th March, 2021 on Covid-9 pandemic. This order directed lockdown of five Counties of Nairobi, Kiambu, Machakos, Kajiado and Nakuru which had the highest infections and suspension of Parliament and County Assembly ordinary sittings in these five Counties until further notice.

As a result, the Assembly continued to be on recess and was scheduled to resume business on 4th May, 2021 after the lockdown in the five counties was lifted through Public

Order No. 3 of 2021 during Presidential address to the Country on Labour Day on 1st May, 2021. However, the Assembly continued to be on recess up to 25th May, 2021 to allow Committees time to generate enough business for the House.

*Amendments to Calendar*

Hon. Speaker, as a result of the interruptions highlighted, the House Business Committee pursuant to Standing Order 151(5)(a) proposes the following amendments to the Calendar of the Assembly approved on 10th May, 2021.

- i. The House resumes sittings on Tuesday, 25th May, 2021 up to Wednesday, 9th June, 2021. During this period, the House will have 10 sittings.
- ii. The House to take a short recess from Thursday, 10th June, 2021 to Monday, 21st June, 2021. This recess will allow the Budget and Appropriations Committee and Sectoral Committees to interrogate the Budget Estimates for FY 2021/2022.
- iii. The House will resume sittings on Tuesday, 22nd June, 2021 up to Wednesday, 7th July, 2021. The House will be able to approve the Budget Estimates as the PFM deadlines.
- iv. The House resumes the normal calendar as approved by the House on March, 2021.

Up to this time, Madam Speaker, I would say it is therefore my duty and privilege to present this Calendar of the Assembly to this Hon. House for consideration and approval. Thank you, Hon. Speaker.

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

**Hon. Kamitu:** The calendar is annexed in the report.

**Hon. Speaker:** The details are annexed.

*(Question proposed)*

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

**Hon. Mitaa:** Thank you, Madam Speaker, for the permission to give my input on this report as tabled by the Leader of the Minority. Hon. Speaker, I am a member of the House Business Committee and I want to thank you as our leader and the members of that Committee for considering the affairs of this Assembly and taking into consideration issues at hand, Madam Speaker. It is true the issue of Covid and blockages (??) interfered with our normal way of doing business in this Assembly and because of that the committee took into consideration matters related both to the Assembly and the affairs of the Hon. Members, Madam Speaker.

From what we meant, Madam Speaker, we ensured that Hon. Members will have time as you always tell us education is continuous, Madam Speaker; Hon. Members will have time to add more on matters related to legislation through the trainings, Madam Speaker. Also another

issue which was taken care of is issue to do with public participation Madam Speaker, and even the *Bunge mashinani* issue. So what I can assure Hon. Members and my colleagues that the report itself has taken care of every issue, every interest we might have both as Assembly and as Hon. Members and my request is that we pass the report as it is and move forward, Madam Speaker. Thank you.

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

**Hon. Maseesi:** Thank you, Madam Speaker. Madam Speaker, I would like to appreciate the report by the House Business Committee although I stand to be guided on.....because they are proposing Madam Speaker, to adjourn today which is the 26th but I cannot see anywhere written adjourn from 26th maybe to 4th because what I can see is the House resumes sittings on Tuesday 25th May up to Wednesday 9th June, 2021.

**Hon. Speaker:** Point of information. Hon. Masesi let us hear Hon. Ndawa.

**Hon. Ndawa:** Thank you, Madam Speaker. I want to inform the Hon. Member that the matter before the House is about Calendar and not adjournment so the issue of adjournment will come.

**Hon. Speaker:** What Hon. Ndawa, *Mheshimiwa* Masesi, is saying is that a calendar is there but even within the calendar you can adjourn for good reason. That is what he is saying. You get it?

**Hon. Masesi:** Yes. Thank you, Madam Speaker.

**Hon. Speaker:** Alright, let us go on.

**Hon. Masesi:** Madam Speaker, I would like to second the Hon. Whip that we adopt the amendments as they are. Thank you, Madam Speaker.

**Hon. Speaker:** Hon. Ndawa. Thank you, Hon. Masesi.

**Hon. Ndawa:** Thank you, Madam Speaker, for the opportunity. I want also to support the report because I am a member of that House Business committee. Madam Speaker, a lot of things were considered during the compilation of this report and it is one of the issues that necessitated this out ration of the calendar was the issue of Covid-19, Madam Speaker.

As you are aware the sittings were interrupted and we lost a lot. A lot of business ought to have been transacted but because of that order from the President that business was not done so that is why we are trying to alter the calendar to accommodate the days we lost. Again Madam Speaker, it is also good to adjourn or to alter the calendar so that Hon. Members can have time to mingle with the electorate as we come back Members will be aware of the requirements from the electorate.

Again Madam Speaker, we have considered the issue of trainings so we had proposed trainings from somewhere August and according to the report we are getting from the MOH, I heard Dr. Mercy Mwangangi talk through Musyi FM and warned the members of the public if

they are not careful or if we do not behave, July and August we will have the fourth wave of Covid-19. So, Madam Speaker, I am requesting Hon. Members as we go home, let us encourage our electorate to be more careful and again us as leaders we should lead by example. Let us all follow what is required of us so that we can be sure if Covid-19 fourth wave comes, it does not affect our County. Thank you very much, Madam Speaker. I support the report; thank you.

**Hon. Speaker:** Thank you, Hon. Ndawa. The mover of the motion, please reply. Hon. Kamitu.

**Hon. Kamitu:** Thank you very much, Madam Speaker. One thing Madam Speaker, is that it is important that I report to the House that we are grateful to the leadership of our Speaker as she is the chairperson of the House Business Committee and also grateful to our Clerk Assistants and to the Hon. Members to have agreed to this amendments because as the report says it was not intentional that the amendments are coming in because of the pandemic interruption that they came about.

So, to be brief, Madam Speaker, is to say now that the House has agreed to the amendments I wish them to adopt as they have said so that we move forward as we were doing previously before this interruption. Otherwise, let me say thank you, Madam Speaker, let me sit down and say thank you very much to the House. Thank you, Madam Speaker.

**Hon. Speaker.** Thank you, Hon. Kamitu.

*(Question put and agreed to)*

Thank you, Hon. Members.

#### DISCUSSION OF THE SENATORS MESSAGE AS RECEIVED ON 25TH MAY, 2021

**Hon. Speaker:** Hon. Members, you recall we had addressed this matter under Order No. 3 and discussion as Hon. Mitaa was to do it the discussion will be on the day that the House Business Committee will ballot as you remember Members are to get that message so that they can internalize.

#### ADJOURNMENT OF SITTINGS FROM 2ND JUNE TO 8TH JUNE, 2021 TO ALLOW INTERROGATION OF 2021/2022 BUDGET ESTIMATES

**Hon. Speaker:** Thank you, Hon. Members. Under this Order, we have one business by Hon. Alex Kamitu, Leader of Minority Party in the Assembly.

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

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

Acknowledging that Standing Order 25(1) provides that the House Business Committee shall with approval of the Assembly determine the calendar of the Assembly;

Madam Speaker, aware that Standing Order 151(5)(a) states that the House



Business Committee shall prepare and if necessary from time to time adjust the House calendar with the approval of the House; Further, aware that the Assembly received Budget Estimates for financial year 2021/2022 pursuant to Standing Order 206(3) that states that upon being laid before the Assembly, the Estimates shall be deemed to have been committed to the respective sectoral committees without question put. For which such committee to deliberate upon according to their respective mandate; Hon. Speaker, I wish to move the Motion that this House adjourns its sittings on Wednesday, 2nd June, 2021 to resume on Tuesday, 8th June, 2021 at 10.00 a.m. to allow sectoral committees to interrogate Budget Estimates for financial year 2021/2022 pursuant to Standing Order 206(4).

Thank you, Madam Speaker.

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

**Hon. Kamitu:** I now call upon Hon. Ndawa to second the motion. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Ndawa?

**Hon. Ndawa** seonded.

**Hon. Speaker:** Thank you, for seconding by way of bowing.

*(Question proposed)*

Hon. Members, I open the motion for debate. Hon. Muthoka.

**Hon. Muthoka:** Thank you, Madam Speaker. I stand here to support this motion; it is time-bound and I want to urge the Members in each committee that as we are holding the Assembly accountable also let us hold the executive accountable. Hon. Ndawa, let these Chief Officers (COs) before we give them another budget, let them account for the previous year's budget. When a CO comes to a committee to defend a budget, first of all let the CO explain to the committee what he or she has done with the previous budget.

Before you approve another budget, before you give them money, for example you had given a CO money to buy a vehicle get to know was the vehicle bought. We gave a CO Ksh. 1 billion for roads and as I am talking here Mitaboni ward has never had a single road graded ward and in Kathiani sub-county even Hon. Kamulu was here and he referred to it in the morning. So as we are holding the Assembly accountable, also with the same enthusiasm, let us also hold the executive accountable. Let the COs account to the committees what they have done with this budget which is ending. I support.

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

**Hon. Kisini:** Thank you, Hon. Speaker. I also want to support that we adjourn due to the nature of the business which is ahead of us of interrogating the budget from the Chief

Officers so Madam Speaker, as our colleague has said it is good to have ample time so that we sit with them, they do their presentation to us and then we interrogate and we get to know the plans they have for the budget of this financial year while not forgetting what they have done with the previous budget. Thank you, Madam Speaker.

**Hon. Speaker.** Thank you, Hon. Kisiini. Hon. Johana and then Hon. Musau.

**Hon. Munyao:** Thank you, Madam Speaker. I support the adjournment of the sitting to allow interrogation of the budget. It is a session which is going to allow us to interact and interrogate the budget together with the Executive so that as we come back to make a decision of passing the budget which is meant to develop our county, we do it from an informed point of view. So, I support the adjournment so that we can engage with the Executive. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Johana. Hon. Musau.

**Hon. Musau:** Thank you, Madam Speaker. First and foremost, allow me to thank the House Business Committee for time well spent in coming up with the adjournment. Mine is to urge my colleagues to do our work in interrogating both the Executive and the County Assembly Budget Estimates because it is through such interrogations we will be able to scrutinize what the Executive intends to do for our people.

It is also through interrogating the County Assembly budget we shall know the future of our welfare. Thank you so much and I support.

**Hon. Speaker:** Thank you very much, Hon. Musau. Hon. Ndawa.

**Hon. Ndawa:** Thank you, Madam Speaker. I stand before the House to support the motion on adjournment and make a special application. Madam Speaker, interrogation of the budget is.....in fact when we are adjourning we are transferring the work that we are supposed to be doing here we will be doing something but not outside what we are mandated to do. So I am requesting once we start interrogating the departments, let us not be complicated because if we are, we may delay the process and we may delay the budget committee from compiling.

You know we have a very short time; the budget is supposed to be approved by the Assembly before 30th June. So, if we start asking what was supposed to be done by the previous budget and now---

**Hon. Speaker:** Point of information Hon. Muthoka.

**Hon. Muthoka:** Madam Speaker, let the Hon. Member not have double standards. As we were talking here, he said some Members are selfish, they are holding two responsibilities. Also, let him not be selfish because these Chief Officers develop one ward and leave another ward. So I urge all committees to get to know what that Chief Officer has done.

**Hon. Speaker:** Alright. Hon. Ndawa.

**Hon. Ndawa:** Thank you, Madam Speaker. I am well-informed but I want to say, whenever we are interrogating we normally have a questionnaire prepared by the Clerk Assistant of that committee and I am very sure that the Clerk Assistants who prepare those questions also consider the previous budget. So I hope the process is going to be done within the stipulated time. Otherwise, I support we adjourn the House.

**Hon. Speaker:** Thank you. Hon. King'ori and then Hon. Masesi.

**Hon. King'ori:** Thank you, Madam Speaker. I support the adjournment but what we need to do is to interrogate seriously even if we are late because if we just have budgets that are not implemented, it is not right and we are failing our electorates. We better not even have a budget this year if things should be done the usual way. When we give budgets and they are not implemented Madam Speaker, it is very sad.

I am talking on a point of knowledge that last year's budget we gave itemized budget yet I am hearing complaints from all our Members and so it means that the budget was not implemented properly. So, we need to know why and we gave it; who is this man who has powers to alter budgets in this County. Who is this man who has power against the Constitution and he does the opposite of what he is told.

**Hon. Speaker:** At least a woman is not there.

**Hon. King'ori:** Thank you, Madam Speaker. I Do understand; he or she then. I think it is the high time we do proper interrogation on the budget and to see to it that if somebody has not acted according to the law he should not even be given a budget to act on. People should learn how to follow the law and the budget itself so that you can give the money. How can you give somebody money then you alter what you have given him to do; it is not fair to this Assembly and even to him. It is immoral for somebody to say that we do not have to interrogate the budget properly.

So, Madam Speaker, even if the budget is late we get better a late budget but we get accountability for what we are giving. Thank you.

**Hon. Speaker:** Thank you, Hon. King'ori. Hon. Masesi.

**Hon. Masesi:** Thank you, Madam Speaker. I support the adjournment and my concern on the issue of interrogation is to remind Hon. Members that this is our last budget which we are going to pass and oversee. Let this one sink in to the minds of Hon. Members. Madam Speaker, bad enough, Hon. Mbili has walked out but the previous budgets we have given them on time and yet no development has been done.

Mine is to call upon Hon. Members more so the elected Members that we make sure that this financial year's budget at least we get something for our people. This budget, Madam Speaker, will mark our score card as we seek re-election in the coming year 2022. Madam Speaker, I want to call upon the unity of Members in this last budget and let us do and give the best to our residents. Thank you.

**Hon. Speaker:** Thank you, Hon. Masesi. Hon. Kamitu the mover of the motion, please reply.

**Hon. Kamitu:** Thank you very much, Hon. Speaker. I will be very brief; Madam Speaker, as the everyone is aware that the House sittings have been adjourned from 2nd to 8th June, I will urge the Hon. Members especially the Chairpersons in the committees that this is the best time they should look where the shortfalls are in regard to the budgetary allocations per every sectoral committee and as Hon. Masesi has said, this is our last budget so it is the work of the Chairs and the other personnel and Hon. Members to do thorough interrogation and to prepare a creative and positive criticism questionnaire that will guide and relate to what Hon. Members are supposed to do because the Executive implement so it will be very important for Hon. Members to be very serious during the interrogation so that where there are shortfalls we should follow and know why they are there.

Otherwise, thank you very much, Madam Speaker. I wish the Hon. Members a good time as we do the interrogation. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you Hon. Kamitu. I guess you just read their mood but otherwise we have not yet voted and you know surprises never cease; Members may vote not to adjourn.

*(Question put and agreed to)*

So, Hon. Kamitu, you had correctly read the mood. Hon. Members, you have voted yes and I could not comment until you voted but Hon. Ndawa this is a process that every Member must take very seriously because that is where the budget process is watched and the public you are representing are very alert.

The first thing you must get is the implementation of the past budget; you cannot keep on giving money without seeing how the previous budget has been implemented and that is a requirement of the Constitution and the laws. Without being unreasonable and nobody would want to be unreasonable but you must be shown the implementation of the past budget. Otherwise you would be failing in your duties and not only you but also the National Parliament and everywhere. That is what oversight is about.

Secondly, you must also put to question the Chief Officers because they are the *watu wa mkono*, sorry to use that in the Executive. Why is it that there are complaints of inequitable execution of development in wards? A ward that neighbours another and these are people of Machakos and you find in one ward, money is being put there and the next ward there is no development yet these are the same taxpayers who pay to the national government and the money comes back here. Even in the eyes of God it is wrong and you should also feel any of those Members who is benefiting while the other Members are not and not you but whose people are benefiting while the people of the other Members are not benefiting. It is not right even in the eyes of God leave alone in the eyes of the law.

Because it is one County of Machakos; you cannot clean your sitting room and leave the bedroom stinking it means your compound is dirty. So let us develop the County equitably and everywhere and that is why and we pray, all going well with the BBI then each ward to have its fund so that every Governor in a seat knows that this one must go to that ward but then there is still the bigger amount left with the Governor to execute again equitably in each ward.

So, please put it to the Chief Officers and impress upon them on the importance of equitable development; the use of the money. It is not anybody's money it is our money all of us.

Those are matters which you look at Members and take it as a very serious exercise; it is no joke because what you get from there is what you bring here.

Finally you are reminding yourselves that that is the last budget you are passing as this House. We are hoping that you come back now to pass others but whether you come back or not will depend on how this budget will be implemented; I can assure you. Let nobody tell you otherwise, I can assure you. It will not be good if you think now because you are okay, the neighbour next can disappear. It is not fair but God works in miraculous ways so let us pray for each other to see the light. Thank you.

### ADJOURNMENT

**Hon. Speaker:** With that Hon. Members because you have voted to adjourn, the House stands adjourned so that we resume our sittings on the 8th June, 2021 at 10.00 a.m. Go well and I wish you well while in the interaction and execution of the work that you are adjourning to go and do. Thank you.

The House rose at 5.19 p.m.