

MACHAKOS COUNTY ASSEMBLY**OFFICIAL REPORT****Wednesday, 10th April, 2014**

The House met at 3.02 p.m.

*[The Speaker (Mr. Mung'ata) in the Chair]***PRAYERS****COMMUNICATION FROM THE CHAIR
VISITORS FROM MURANG'A COUNTY**

Hon. Speaker: The visitors from Murang'a are now with us and are in the public gallery. They are with their chairman of the public service board and what we have here is labour and social welfare. Hon Kitheka, they are your visitors and they have expressed their wish to visit Machakos People's Park may sure they see the entire park. I will be of help. Proceed.

PAPERS LAID**HOUSE BUSINESS CALENDAR 2014**

Hon. (Ms.) Ndawa: Thank you Mr. Speaker. I beg to lay the paper from House Business Committee report. Consideration of the annual House Business Calendar for the year 2014. Thank you.

Hon. Speaker: Any other paper?

(Hon. (Ms.) Ndawa laid the Paper on the Table)

STATUS OF EMPLOYMENT IN THE COUNY

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Hon. Kitheka: Thank you, Mr. Speaker. I beg to lay the following paper on the table of the Assembly today 10th April, 2014. Labour and Social Welfare committee report on consideration of status of employment in the County. Thank you very much.

Hon. Speaker: Thank you. Proceed.

(Hon. (Kitheka laid the Paper on the Table)

NOTICE OF MOTION

SINGLE BUSINESS PERMIT PAYMENT

Hon. (Ms.) Ndawa: Thank you, Mr. Speaker. I want to give the following motion on the House Business calendar as laid in the table of the Assembly.

Hon. Kitheka: Thank you, Mr. Speaker. I beg to give notice of the motion for the House to discuss how the government of Machakos can pay NHIF bills for indigent or poor people, develop a social protection scheme for the county government to pay NHIF contributions for poor and vulnerable of the county and facilitate access for to good health services. Secondly, I would like to give notice of motion that the House approves the labour and social welfare report on consideration of the status report on employment laid on the table today 10th April, 2014.

Hon. Speaker: Thank you very much. On the report, I direct it should be circulated to members then we can deliberate on it on Tuesday next week. Let members have copies of the report first. Proceed.

MOTIONS

SINGLE BUSINESS PERMITS PAYMENT

Hon. Kitheka: Thank you, Mr. Speaker. I wish to bring this motion to the House. Aware that due to hard economic times, this House considers the plight of the business community in the county. The annual single business permit that comes into operation when the implementation of the approved Finance Act, is inconveniencing traders, kindly request this House to consider the business community's appeal of paying in installments in order to keep them in business. Aware that many traders are coming to this county from other counties without paying the permits. I wish to call Hon. Nduva to second my motion.

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Hon. Nduva: Thank you, Mr. Speaker sir. Mr. Speaker, knowing that the hard times our business people are facing and this House being the sole representative of the business community, I stand to second the motion that the business community be allowed to pay the annual business permits in installments as this House will agree.

Hon. Speaker: Thank you very much. I would ask the mover of the motion to confirm that no suit is coming challenging the Finance Act. I want to find out if there is any suit.

Hon. Kitheka: Yes, there is an issue pending in court but I was of the opinion that if the suit goes on and the Assembly wish good for our people, let us pass the motion to allow them pay for permits in installments and whatever the results, it will still be viable for the House to do business in the way the outcome of the case will be. The outcome will not affect the issues of this motion.

Hon. Speaker: The motion is approved for debate. Proceed.

PAYMENT OF NHIF BILLS FOR POOR PERSONS

Hon. Kitheka: I wish to move this motion. Aware that majority of the poor and vulnerable members of the society in Machakos County cannot be able to foot medical bills and heavily rely on fundraiser and contributions from well-wishers. Aware that out of the county's over 1.1 million population, only 20,000 are registered as NHIF members. We can call for intensified registration campaigns to raise the number to 200,000. I remind this House that having majority of them as NHIF members will not only afford them quality health care services but also strengthen the local hospitals' revenue base and revolving fund and assist them offer timely and quality health services. I am calling on all residents of the County to register as NHIF members since the programme will not only assist individual contributors and their beneficiaries but translate to quality service delivery by hospitals that will have been strengthened by the NHIF contributions. I call upon Hon. Nzoka to second my motion.

Hon. Speaker: Thank you. Proceed.

Hon. Nzoka: Thank you, Mr. Speaker, Sir. I beg to second this motion putting into consideration that we have old people who are senior citizens and they should be taken care of. When we are on the ground, those people come to us so we are trying to see how the County government can come and relieve us of this expense which we are getting almost on a daily basis. I support this motion so that we can see how we can cater for the poor to be assisted by the County government so as to rest our pockets. Thank you Mr. Speaker sir.

Hon. Speaker: Thank you very much. The motion is properly laid. The guidance I am getting is that we dispense one motion at a time so I call on Hon. Kitheka to begin with the first motion.

SINGLE BUSINESS PERMITS PAYMENT

Hon. Kitheka: Thank you Mr. Speaker, Sir. The first motion on payment of single business permits. Aware of the hard economic times that the people of Machakos are facing, I am requesting this House to consider the plight of our brother and sisters whom we have left on the other side doing business. We consider them because the Public Finance Bill which has an issue in court to consider them because some of the levies are so high and cannot be met at once by the business community.

For instance, the issue of the liquor licensing that has been devolved to the counties, it is coming to a total of between Ksh. 30,000 to Ksh. 50,000 license. I kindly request the House to consider the plight of the business community and make the payment be in terms of installments. For instance, a shopkeeper or trader who is expected to pay Ksh. 12,000 can be given a chance to pay in two installments. I know with all that we cannot cripple the revenue generation. I ask members to pass the motion and if to make any amendments, I don't think we can make it because it will be of benefit to the County government.

The only amendments in the offing will on how many installments, has not been reflected. I think with that kind of issue, we can do a lot for the electorate. The residents are putting their eyes on us and are watching what we are doing and are out to claim their share of the cake in terms of representation. I ask this House to pass the motion with sobriety. Thank you very much.

Hon. Speaker: Thank you very much. Let us hear points in support of the motion. Yes, Deputy Speaker.

Hon. Nganga: Thank you, Mr. Speaker and the House at large. First I would like to sand of the motion that this House finds ways and means of paying NHIF contribution for the underprivileged of the County. As you are aware, this House approved a budget that has allocated..... (*inaudible*)

Hon. Speaker: Sorry, let me take.

Hon. Nganga: Mr. Speaker, I beg for your protection.

Hon. Speaker: My protection is not available for you. Please sit down. Let me take
(inaudible)

Hon. Manyolo: Thank you, Mr. Speaker. Mr. Speaker, Sir, the Deputy Speaker is out of order. Knowing that he has come in late and was not aware of what we are debating. We were debating the issue of permits and not NHIF contributions. So Mr. Speaker, Sir, I also stand to support the motion because it is essential for everyone. It is good for our people because they earn little and they need to be considered.

Hon. Speaker: Sorry, you should have waited for my ruling. First, the objection is sustained, that the Deputy Speaker is grossly out of order. Now the chance goes to Hon. Mutole. Proceed.

Hon. Manyolo: Thank you, Mr. Speaker, Sir, for protecting me and I am Hon. David Kiviu Manyolo, the three names. Mr. Speaker, Sir, the issue of the motion is very good and essential and we know our people earn so little and most of the revenue collectors are so harsh and it would be better as the mover of the motion has, the payments be made in three installments to ease the pressure and give them capable of working. Thank you, Mr. Speaker, Sir.

Hon. Speaker: Thank you very much. Hon. Majority Whip.

Hon. T. Kilonzo: Thank you, Mr. Speaker, Sir. I support this motion and say that the government will need money in January and in June the same government will need money. Even in December, the government will need money. So I think it will be good for business community who are struggling to get the full amount, the payment be split three times. Maybe from January to March, a third of the amount and then April to June, another third of the amount be paid and then the final payment can be made in October, if possible. That will help the business community. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. Let us hear Hon. Kamitu.

Hon. Kamitu: Thank you, Hon. Speaker. My contribution into this motion is that I support the single business permit payment in installments. One, taking into consideration the profit margin by the business community is very little and where they buy the goods, because other than Athi River, we do not have industries where our people can buy commodities cheaply to make a bigger margin. I support the payment in three installments. Again taking into consideration, I case our business people are arrested for not having paid the permits they are charged a lot of money in addition of what they would have paid for the single business permits. So for them to work and make profits, I strongly support the motion. Thank you.

Hon. Speaker: Thank you. We can hear Hon. Maitha.

Hon. Maitha: Thank you, Mr. Speaker and Hon. Members present. I think, Mr. Speaker, this motion is directly touching on our people whom we represent and believe we can make the best policies for them. In support, we have an example that when one wants to make application for business towards the end of the year, you are charged pay the full annual amount. If we split it thrice, it will be convenient and fair for the person starting a business at the last quarter of the year and he or she will benefit. It will help our people a lot. And we will not expose our people to high cost of doing business.

It will also help the people to plan well and I propose an amendment that if we pass this motion, we do not task the government to incur extra expenses in following up payments that have been given a timeframe for payment. So I would we make an amendment if we split the payment for permits three times, they should be paid timely to allow our government do proper planning and in case a trader delays, because we have given them a loophole to the traders plan themselves, then they should be surcharged a certain fine so that they can ensure proper planning.

If we let them operate just like that, it will help us to plan well. So we should introduce a certain fine such that if you don't pay in time, you pay a 10 per cent fine of the money you are to pay in the particular timeframe. I hope that will work well because we have given them the loophole to plan themselves on quarterly basis. On top of that, it is also going to tame corruption. On what grounds? At times when revenue collectors visit your business premises and find you have not renewed the annual license because maybe you are paying Ksh. 6,000 and it is one month after expiry of that business permit, you may give a bribe to avoid arrest.

But the moment you know you have a flexible period, you corrupt no one. Even if you corrupt a revenue collector you still have to pay the money at the end of the stipulated period. Instead of corruption, you pay the first quarter and then avoid being surcharged. So Mr. Speaker, I fully support this motion because it is going to enhance business in our county and ensure our people do business in a friendly manner. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. I wanted to hear a word from the mover of the motion. Are you comfortable with the amendment?

Hon. Kitheka: Mr. Speaker, Sir, the amendment is adequate because if the people fail to pay in the stipulated time, they should be subject to a fine.

Hon. Speaker: Thank you. Proceed.

Hon. Mbithi: Thank you, Mr. Speaker. I am in support of this motion. Firstly, if there is somebody who wants to see growth in this County, it is me. If there is somebody who likes

development, it is me and that is why I took a degree in development studies. This motion is purely aiming at growth and development and support young and upcoming entrepreneurs. The developed countries and developing countries use this model to be what they are and move from agricultural to industrial societies.

From a single business permit, maybe somebody will come up with an industry or a factory which will be of great importance for his County Mr. Speaker. In support of this motion, it will be of great importance for these upcoming young businessmen who may not accumulate Ksh. 100,000 to cater for the permits, so we can break the payments in installments. The businesses like insurance companies that have followed this route and mortgage firms have received great profit margins. If we follow this route, it will be for the best interests of the local residents and if this House can support international investors by giving free land why not support local investors by giving payments in installments

(Applause)

Hon. Speaker: Thank you very much. The other side.

Hon. M. Mutuku: Thank you, Mr. Speaker, for granting me the opportunity. I am in support of this motion but the three installments may not be cost-effective for the county and I would like to suggest we have two installments because at the end of the day, the County has to plan on how to utilize the money. If we split in three installments, it might be a challenge for the executive when planning and prioritizing of projects. Two---

Hon. Speaker: Hon. Member, before you proceed.

Hon. M. Mutuku: Yes.

Hon. Speaker: The motion before me reads in part 'I kindly request this House do consider the views of the business community that Single Business Permits be paid in installments.' It does not state two or three installments.

Hon. M. Mutuku: Thank you, Mr. Speaker, for reminding me how the motion is framed. Listening to the way the debate was going, many members were of the opinion that and that is why as we try to evaluate how many installments we shall have, we also need to consider the cost-benefit analysis because the cost of collecting the money in installments may be too high and might inconvenience the planning in that period. I support the motion but to have two installments.

Hon. Speaker: Thank you very much. It is a very important point there. Cost-benefit analysis. Yes.

Hon. Kasimu: Thank you, Mr. Speaker, Sir. I support the motion but with a few amendments. These are my suggestions. Let us consider ha there are business people who have no problem paying the permits at once. Let us not make it a must to pay in installments so let us create space for them. Like the way Hon. Mutuku has talked. He is a businessman and he has no problem at all in paying for the permit at once. There are others who are like him and have money and are strong businessmen. Let us not force them to pay in installments. If they are able to pay at once, let them be accommodated but I would encourage we pass for payment in two installments. Thank you Mr. Speaker, Sir.

Hon. Speaker: Thank you very much. Yes. Can we please have the Deputy Speaker?

Hon. Nganga: Thank you Mr. Speaker. In regard to the motion, I would like to support it and urge the House.

Hon. Speaker: I think it would be of help to the House, you tell us which motion. You didn't appear to know which motion.

(Laughter)

Hon. Nganga: The motion in regard to payment of single business permits. We are at the beginning of setting foundations of the county governments and most of what we are implementing is what we have carried from the former regime in the previous constitution where we had civic bodies and the national government had some programmes devolved to county councils. There has been several trials and the wheels have already been implemented and I would urge this House not too reinvent the wheel because in the wisdom of the former office holder of social status management of our country, we have had cases like this tried with some failing while others worked.

In regard to this motion, we will affect the revenue situation of our county and for us not to put ourselves in a quagmire, we would like to see local revenues, bearing in mind that we are collecting almost Ksh. 100 million per month and our monthly wage bill has shot to almost Ksh. 250 million, if we interfere with the manner in which the revenue will be collected, that will in itself have a very devastating effect on day to day running of affairs of the county. The role of this motion will only urge he county government to reconsider its operations but will not give directives on how this should be done.

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Therefore I would like to support the motion and urge the mover of the motion, after it is passed, that we have an ad-hoc committee that will evaluate the circumstances on how we can have a bill that can govern the payment of permits and other dues. So I suppose we may anchor it on a law and not arbitrary decision that may be labeled on a certain position. I support, I understand the tough times the business people are going through but the county government still needs finances to dig boreholes, set up earth dams and such projects. So for us to have our roads made, we need to have good returns. For us to have our staff paid, we need money that has to be well-planned for and we must be sure how we are collecting every month. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. Perhaps to give directions, if a motion of this nature passes, it will not compel the government to implement. This motion will basically set the cogs of legislation and all stakeholders will be involved so there is nothing to worry of now. We are only communicating that the resolve of the Assembly is the Single Business Permits re-looked at and we put that process into motion. Any other point in support? Any point in opposition? Then I put the question that those in support of the motion as amended by Hon. Dominic Maitha.

(Question put and agreed to)

The results of the motion will be communicated with the Executive and the committee on Labour and Social Welfare will sit and re-engage towards legislation. You are not supposed to make any comments after the Question has been put. Let us proceed. Oh yes, you can do that, sure.

Hon. Kitheka: I wish to thank members for that consideration that you have made in regard to this motion. May God bless you.

Hon. Speaker: Thank you very much. Next motion please.

PAYMENT OF NHIF BILLS FOR POOR PERSONS

Hon. Kitheka: Mr. Speaker, Sir, I wish to move this motion which touches very much on the poor people in our society. Those very people who come to our homes every morning to seek for assistance in terms of medical and treatment for their people and for themselves. Mr. Speaker Sir, this motion I which this house to support is for the county to consider these issues of NHIF

in which majority of the members outside there have been unable to get somebody or an institution to push them to register as many people as possible as NHIF members.

Considering that the able members here, we are in insurance scheme and considering that the wealthy people in town are in other schemes and are able to pay for their insurance funds. Mr. Speaker, Sir, I have seen it wise for this House to consider those indigent people in the community, those people going without a meal or two within a day, we consider registering them as a whole so that at least at the end of the day we can be able to; one, assist them to get good health care, two, to assist our hospitals generate revenue.

So, Mr. Speaker, I think it will be so good for us if we consider this plight of the people which has been a campaign issue for many who come to power, they say that they are going to do some kind of arrangements for insurance schemes for the poor and I have seen the only possible insurance scheme which can be put in place for people for the members is only by going by the national government way which is NHIF.

Mr. Speaker, as per my motion, I know it seems to bit very hard for the County to do such an issue but let me tell you, it is more easier to do it than to give some subsidies that we are giving which are not timely and time effective for us to run this County. I know very well Mr. Speaker when we assist these people, we will be in a position to gauge how our people are going on and even to utilize our hospitals within the County.

Mr. Speaker, I know very well that we can come up with a solid document which reflects on all these issues and we develop a social protection scheme through which the County Government of Machakos will pay the insurance fund for these people. I know very well majority of the people who might not be know exactly the amount in hand which is being put in question. We are talking about Ksh. 320 per month and honorable members, I tell you, if you do simple calculations of Ksh. 1 million for 320, in simple mathematics I think it translates to do with Ksh. 3075 something. So Mr. Speaker, I know very well by Ksh. 1 million, we will be helping a lot of people instead of letting the same come to our homes or offices to seek the same kind of assistance.

Mr. Speaker, there is an advert that goes in the TV which says, by the end of the year you will only be giving Ksh. 6 per day. So Mr. Speaker, I kindly request this honorable house to consider this issue in totality so that at least we can consider our people and improve the health status of our people knowing that there is a lot of issues outside there, there is the burden of education, burden of the small peasant farming we do in Machakos. So I kindly request this honorable house to consider the plight of our people outside there. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. The motion is on debate now, who is in support?

Hon. Nzoka: Thank you, Mr. Speaker, Sir, I beg to keep on supporting that motion because it is us who feel the pain. You know, as we are elected, when things go wrong in our area, it is us who are descended upon by the public. So, it is my request, to urge this House to see how we can pay for those people taking into consideration that it about Ksh. 1,920 per year so with a million we can tackle at least 500 people. So, it is not much and also we are strengthening our hospitals, as the mover of the motion has said.

If people go to the hospitals and their bills are paid for by NHIF, so it is boosted. Again, we are putting into consideration that, let me say truly, that many people are dying in their houses because of failing to go to hospitals because they have no money to pay. They have sold land, their goats, they have sold all they had, so can we now move and try to assist them and stop selling of their land and whatever they have.

So, the solution how we can assist the senior citizens of this County who have fought for this country up to where we are, who are our mothers and fathers, brothers and see if they can have access to the healthcare. Apart from cost, in fact it will be wonderful for this county to focus on the healthcare of its citizens, it will be wonderful for this county and I think it will go on record worldwide. So thank you, let us support this thing and do in one voice and make sure our people are relieved. Thank you very much.

Hon. Nduva: Thank you, Mr. Speaker, Sir. I stand to support this motion. Mr. Speaker, we well know that the Government of Machakos is giving free ambulance services to our community and the good people who sat down and thought it was important to give free ambulance services to our people, Mr. Speaker this Government should extend its hand and consider paying NHIF bills for our people because we might think it is simple money but this Government having considered paying for insurance fund for the community, will let these honorable members and leaders of our government to be free because every now and then we are being called for *harambees* to assist in payment of medical bills and sometimes we may not be in a position to have money to assist these people. So Mr. Speaker I stand here to support this motion and request our honorable government to extend its hands as it did in the issue of the ambulance services. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much.

Hon. Matheka: Thank you, Mr. Speaker, Sir, and the house at large. Mr. Speaker sir, I can see we have a very good motion in front of us and politically it is a very good motion but arithmetically, it can be a failure. Mr. Speaker, Sir, I want to give I would like to give you an

example because I like working with figures. The honorable member for Machakos Central is suggesting that we increase the membership from Ksh. 20,000 to Ksh. 200,000. On that note, I assume we are recruiting new members to the tune of 180,000. Mr. Speaker, Sir, assuming that each member will pay Ksh.160 per month, it will translate to Ksh. 28,800,000. If you multiply that by 12, an annual budget of Ksh. 345 million will be needed to foot that bill

Hon. Speaker: How much will be needed?

Hon. Matheka: Ksh. 345 million annually to foot that bill. Mr. Speaker, Sir, I don't think the County government is ready to absorb that amount at the moment. May be in the near future when the revenue collection, the permits, have been put in place and we collect more, so that we can pay more for our people. Mr. Speaker sir, it is my suggestion that we focus on preventive measures of the illnesses rather than the curative measures. Preventive will mean we focus more on giving our people more clean water and more educational on primary health so that our people can leave healthy.

Mr. Speaker, I also have another thing in mind about this thing. Politically, I said it will be very good but Mr. Speaker, Sir, down there at the sub-county level and at the ward level, who will benefit and who will not? Because when we go there with free things everybody even the rich, want to benefit. They have a tendency of saying the even cast votes and they were campaigning for so and so. So, Mr. Speaker, Sir, I am wondering who will benefit and who will not?

(Loud consultations)

I need your protection, Mr. Speaker.

Hon. Speaker: Proceed, you are protected.

Hon. Matheka: Mr. Speaker, Sir, I tend to believe, it is a very good motion, I don't refuse but arithmetically and budget wise it can do more harm to the county budget and county revenue than any useful thing. I tend to oppose the motion, Mr. Speaker.

Hon. Speaker: Ok, let's hear the mover of the motion an important point has been has been raised.

Hon. Kitheka: Mr. Speaker, I want to put across to the honorable member that not every household will require to benefit from this. Simply because there are those people majority of people are working with the government and if the wife is registered with NHIF, the husband automatically becomes a beneficiary. If the husband is registered, the entire family automatically

becomes a beneficiary if they are of less than 18 years. So Mr. Speaker I am putting across the wide knowledge to that member that in a ward you may find that you are talking about just 120 people who should benefit because you will find majority of the households have got people who are working with the government, others who are working with institutions where they pay NHIF. So I think it is not good for that honorable member to kill the motion at this infancy stage. Thank you very much.

Hon. Speaker: Honorable member, I would like to come to the aid of the mover of the motion because he has been putting a lot of effort in this motion, it is well-intended. I don't know whether you can consider adjourning your motion and re-looking at it. Let us first hear the mover of the motion.

(Loud consultations)

Hon. Kitheka: Hon. Speaker, as the hon. member who is our Deputy Majority Leader who is doing some kind of heckling without passing through the Chair, I think I am not going to do any such research, I am just going to rephrase the motion. So Mr. Speaker, I kindly wish to put off the motion until other time. Thank you very much.

(Applause)

Hon. Speaker: I think the mover of the motion has succeeded in adjourning his motion. Hon members, it is still his motion, he doesn't want his motion to die. It is the view of the Speaker that this is a motion of vital importance that we will give that member a second chance to relook at his motion. Next item, Bwana Clerk.

ANNUAL HOUSE BUSINESS CALENDAR 2014

Hon. Speaker: Hon. Ndawa, please take the floor.

Hon. (Ms.) Ndawa: Thank you Mr. Speaker, aware that the County assembly is a replica of the National Assembly, and further aware that the National Assembly operates on an annual calendar which enables them to plan the House business properly and further aware of the provision of standing order No. 25, I wish to move a motion that this house discuss and approve

the House business calendar for the year 2014 as laid in the house today, Thursday 10th April of 2014.

Further Mr. Speaker Sir, I wish to state that the annual house business calendar is very important to the operations of this honorable house, and further promote timely scheduling of business such as motions, bills not to mention that a few. I hope this honorable approves the annual business calendar as laid in this honorable House, Mr. Speaker, I wish to call upon the Hon Dominic Maitha to second this motion.

Hon. Speaker: Thank you. Proceed.

Hon. Maitha: Thank you. Hon. Speaker, I wish to support this motion in totality Mr. Speaker bearing in mind that one year is gone. We have just been operating round and about without a planned calendar of events of our House and I believe Mr. Speaker it is in the best interest of this Assembly, that this honorable members pass this motion and adopt it as immediately as possible knowing that it is going to give them a guideline on how we are going to conduct our events and the way we are going to plan on the way we are going to run this assembly.

Mr. Speaker you know very well all these honorable members must have passed through various stations of institutions and in any institution Mr. Speaker, there is no way you can operate without a timetable of events . The same case applies to our Hon. Assembly, if we have no calendar of how we are going to do things Mr. Speaker, then we'll just be moving around and about without knowing where we are heading.

So, I am in total support of this motion and kindly request this house to adopt this calendar so that it can give us a guideline on how we are going to run this Assembly. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. Hon. Manyolo.

Hon. Manyolo: Thank you, Mr. Speaker, Sir. I support the calendar and the work done by those honorable members but with amendments. I can see we have committee businesses, can they be known which committees will be sitting on this day and the other day, for members to prepare themselves and attend. Thank you, Mr. Speaker.

Hon. Speaker: I think that honorable member is out of order. He is only asking a question, he has not contributed and I rule that it is out of order. Proceed.

Hon. Kitheka: Thank you Mr. Speaker, Sir. I wish to support that motion with a very slight amendment of the Wednesdays which I saw somewhere. Instead of having a plenary in the

morning, we carry on in committees. I think if that can be accommodated, Mr. Speaker, per the regulations and National Government.

Hon. Speaker: Let me get you. On Wednesday's we do what?

Hon. Kitheka: Mr. Speaker, the way I had seen the format of the document it is that every Tuesday we have a plenary in the evening, every Wednesday we have morning session plenary and evening session plenary and on Thursdays we have a plenary in the evening. So Mr. Speaker, I am kindly requesting, because of shortage of business in this House and a lot of business in the committees, I am calling upon the amendments of every Wednesday we be having committees in the morning and plenary in the evening so that at least these committees which have not been getting adequate time to meet can be meeting at that time. So, Mr. Speaker, I kindly request for that amendment if it is viable. Thank you.

Hon. Speaker: Thank you but before that, I want to confirm whether you are a member of the house business committee.

Hon. Kitheka: Yes, I am a member but I realized after we had passed the document later in the day and I thought of it wise of us to give time to the committee people because we have a lot to do in the committees. Thank you.

Hon. Speaker: Anybody in support of the amendment? You are in support of the amendment?

Hon. Maitha: Thank you, Mr. Speaker, Sir, I think it will be prudent for the honorable member Hon. Kitheka to substantiate further to the members because we might we might propose or second his amendment but am not getting his proposal as a member of the house business committee.

Hon. Speaker: How I got it is this, that he is saying that on Wednesday's that there be committees sitting in the morning and plenary only in the afternoon. That is the point he is making.

Hon. Maitha: Mr. Speaker, I think we have got enough time for committees to sit. Monday is a full day which is free that the committees can sit. Tuesday in the morning session, we have enough time for the committees to sit. Wednesday's in most cases Mr. Speaker, which is practical in this assembly, if a committee organizes itself very well with proper planning and with the approval of the house business committee, they can even conduct their business in the early hours of the day and then they also go ahead and attend the plenary.

On Thursday morning session, we still have enough time to do the committee sittings, Friday the same. So, Mr. Speaker, I don't really support that amendment and I beg this house to

pass this document as it is. Mr. Speaker, if any need arises after, Mr. Speaker then we might reconsider to do an amendment. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. I think as we discussed yesterday, this calendar is not cast on stone. It is our calendar, we can amend it. If a committee must sit on that the assembly is sitting the permission of the speaker can be sought and the committee sits. So it is not a document will be cast on stone and I think with that we can conclude this business of this calendar unless you have particularly agreed.

Hon. Kitheka: Mr. Speaker, why I had brought that issue to this house is because of the previous experience which I have seen in this House. Simply because there will come a time when you will convene here on a certain Wednesday morning and you will hear you have got no business. We sign the book and go home. That is the scenario which I don't want this house to be in. so we better reschedule the entire process so that it cannot come as a failure when we are not having business in this House.

Secondly Mr. Speaker, we are coming at the stage of budgetary process. It will carry a lot of time in committee stages, so Mr. Speaker I was of the opinion because majority of the times will be carried on in the committees when they will be bringing their budget proposals to the plenary. So it would be better we have a lot of time in the committees rather than coming in the House knowing very well that we are coming to the House and we adjourn for lack of business. So, Mr. Speaker, I kindly request the indulgence of these members so that at least we can make a viable adjustment to the schedule. Thank you.

Hon. Speaker: Hon. Ndawa.

Hon. (Ms.) Ndawa: Thank you Mr. Speaker sir, having listened to Hon. Kitheka, I wish to support his amendment because we realize that on Monday, it really not a committees meeting day. Normally it is the day for honorable members who are elected to be in the wards and attend to their people. Mr. Speaker, it is my wish that on Wednesdays that we can have committees sittings in the morning and this should be take very seriously because Mr. Speaker the reason we don't have business in this House is because the chairmen of committees are not serious with their work and most of them do not even call for their committees sittings, Mr. Speaker.

(Applause)

I wish you could get a disciplinary action against those chairmen Mr. Speaker. Majority of them are not performing. So I would wish that the amendment proposed by Hon. Kitheka be amended.

Hon. Speaker: Thank you. Let us hear points in support of the amendment. Hon Rachael.

Hon. (Ms.) R. Nduku: Thank you Mr. Speaker, in support of this document, and also in support of what Hon. Ndawa has said of the chairpersons of the committees is that we have been having a problem of getting information very late of the committee meetings. I would request that if the chair of a committee has a meeting or wants to meet with the committee members, they have a workplan of what they want to address in that meeting. In summary, if we can get a good work plan of the committees so that members can know where they are meeting, the purpose of the meeting and it is good because sometime when we are called for a meeting, we keep on asking the customer care, where is the meeting, which room because we don't know and also the purpose of that meeting so that we can some when are prepared. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much.

Hon. Kasimu: I am in support of the amendment that has been proposed. For us to give work to our honorable chairmen of our committees and have been records in this House that there are chairmen in this house who are not aware if they are chairmen of committees. They vigorously campaigned and lobbied to become chairmen. After they succeeded they sat and slept on their work. We know them and soon or later we are going to name them in this Assembly. We know the chairmen who are working. We can see it. We can feel it in this house. But am telling you that there are chairmen who have never called the committee members of this committees and one of the committee members are doing nothing, a week, a month and know it's a year and that committee has done nothing.

For us to give work to this committees let us support the amendments that all the committees will be forced to be meeting and I request the Hon. Speaker and the county Assembly to take the whip and crack it on these chairmen. If they are tired of their work, let us give them a retirement package and we give work to those who are willing to work and those who are willing to support the work of this County. The Executive is waiting. Checks and balances but if the chairmen are not working how will the Executive be called to account for what they are doing. We know that there are chairmen who are not working. That is the bottom

line and the Assembly knows them and when you give us the opportunity, we will name them. Thank you, Mr. Speaker.

Hon. Speaker. Thank you very much. I would urge that now you are the Majority Leader sitting in the Assembly this afternoon, can you undertake to name the chairs in the next sitting?

Hon. Kasimu: Thank you Mr. Speaker if you allow me in the next sitting o he opportunity you will give, I will name the chairmen that are not working and unfortunately they are not in the House because they are used to sleeping in their jobs. They are not even in the House, Mr. Speaker. I will name the chairmen who are not working, as the majority Leader, Mr. Speaker.

(Laughter)

Hon. Speaker: Thank you very much.

Hon. Kasimu: And I will also name those who are hard working.

Hon. Speaker. I think that hon. member was answering the Speaker's question. He cannot be out of order.

Hon. Mbithi: I am happy that I am a very active chairman Mr. Speaker. I want to support the amendments raised by Hon. Cornelius Kitheka. Mr. speaker when we were at the Kenya school of government we were told that 75 per cent of the work takes place in the committees so it is more work for the committees and more work for the honorable members Mr. Speaker. Secondly I try to look at page six it says recess for 32 days and Mr. Speaker some of us are workaholic we really have to work. These 32 days of rest these 32 days of rest are too many I think we should reduce them to something like 16 because we want to work for our people and not go sleep down there. So may be if that amendment can also be upheld I think it could be ok. Thank you.

Hon. Speaker: I don't know if you are a member of house business committee.

Hon. Mbithi: I am a member of agriculture committee and the chair.

Hon. Speaker: Thank you.

Hon. Kitheka: Thank you Mr. Speaker. I would wish to inform the hon. member who has just sat down that the 32 days which have been put in the calendar are only for the plenary but not for the committees. The committees can meet as we agreed in the house business. Thank you

Hon. Speaker: I think you are now contended?

Hon. Mbithi: Is that inclusive of the 67 days in the last page, page 16?

Hon. Speaker: You now confirm you are hard working. Let us hear a clarification.

Hon. Kitheka: A clarification of the same? The 67 days are that time of Christmas, festivities and we don't want to put you in the precincts of Assembly so there will be no committees, unless there is a request from a certain chairman through the House. Thank you very much.

Hon. Speaker: Thank you. If there is a special business, the Assembly can always be convened. I think we find ourselves in consensus through the amendment

Hon. Maitha: Thank you Mr. Speaker. Going by the mood of the House, I wish to withdraw and totally support the amendment and I would like to echo the words of the Deputy Majority Leader, Mr. Speaker. The inability of this House to have serious and continuous business, I being a chairman of a committee, is the inability of some of us to convene committee meetings. There are so many issues that are pending and need to be tackled but the only way that they can get to this House is through their hon. chairmen bringing business to their committees and reports on findings so that the House can deliberate on the issues.

I am saying this Mr. Speaker without fear or favor of victimization, that I am requesting this honorable members if they find any chairman, be it be me or any chairman, not executing his or her mandate as a committee chairman and that person is paid responsibility allowance, they do away with those chairmen so that this House can have continuous business. So I am in total support of the amendment and I want to say it is the responsibility of the liaison committee to deal with those chairmen who are not able to deliver. So if the liaison committee wishes to table that there are some chairmen who are not able to deliver, then it will advise the House and it will take necessary measures. Thank you very much.

Hon. Speaker: Thank you. The responsibility is still with the Deputy Majority Leader in the House to name the non-performing chairs on Tuesday. Hon. Members, I now put the question that those in support of the motion as delivered by Hon. Magdalene Ndawa with amendments.

(Question put and agreed to)

Thank you very much. Proceed.

Hon. Speaker: We can have a word from the mover of the motion.

Hon. (Ms.) Ndawa: Thank you, Mr. Speaker, thank you honorable members for passing this motion. This is one of the motions you have ever passed in this House which will make you work. I thank Hon. Kasimu from Kangundo, who has spoken like 10 men.

(Laughter)

Hon. Speaker: Thank you very much. We now know how 10 men can speak.

MACHAKOS COUNTY WATER BILL 2014

(First Reading)

Hon. Mbithi: Mr. Speaker, Sir, I wish to present the Machakos County Bill 2014 to be read for the first reading.

Hon. Speaker: The Machakos County Water Bill 2014 is hereby read for the first time. Hon. members that is the end of today's business in the order paper, the House business committee was to meet today and is still meeting after this session. It will be chaired by the Deputy Speaker I will not and I will not be available. I will urge Hon. Kitheka to take care of our guests to the Park. We will make arrangements that we take care of our visitors.

ADJOURNMENT

Hon. Speaker: Business adjourns. Thank you very much.

The House rose at 4.20 p.m.

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