

MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Wednesday, 12th March, 2014

The House met at 12.34 p.m.

[The Speaker (Mr. Mung'ata) in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

REVENUE ALLOCATION TO COUNTIES IN 2014/15

Hon. Speaker: There is a communication that I gave the Chairperson, budget committee. Perhaps we can hear the communication.

Hon. Muinde: Thank you Mr. Speaker. We have a letter with attachments sent to the Assembly from the Commission on Revenue Allocation and it is marked to be distributed to all members of the assembly and basically it emanated from the Speakers' Forum where they met the CRA to discuss the revenue allocation to the counties in the year 2014/2015 and out of the meeting, the Speakers' Forum requested the CRA to meet the committee on budget of the National Assembly to plead with them not to reduce the funding to the county assemblies from 238 to 218 - that is, the national Parliament through the Budget Committee plans to reduce allocation to the counties from 238 to 218 yet the CRA is of the view that we get much more.

There is also IGEC that is the Inter-Governmental Committee on Economic Council that wants also to increase the funding. It has been difficult and CRA feels that the County Assembly members should lobby their individual MPs so that this funding is not reduced. I therefore Mr. Speaker request that before the afternoon session every member gets a copy of this and that the House discusses the matter at length. Thank you.

Hon. Speaker: Thank you very much. Copies will be circulated for that message from Commission on Revenue Allocation and we shall hear more in the afternoon. Thank you very much.

Again I have a communication from the Kenya National Audit office dated 24th February, 2014. The letter is addressed to the Assembly, entitled "Report of the Auditor General on the Yatta Water Services Company Ltd Financial Statements for the Year Ended 30th June 2013." It reads, "I transmit the report of the Auditor General on the examination and audit of financial

statements of Yatta Water Services Company Ltd for the year ended 30th June, 2013 in addition of the provision of article 229 subsection 7 of the Constitution, for the necessary action as required under article 229 sub-section 8 of the Constitution. Yours sincerely, Edward Ouko, the Auditor General.” Additionally copied to the County Government.

The communication and the report will be circulated and forwarded specifically to the relevant committee that is the committee on Budget and any other relevant committee affected by the communication. The Clerk shall handle that.

PAPERS LAID

MACHAKOS COUNTY GOVERNMENT BURSARY REGULATION FUND 2014

Hon. Ndeto: Thank you Mr. Speaker, Sir. I beg to lay the following paper, on the table of the Assembly today Wednesday, 12th March, 2014: Machakos County Government Bursary Regulation Fund, 2014.

Hon. Speaker: Thank you very much Hon. Festus Ndeto for that paper. Any other paper?

SPECIAL SITTING ON COUNTY FISCAL STRATEGY PAPER

Hon. Muinde: Mr. Speaker, sometime last week we did lay the Fiscal Strategy Paper and the report should be due this week because we have been given 14 days to deliberate on it and yesterday we had public hearing in the 8 sub-counties of Machakos County and today we are in the process of compiling the report and noting that tomorrow is a Thursday and we only have one sitting in the afternoon and there are other issues that may crop up in the afternoon, I plead with you Mr. Speaker that you allow the Budget and Appropriation Committee to lay the document tomorrow, Thursday morning, as a special sitting, that is Fiscal Strategy Paper, for discussion and adoption.

Hon. Speaker: Thank you very much. Maybe I can hear another member in support of your proposition to understand whether the position you are taking is a popular position. Anybody in support of the request that has been made by the chair, Budget?

Hon. Nzoka: Thank you Mr. Speaker. I am support of that one because we proceeded with the issue yesterday and now it has come to the office. It has to be compiled then we lay it out. Thank you.

Hon. Speaker: Thank you very much. I think we will grant the permission that we have a special sitting tomorrow in the morning but I urge the chair budget to make sure that the communication reaches the entire Assembly and copies of the document being laid is properly understood by the members. Thank you very much.

NOTICES OF MOTIONS

SINGLE BUSINESS PERMITS

Hon. Kitheka: Thank you Mr. Speaker and respect to the entire House. I wish to give a notice of motion; I beg to request this House that the County Government of Machakos considers payment of single business permits to be done in installments.

Secondly, I wish to give a notice of another motion that the House discusses

- a) How the County Government of Machakos can pay NHIF bills for indigent persons or poor people
- b) Develop a social protection scheme, through which the County Government of Machakos will pay National Health Insurance Fund (NHIF) contribution for the poor and vulnerable members of the society to facilitate them access to good health services. Thank you Mr. Speaker.

Hon. Speaker: Proceed, the next motion.

MACHAKOS COUNTY GOVERNMENT BURSARY REGULATION FUND 2014

Hon. Ndeto: Thank you Mr. Speaker. I would also like to give notice of the following motion: that this Hon. Assembly approves the Early Childhood Education and Vocational Training report on Machakos County Government Bursary Fund Regulations, 2014 laid on this Assembly today, Wednesday 12th March, 2014. Thank you.

Hon. Speaker: Thank you very much. Let us proceed.

MOTIONS

PAYMENT OF NHIF BILLS FOR INDIGENOUS PERSONS

Hon. Speaker: Hon. Kitheka.

Hon. Kitheka: Hon. Speaker, I would request the County Government of Machakos to see how it can pay NHIF bills for indigent persons and to develop a social protection scheme through which the County Government of Machakos will pay National Health Insurance Fund contributions for the poor and vulnerable members of the society to facilitate them access to good health.

Mr. Speaker, aware that the majority of the poor and vulnerable members of the society in the Machakos County Government cannot afford to put medical bills and heavily rely on fundraisers and contributions from well-wishers; and aware that out of the county's over 1.1 million people, only 20,000 people were registered as NHIF members while we call for intensified membership registration campaign to raise the number to over 200,000 members, I

remind this House that having a majority of them being NHIF members will not only afford them quality healthcare services, but also strengthen the local hospital revenue and revolving funds to assist them offer timely and quality healthcare service delivery to the public.

I am calling upon all residents from Machakos County Government to register as NHIF members since the programme will not only assist individual contributors and their beneficiaries access quality healthcare services but also translate to quality service delivery by hospitals whose revolving funds will have been strengthened by the NHIF contribution. Mr. Speaker, with that issue in hand and knowing very well we have an Honourable Member who has put the same agenda into her ward so that she can start the drive of registration, I call upon her, Hon Magdalene Ndawa to second the motion. Thank you very much.

Hon. (Ms.) Ndawa: Mr. Speaker, the motion presented by Hon. Kitheka I think is a vital thing to the people of Machakos County and I wish to support this motion but with amendments.

Hon. Speaker: But with?

Hon. (Ms.) Ndawa: Amendments. I wish to support this motion Mr. Speaker and then later we can have amendments done on this motion.

Hon. Speaker: I fear you may be out of order. You either support it or you don't support it.

Hon. (Ms.) Ndawa: I support the motion Mr. Speaker.

Hon. Speaker: Proceed.

Hon. (Ms.) Ndawa: Mr. Speaker, Sir, this motion is a good motion for the people of Machakos because we know very well that honorable members are very tired of being called for harambees for our people to contribute money to take them to hospitals and the rest. But one thing I want to insist on this motion Mr. Speaker, we cannot as a county come up with a system of paying the whole amount for these vulnerable and poor people but we can come up with a system as a county to assist them but not to pay for the whole amount. That's why I said I support---

Hon. Speaker: Hon. Ndawa, are you really supporting this motion or you are halfhearted?

Hon. (Ms.) Ndawa: I am 50-50, Mr. Speaker.

Hon. Speaker: Sorry, you're what?

Hon. (Ms.) Ndawa: 50-50.

Hon. Speaker: You are 50-50?

Hon. (Ms.) Ndawa: Yes. I would wish to be given a day or two to go through the motion then I see if I can support fully a hundred percent or I can reject the motion, Mr. Speaker.

Hon. Speaker: Let us take a point of order. We can hear Hon. Katela.

Hon. Katela: Thank you Mr. Speaker. Mine is a question, is Hon. Ndawa supposed to support the motion or start discussing it before it's even supported on the floor?

Hon. Speaker: There was another point of order. Yes?

Hon. (Ms.) Sereka: Mr. Speaker, I think the Hon. Member, Magdalene Ndawa is not ready to support this motion because I'm sure she has been given the motion just now and she has not gone through it. Thank you, Mr. Speaker.

Hon. Speaker: I don't know where you got the information from but, any other point of order, no point order. Now we can hear you in the absence of any other person.

Hon. Muinde: Mr. Speaker, you can see it looks very clear that the motion was not well thought out and not enough lobbying was done and members are afraid to support what they do not know so I think you can read the mood that no one wants to commit himself or herself and would request that the mover of the motion does better groundwork and let members know what is exactly coming. And Mr. Speaker this is the problem when motions are brought to the floor of the House without passing through the House Business Committee so that people are aware what is coming and may put their minds in the right mental frame. Therefore Mr. Speaker, that motion should be given more time so that it can be given the necessary flesh.

Hon. Speaker: We can hear the mover of the motion; let's see whether you can save the motion.

Hon. Kitheka: Mr. Speaker I had done some groundwork for the motion but unfortunately, the person coming to second the motion did not come to the House; Hon. Veronica is not in the house so I had to look for somebody who can second the motion and knowing that the person whom I have appointed is not capable, I withdraw the motion at this time together with the other motion which is about the business permits. I wish to withdraw because the people whom I had earmarked for that are not in the House and I urge, Mr. Speaker, that we have seriousness in this House because I don't see why majority of the people are not in the House and we are doing serious business. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much Hon. Kitheka. It is regrettable because the issues raised by this motion are pertinent issues; I thought they are issues that ought to be taken seriously by the House. It is worrying and I would urge the Committee on Rules to look into that. Maybe Hon. Kitheka can disclose the members who were partnered to sponsor the Bill so that we can see what appropriate action we can take on those members. It is regrettable such a good motion should fail. Yes, we can hear Hon. Muthuka.

Hon. Muthuka: Thank you Mr. Speaker and the rest of the House. It is indeed regrettable that we have nice motions coming to the House to assist our dear electorates but we can say that maybe most of the members were caught unawares. So I would wish to request the mover of the motion not to withdraw the motion but to defer maybe to tomorrow where by those people or honourable members that he had earmarked to support the motion or second the motion may be in the house to second the motion and maybe we shall be going in the right direction. Thank you.

Hon. Speaker: Thank you very much. Actually before he withdrew, my mind was that he defers the motion. We can still revisit that? Perhaps we can hear the mover whether he has the capacity to re- introduce the motion tomorrow.

Hon. Kitheka: Thank you Mr. Speaker. I think I can defer one of the motions which is the motion on single business permits and I now call upon Hon. Nzoka to support the motion of NHIF. Thank you.

Hon. Speaker: sorry. I want to understand which motion did you withdraw?

Hon. Kitheka: I have not withdrawn the motion I have just deferred the motion to a later date perhaps tomorrow; the motion on single business permit and I would request Hon. Nzoka to second the motion on NHIF. Thank you.

Hon. Nzoka: Thank you Mr. Speaker, Sir. It is wonderful if we can have such a Bill, such a law which can assist those who are unable to pay the hospitals and again you remember honorable members, when you go home, when you start this thing in your area you shall see some people languishing in bed because of lack of medical care (sic). It would be of importance, if the Machakos Government can assist the old ones and we set the age so as not to let some people die because of medicine.

Medicine is very expensive, hospitals are very expensive and when you go there you are asked for the ID, you are asked to leave the ID and when we come to what brought us here, that is votes, you see some people coming to you saying, "please we need to vote for you but the ID is held in hospital." So it is a duty of this House to see how we can move a motion whereby we can take care of our mothers and fathers who are not able to pay the hospital bill. Thank you.

Hon. Speaker: Thank you but to the mover of the motion, the position that we were is you take your time and find a seconder because your appointed seconder was not able to support your motion. The speech that has been given by Hon. Nzoka was entirely out of order. The position that we take is that we give you time to lobby for your motion and you'll be balloted for time immediately you are ready. We have not dismissed it because I consider it a valuable motion. Proceed.

MACHAKOS COUNTY GOVERNMENT BURSARY REGULATION FUND 2014

Hon. Ndeto: Thank you Mr. Speaker for giving me this opportunity to move this motion. Hon. Members, aware that this House approved the 2013/2014 finance budget, whereby we budgeted for the bursaries to the tune of Ksh. 80 million, we further went to our various wards and awarded some bursaries to our people and the electorate down there are seriously looking upon us to dispatch the same as we promised for the needy students and also the orphans, this was going together with Vision 2030 pillar.

I request these honorable members to discuss and approve the Machakos County Government Bursary Fund Regulations, 2014 and members as you discuss I request you do it quickly so that money can be disbursed as soon as possible. At that point I call upon, Hon. Nzeki Muniyaka to come over and support the motion.

Hon. Speaker: Thank you very much. He doesn't need to come over; he can do it from there.

Hon. Nzeki: Thank you Mr. Speaker, Sir. I hereby second the motion on grounds that we had set aside Ksh. 2 million for bursary, we were given forms to take to the needy children and thereafter we were told to go back and bring the account numbers of the various schools. So I support the motion and I think it is overdue, because we are supposed to issue the bursaries by December. So Mr. Speaker, Sir, I humbly ask this House to approve the Early Childhood Education And Vocational Training report on Machakos County Government Bursary Fund Regulations of 2014. Thank you, Sir.

Hon. Speaker: Thank you very much. The motion having been adequately seconded, is now properly before the House for debate and perhaps I would think that, I don't know whether members have copies of the regulations?

Hon. Matheka: Thank you Mr. Speaker, Sir. I can see majority of the members don't have copies of the regulations, and it's prudent enough that as we approve the regulations, we have gone through them to see the content. It is only the ECD members who went through the regulations and I think the other members did not see it so at this point Mr. speaker Sir, I seek for an adjournment we see the content then we discuss the regulations in the afternoon session. Thank you Mr. Speaker and I call upon Hon. Felix Ngui to support the adjournment.

Hon. Ngui: Thank you Mr. Speaker. I want to support adjournment for discussion of this motion until in the afternoon today, reasons being that members have not been supplied with the copies of the regulation and again we do not have quorum in the House. We only have around 18 members and the quorum is supposed to be around 23 members. I support the adjournment. Thank you.

Hon. Speaker: I was already persuaded that there was need for adjournment because members will need time to look at the document but it's only fair that we have, it's a document of a legal nature and I can see the Vice Chair, Legal. Maybe you can do a comment on this document please.

Hon. Kimata: I think I am of the opinion of supporting the adjournment of this House because I can see there are no members who can contribute so we should be given ample time to peruse the document and then adopt later.

Hon. Speaker: Thank you very much and we will expect to rely on you very much in the afternoon. Make sure you have your copy in good time because your committee should be adequately involved in this. Yes, we can have... who has not, everybody has spoken today. Let us begin with the owner of the motion.

Hon. Ndeto: Mr. Speaker, I kindly request the members, because already the motion of adjournment has been supported, kindly avail yourselves. This is a very crucial document and you are aware of what we are undergoing down at our various wards. The people are just pushing us; every morning you find quite a number on your doorstep looking for the bursaries. So members let us kindly avail ourselves, let us make phone calls to those members who have left so that they can come back; at the same time copies are there, you just take a copy, go through it, then as we meet in the afternoon give your contributions so that at least today we can do away with this motion because it is the only barrier that is between us and the Controller of Budget. Thank you for that.

ADJOURNMENT

Hon. Speaker: Thank you. Members we have resolved that we adjourn then we meet in the afternoon. We can meet here at quarter to 3.00 p.m. and urge other members to come so that we can discuss the motion. Copies of the regulations are made available and members try to sit near the Vice-Chair Legal for advice on this document. Thank you very much and have a good afternoon.

The House rose at 1.05 p.m.