

MACHAKOS COUNTY ASSEMBLY**OFFICIAL REPORT****Thursday, 16th April, 2015**

The House met at 2.35 p.m.

*[The Deputy Speaker (Hon. Nathaniel Nganga) in the Chair]***PRAYERS****PAPER LAID****BUDGET AND APPROPRIATION**

Hon. Deputy Speaker: The member? Majority Leader, can you respond on behalf of the Chairman of budget and appropriation committee?

Majority Leader (Hon. Mwonga): Mr. Speaker, first I want to apologize for coming late. Mr. Speaker information, I am getting from the chairman of budget committee is that they have worked overdrive but they are not through with involvement and Mr. Speaker, because of the urgency of the matter, that is why you cannot see any member of the budget and appropriation committee but they are making a request, because of the urgency of the matter, that we have a special sitting on Monday morning to deliberate on this issue. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Then the matter will be heard on Monday, 10 a.m. We shall have a special sitting for that matter gazette by the office of the Clerk to give way on that matter to be presented to the House. Members are advised to attend to attend that special sitting that is gazette for Monday, to hear the matter on the budget and appropriation. Proceed, Clerk.

STATEMENTS**WHEREABOUTS OF COUNTY FARM TRACTORS**

Hon. Joseph Muli: Thank you Mr. Speaker. I am the chairman of agriculture and co-operatives committee. Mr. Speaker, on 5th May, 2015, the member of Kithimani ward, Hon.

Sammy Nduva sought a statement on the whereabouts of the farm tractors purchased by the county Government of Machakos. Further, Mr. Speaker, Sir, on the same date, Hon. Sammy Nduva enquired to know whether the subsidized seeds and fertilizers could be supplied to the farmers.

Mr. Speaker, Sir, in response, I would like to state that after investigations, it was established that all tractors are parked at the headquarters of the department of Agriculture in Machakos town. The tractors have been brought to the headquarters for repair and maintenance and once completed, they will be released to respective wards. Mr. Speaker, Sir, on the issues of subsidized seeds, I would wish to state that in the financial year ending 30th June, 2015 the county government had budgeted for Ksh. 30,590,304. So far Ksh. 30,339,684 had been spent in purchase of the seeds during the October/December rain season. In the last season, the county government purchased 162,934 kilogrammes of seeds and distributed 159,934 kilogrammes, remaining with a balance of 3,000 kilogrammes of green grams which will be distributed to 1,500 for the most vulnerable farmers identified in the county.

Consequently, there are no more funds to purchase more seeds. Mr. Speaker, on subsidized fertilizers, the county procured 7030 bags of fertilizer in the last season which was forwarded to three National Cereals and Produce Boards (NCPB) depots in Machakos County and the same has already been purchased by farmers. Furthermore, the department of Agriculture had also requested the National Government to supplement the county efforts with 50,000 bags of fertilizer they have supplied to NCPB. Unfortunately, Mr. Speaker, Sir, the county government could not be in a position to procure subsidized fertilizer this season but expect the supply form the National Government to continue. Thank you, Mr. Speaker, Sir.

Hon. Deputy Speaker: A statement had been sought by Hon. Nduva, is here?
Yes Hon. Maitha.

Hon. Dominic Maitha: Thank you, Mr. Speaker, I had liaised somehow with Hon. Nduva because o had also sought a statement on the same regarding the same tractors. Mr. Speaker, I tend to think, with all due respect, I am kindly requesting the Hon. Chairpersons to give definite and ultimate answers to statements sought in the floor of this house. The issues of tractors, when we are being told they are being repaired, do you mean out of the 40 tractors which were bought for each ward, every tractor is undergoing repairs? Do we have to repair the tractors when the season of tilling is already on? This is a pure lie. The Government needs to come straight and tell the committee of this house, what is official status of those tractors because right now we know there are no great tractors which are undergoing repair.

I wish, with your permission, you will commit this issue to the committee on Agriculture so that they can investigate, and if possible Mr. Speaker, form an *ad-hoc* committee that is going

to know the actual status of those tractors because Mr. Speaker, for sure this is a pure lie. There is no single tractor that is undergoing repairs and even that should have been done earlier enough so that we can give the tractors to the farmers so that they can do the tilling as early as possible because we seem not be conscious of the environment, Mr. Speaker Sir. So to me, the statement issued as pertains to those tractors does not add any value to the question that we sought. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Maybe Hon. Maitha, you would request the Chairman to substantiate whether all the tractors are undergoing repairs or are they all faulty. Hon. Chairman and also clarify whether the repairs had to be done while it is on season.

Hon. Muli: Thank you Mr. Speaker, I would like to inform the Hon. member for Muthwani that, the committee after we went through, we went to investigate about the tractors we found the tyres which the front tyres of those tractors need to be changed and also on top of that, the tractors which had no tyre problems, were about 10 tractors and we instructed the officers to send them to the relevant wards. Mr. Speaker, the tractors which are remaining delayed due to supplier who was supposed to bring the small spares to repair the small technical problems which the tractors had. Therefore, I would like to inform the house, Mr. Speaker, that already 10 tractors have been dispatched and the others which are remaining with small technical problems are still on the process. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Yes, Hon. Member for Kola ward.

Hon. Festus Ndeto: I don't like.....(inaudible) today. Mr. Speaker, Sir, I think the Chairman who happens to be my Chairman in that committee, is not giving the right information and if he is giving the right information, I request that he substantiates when he says 10 tractors have been repaired and they are in the wards. Which wards specifically because we have the Hon. Members in this assembly? Let him tell us Kola ward, Muthwani ward. Name the wards where these tractors are in because I know I spoke to one of the officers the day before yesterday, and she told me all the tractors are just lying here in bad condition.

POINT OF INFORMATION

Hon. Deputy Speaker: Yes, what is the point of information?

Hon. Muli: I would like to inform the member of Kola that the information I am giving here is true information and if he is lying with a certain officer who has no title, to inform him

that all the tractors are there while the chairman, Mr. Speaker. Protect me, Mr. Speaker. One already, I am aware 10 tractors have already been dispatched and Mr. Speaker---

(Loud consultations)

Hon. Deputy Speaker: Order members, let us here the chairman.

Hon. Muli: What is there, Mr. Speaker, what is there.... the point is already 10 tractors have been dispatched to the wards.

(Loud consultations)

Hon. Deputy Speaker: Let the chairman communicate first.

Hon. Muli:it is not my mandate, Mr. Speaker, to quote the wards which the tractors have been taken but the point is, already 10 tractors have been dispatched. Thank you, Mr. Speaker.

POINT OF INFORMATION

Hon. Deputy Speaker: What is the point of your information?

Hon. Cornelius Kithaka: Thank you Mr. Speaker. I would like to inform the incompetent member, who happens to be the chairman for Agriculture committee, that the tractors he is trying to talk about in this house are lying just 500 metres---

Hon. Deputy Speaker: Let us hear the point of order first.

Hon. Kithaka: I was on a point of information.

Hon. Deputy Speaker: Yes. Let us hear the point of order because you might be misinforming me. Let us hear the point of order from Hon. Member for.....Let us hear the point of order that member was saying.

POINT OF ORDER

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Hon. Gideon Kavuu: Mr. Speaker, I wonder if a member can stand in front of this house Mr. Speaker, Sir, and then try to abuse a member, who is a chairman of agriculture, saying that he is incompetent. Mr. Speaker that is abusive.

(Loud consultations)

Hon. Deputy Speaker: Order. Let the point of order be heard.

Hon. Kavuu: I think Mr. Speaker, I was saying that, it is an abuse for a member to abuse the chairman for Agriculture and again Mr. Speaker, I don't understand whether a member of this house, can stand here in front of this house and then use a word, that is nonsense, when the chairman was talking and that is now, the Member from Kola ward. Thank you, Mr. Speaker.

(Loud consultations)

Hon. Deputy Speaker: Order Members. I would want to request that members refrain from using non-parliamentary language and that will not be tolerated. Can you proceed to complete your point of information while taking caution not to use non-parliamentary language?

Hon. Kitheka: Thank you Hon. Speaker would like to inform the Hon. Member, the able member, using the parliamentary language, for agriculture that the implements, the tractors he is trying to tell the Hon. house are being repaired, they are just 500 meters from here just next to the police station and if he can take time can take him there. The tractors are grounded. Others have spares which have been removed and others are being used as for removing the spares from the tractors there. So Mr. Speaker, please, because we know this house deserves respect and we only have to go a long way if we portray a lot of respect to this house. Mr. Speaker, can you urge the member, if it is possible, we go out with him, I show him the tractors and then we come and give information. He should not give information which he doesn't have. The members have information Mr. Speaker. Let me clarify. The Hon. Member for Ndithini, also the Chairman, is not informed of what is happening in the county---

POINT OF ORDER

Hon. Deputy Speaker: There is a point of order. There is a point of order from the chairman. Thank you. I think he would want to respond on that.

Hon. Muli: Thank you Mr. Speaker for awarding me this opportunity. I would like to inform the Hon. Member of Machakos Central that he is lying to this house, when you say there

are tractors which have not been dispatched and Mr. Speaker, I substantiated very well that already 10 tractors which had no problems had been dispatched to the wards and I am clear on what I am saying while the others are on the process. I have also informed this house that already the supplier of the spare parts process is on because I visited the office of the CEC member and also he CO and that is the information which I was given. Therefore, I am trying to deliver the information which I got from the Department of Agriculture and Cooperatives and is not what I am trying---

Hon. Deputy Speaker: Yes Majority Leader.

Majority Leader (Hon. Mwonga): Mr. Speaker, I think we are repeating on a statement which was sought by this Hon. House and Mr. Speaker, it makes me wonder, as the Leader of the Majority and as the representative of the executive of this hon. house to hear members say that the chairman of Agriculture is saying is not true. Mr. Speaker, maybe some tractors are faulty or have a mechanical problem but Mr. Speaker the truth is, 10 tractors were dispatched to various wards which I cannot name but it also makes me wonder---

Hon. Deputy Speaker: Hon. Member for Muthwani ward. You cannot rule a member out of order. You request for an opportunity to express that the member is out of order but now your point of order is heard let the Majority Leader complete his sentence.

Majority Leader (Hon. Mwonga): Thank you Mr. Speaker. I want to give an example of Ekalakala ward. Yesterday the PA for Mheshimiwa, for Hon. Isaac Muinde was here and they were planning, they were looking at the list of the beneficiaries where that tractor is going to plough, Mr. Speaker. I said I know, as I am standing here I know 10 tractors were dispatched and I have given an example of a ward where we have one tractor but I am not given an example of my own because it is not there but the truth of the matter is 10 tractors were dispatched. I don't know the status of the others so the member should be asking the chairman the status of the others because already 10...we cannot just ignore the reality, members. 10 tractors have been dispatched to various wards which I cannot name. Thank you.

(Loud consultations)

Hon. Deputy Speaker: For those members who would want to know the specific wards where the tractors have been sent to, you can seek a substantive statement because the statement on the floor is asking on the status of tractors. I think it has been answered. So let us discuss in relation to the matter in front of the house on the status of the seeds and the tractors. Yes Member for Ndalani.

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Hon. Stephen Muthuka: Thank you Mr. Speaker, Sir, and the rest of the house .Mr. Speaker, I think this should be a house of honour and if we do things because it is our duty, we will go nowhere. Mr. Speaker, if look at the statement which was sought by Hon. Sammy Nduva, what has been presented here, even it is not dated. So this can be brought anytime, anywhere, anyhow. There is this small things that we overlook. Already the chairman has said 10 tractors have been dispatched, we are talking about 40 tractors. Do you mean we have 30 in that headquarters? Which is hardly 500 meters from here? Mr. Speaker, I took time and went to the department of agriculture. If you can go there, you will be shocked. That is neither a workshop nor the county garage.

Those tractors are not there and that is why the Hon. Member was trying to seek the status. Have they been taken back to Makindu General Motors for repairs? Are they maybe within our wards undergoing repairs? Where are they? What is the status of these tractors? Mr. Speaker, as we stand here or sit here, we don't know how many tractors were purchased. I happened to be the vice chairman of agriculture trying to find out what was happening at that department, I was chased away and every member here is aware of that. For how long are we going to hide our heads in the sand? These are grievous matter. If you are dispatching the tractors today, for what season are they for? Today we go to our shambas, the maize have grown. Do we normally till our maize while they are in the shambas?

We need to be told the truth so that we can set our county maybe if something is happening contrary to what we expect. We can put things in order. It is so primitive to have members who are chairpersons of the committees standing here and start defending impunity. I would request the Chair, I wasn't the one who sought this statement but this statement cannot be administered in this house because now this shows the standards of Hon. Members who are here and this shows the part of ignorance that we are having because if we have this statement, that is sought but have we served our people? Thank you, Mr. Speaker.

Hon. Deputy Speaker: Yes Hon. Mueni.

Hon. Bernadette Mueni: Thank you Mr. Speaker, Sir. I think in this house, we are Honourable members and it is good to talk the truth and to defend the truth. So because the people have already finished cultivating, I think it is good for us not to tell the people, taking to them the tractors, because they have already finished the cultivating. So the Hon. Members are supposed now to look in another way of knowing what to do to the county. Thank you, Mr. Speaker, Sir.

Hon. Deputy Speaker: Hon. Wairimu.

Hon. Anne Wairimu: Thank you Mr. Speaker, Sir. Mr. Speaker, I wonder what we are talking about here. Reason being, those tractors would have been repaired long time ago. We have already ploughed our shambas. We have already planted, what they should be doing, they should be repairing this tractors for next season not as for now. They are already late. These tractors, some spares are being removed from other tractors to repair the others. That is very serious Hon. Members. Let us be sincere. Chairman of agriculture committee, just agree there is a problem and try to sort it out. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Yes, Minority Leader.

Minority Leader (Hon. Kasoa): Thank you Mr. Speaker. I stand here to conquer with the able chairman for agriculture. Mr. Speaker it is true that some tractors were dispatched to various wards and I am going to give an example, in my ward. The tractor o is in Mbiuni and is parked at Mbiuni police station. It is me who personally who said it should not cultivate now because it is during the rainy season. Mr. Speaker, I am urging the chairman and his committee maybe to work closely with the department for agriculture to cone with a guide or a policy when these tractors should cultivate because they should not cultivate during the rainy season. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Majority Whip.

Hon. Timothy Kilonzo: Thank you Mr. Speaker Sir, I think as I support they chairman of agriculture I also caution this house whether he can be given more time to bring reasonable answers to the question, Mr. Speaker because as we support him, we can see the answers are very shallow, very shallow answers.

(Applause)

If possible, Mr. Chairman, he can be told where tractor registration number and which garage it is in? The other tractor if 10 of them are in one garage and he can get the registration number then he can bring the answer, a compressive answer to this house, Mr. Speaker.

(Loud consultations)

Hon. Deputy Speaker: Hon. Member for Iveti.

Hon. Alphonse Wambua: Nasimama kumuunga mkono Mheshimiwa, chairman wa Agriculture nikisema ripoti ametuletea hapa kwa sasa haina ukamilifu kwa hivyo ni vizuri

apatiwe muda kidogo arudi kwa hiyo ofisi ndio wakatuletee ripoti inaweza turidhisha. Thank you.

Hon. Deputy Speaker: Hon. Nzoka.

Hon. Nzoka Munywoki: Thank you Mr. Speaker, Sir. I want to draw to the attention the chairman of agriculture. He said when he went there, there was the problem of tyres and this and this. I think we bought new tractors. I think they have done just one season. It is a pity and shame to have such number in the garage. Again here, he cannot specify where these tractors are. I need to accompany him and show me the tractors. I am on---

Hon. Deputy Speaker: Let us hear the point of order.

Hon. Raphael Mutuku: Thank you Mr. Speaker, Sir.

Hon. Deputy Speaker: Hon. Dominic Maitha.

Hon. Raphael Mutuku: Hon. Raphael Mutuku.

Hon. Deputy Speaker: Order Hon. Raphael. The next minute you do that, you will be forced to walk out of the chamber and we are not going to engage in a shouting match. Hon. Raphael.

Hon. Deputy Speaker: Hon. Raphael Mutuku.

Hon. Rapahel: Mr. Speaker, Sir, is it in order for the hon. member to keep on dwelling on a matter already you have already given a direction. Mr. Speaker, the statement that was sought was the status of the tractors not how many were dispatched(inaudible) with such information should find a substantive statement. So, we are just going round in one statement where you have already approved on that. Thank you Mr. Speaker, Sir.

Hon. Deputy Speaker: Point of order sustained. The statement that was sought by the member for.... think all the members have the statement and it is very specific and this is not a committee report. It is a statement that was sought to address this issue and if a member is aggrieved, that the statement is incomplete then you can.....the owner of the statement is the only one who can reject that statement. Then if another member is aggrieved on the status of the

statement, then you can file a new request because there is still room. Let us hear the member for Kivaa.

Hon. Alexander Kathinzi: Mr. Speaker, even though this statement is not dated but you can see the genesis of this particular statement that is on 5th March, 2015. So Mr. Speaker, I am contributing on the credibility of the chairman of agriculture that it has taken more than one and a half months to bring this particular statement which was sought almost one and a half months ago. Mr. Speaker, as I am standing here, I am also confirming that in Kivaa ward there is no tractor and also confirm that in last season the tractor for Kivaa ward stood in a place called Iiani Market for the rest of the ploughing period because of a puncture which could be repaired using only Ksh 400, Mr. Speaker.

So this particular issue for tractors, I think it is good for the chairman to give us honest report. My good suggestion is that this is just writing without any date because tomorrow he will say this is not dated so it came through the window. The usual stories we usually hear from this house, Mr. Speaker. So this one, I usually don't support such reports so I urge and request the chairman of agriculture committee to ensure that he brings to this particular hon. house, a reasonable substantive report or statement, Mr. Speaker. Thank you

Hon. Deputy Speaker: Yes Majority Leader.

Majority Leader (Hon. Mwonga): Thank you Mr. Speaker. As I said before, I will never and I want to assure these hon. members, I will never stand on the floor of this house and give a lie to this hon. house Mr. Speaker. Mr. Speaker, after I contributed and said that 10 tractors were dispatched to various wards, members saw me walk out and Hon. Ndawa can bear me witness, Hon. Iveti and Hon. Nina Mbithe, if they are in the house. I called the CEC member for agriculture and he has confirmed to me that 10 tractors were dispatched to these various wards and that is why some members, who are always very active in this house, they are not contributing on this because they know the tractors are in their wards, Mr. Speaker.

The tractors are in these wards. One is in Ekalakala ward Mr. Speaker, another one is in Katangi ward, another one is Ikombe ward, another one in Ndithini ward, Ndalani ward, Mbiuni which has been confirmed by member for Mbiuni, another one is in Muthetheni and another one is in Wamunyu, Mr. Speaker and I don't think the members of those wards, and if Mr. speaker there is any member, who represent these wards who---

Hon. Deputy Speaker: Hon. Majority Leader.

Majority Leader (Hon. Mwonga): Mr. Speaker, I want to say that particular member is not in touch with his ward Mr. Speaker. Thank you.

Hon. Deputy Speaker: Yes what is your point of information?

POINT OF INFORMATION

Hon. Kyalo Kyuli: I want to inform the entire house that there is no tractor in Wamunyu because Mr. Speaker I came from that ward as early as today in the morning and there is not tractor in that particular ward. I had written a letter Mr. Speaker as late as last week requesting for a tractor because I had an issue with one farm called Plantana Farm and up to now, no tractor has been taken to Wamunyu and I don't know how many MCAs for Wamunyu we have in this house. Those that purport to know issues of Wamunyu more than me, as the member, Mr. Speaker, I want to tell you they are outdated. This is the member for Wamunyu and I know what is happening in my ward.

Hon. Deputy Speaker: Yes, Majority Leader, you can clarify on this issue.

Majority Leader (Hon. Mwonga): Mr. Speaker, I want to inform the hon. member, when the tractors were being released or being dispatched to the various wards, they were not dispatched to the Hon. Members. They were dispatched to the sub-county administrators who are liaising with other locational officers in our wards. Mr. Speaker the Hon. Member for Wamunyu is misinformed and he has never been in his ward since Monday. That is the information am getting, Mr. Speaker.

Hon. Deputy Speaker: Order members. Let us hear the member for Katangi ward.

Hon. Felix Ngui: Thank you, Mr. Speaker, Sir, for catching my hand. Mr. Speaker, I want to, one, acknowledge that the tractor is in my ward but Mr. Speaker, Sir, and let us call a spade, a spade and a spoon a spoon. Mr. Speaker the program of tractors has been a total failure. I wanted it to be noted down. It has been a total failure because this tractor is in Katangi ward and it has got no fuel, it has not even gone to any farm to plough, I am telling you Mr. Speaker.

So the program has been a failure totally. Mr. Speaker, we want the chairman on agriculture to bring us a comprehensive report or a comprehensive statement concerning these tractors because one Mr. Speaker we have never known how many tractors were bought and most of the tractors, as we talk here, are parked here at the headquarters. I am scared. I am worried why we are been told they have gone back to the garage and they have never done any job within our wards, Mr. Speaker. We need a comprehensive statement concerning tractors. Thank you Mr. Speaker, Sir.

Hon. Deputy Speaker: Maybe for the advantage of the members present, if you feel dissatisfied with the answer that has been proposed then, the response that has been filed by the chairman, the matter of procedure is that you propose that the chairman brings another comprehensive statement and you seek support for that effect so that you maybe seconded and the chairman will be compelled, if the whole house approves it be so. So the members are subsequently advised. Let us continue with the discussion. Yes member for Kola.

Hon. Ndeto:(inaudible) wrong cause I have gone to school. This statement reads this. Statement requested by Hon. Sammy Nduva on March 15, 2015 on the whereabouts of farming tractors, on the whereabouts of farming tractors. What does where about mean? One, is where they are---

Hon. Deputy Speaker: Members are not allowed to canvass

Hon. Ndeto: According to me, it is where they are. Then the hon. member said 10 have been dispatched. Do we have 30 with us? Secondly, when Hon. Member Majority Leader was responding about Wamunyu, he said that the tractors were not dispatched to the ward but to the sub-county administrator which means they may be not in Wamunyu but lays somewhere at the headquarters of the sub county. Thank you.

Hon. Deputy Speaker: Chairman, you need to respond to the many issues that have come to your end with a view of assuring members of a comprehensive response to their concerns, so you can take the floor.

Hon. Muli: Thank you Mr. Speaker. According to the statement which was requested from this house, I would like to inform the members the information which came from the CEC member pertaining to the whereabouts of the tractors, is that have already been given and if Mr. Speaker the members are not contented, I am also ready now also to compile and bring a committee report because this was a statement and is been sought from the department so I will urge the members that I will bring the comprehensive report or the committee report on where the tractors are. Thank you, Mr. Speaker, Sir.

Hon. Deputy Speaker: Can you give us a timeline.

Hon. Muli: Thank you Mr. Speaker, just about..... give me three weeks. Because you understand this week now we are busy, we are not around but now to give a comprehensive report, two weeks will be enough, Mr. Speaker.

Hon. Deputy Speaker: Comprehensive enough with the view of developing a policy as requested to govern the time, schedule and presence of tractors. Then I think that matter is dispensed of. The chairman has given undertaking to bring a comprehensive answer on that matter in three weeks time from now so the chairman is directed to make sure that the answer is comprehensive on seeds and the tractors and also the situation of the policy that will govern the operations of those tractors so that members can be appropriately informed. We move to the next matter, the next item. Clerk.

COUNTY INSPECTORATE OPERATION POLICY AND GUIDELINES TO ARREST OF DEVELOPERS

Hon. Mutua Mutuku: Mr. Speaker, Sir, and the entire house a statement was sought by Hon. Dominic Maitha on county inspectorate operations framework within Machakos County in the department of decentralized units. Hon. Members on 26th February, 2015 the member for Muthwani ward Hon. Dominic Martha sought a statement county inspectorate operation policy and guidelines under which the inspectorate relies on to warrant arrest of developers from their sites. Mr. Speaker, Sir, in response the committee on decentralized units and urban areas, during its committee meetings held on Tuesday, 3rd March, 2015 resolved to write a letter to the executive committee member department of decentralized unit in urban areas and the concerned responded on the same.

Mr. Speaker, Sir, on 31st March, 2015 the committee received a letter from the said department stating the legal frame work relied on by the inspectorate officers when carrying out operations. Mr. Speaker, Sir, and the entire house if you allow me, I would like to tell the Hon. House the response.

Hon. Deputy Speaker: Proceed.

Hon. Mutuku Mutua: Thank you. The legal framework relied on by the inspectorate officers within Machakos county, department of decentralized units. The letter reads as follows; Reference made to your correspondence dated 24th March, 2015 Ref. No. MKS/PSC/CMN/D/Vol. 1/18 (??) on the above subject. We wish to inform the following. The Machakos County Finance Act defines an authorized officer to include among others things, an officer empowered, in writing, to carry out specified responsibilities or exercise set out powers under this Act. Hon. Members, that is the definition.

Section 141 requires every developer to follow the laid out procedures and apply for approval to develop. Section 144 of the same Act stipulates the offence of non-compliance of the same. Section 152 (1)(b) of the same defines that the Finance Act grants health inspectors and

any other person in the defined authority from the county government, free access to the building or works.

In line with the above, the inspectorate officers are fully empowered by the law to access development to inspect and enforce compliance where there is none. In doing so, the officers ensure that every developer has complied with legal requirements to develop and at the same time ensure that the county does not lose revenue. Also this helps in curbing construction of unfit developments which later collapse leading to loss of life.

The job description and the duties of the inspectorate officer from Public Service Board, the appointing authority established under Section 57 of the County Governments Act which includes among others;

1. Duty to ensure compliance of County laws, bylaws and any other written law.
2. Enforce county laws and bylaws. The Machakos County Finance Act is a county law and it is the duty of the inspectorate officers to ensure compliance by enforcing what the Act states.
3. The inspectorate officers work together with members of the county planning unit who are authorized to inspect documents concerning buildings such as building plans and other mandatory requirements. Failure to avail or comply with such, the inspectorate officer has the mandate to arrest a person, either a developer, as a law enforcement officer as they were legally employed to be.
4. Article 236 of the constitution protects a public officer from being victimized or being discriminated for having performed the function of the office in accordance with the constitution or any other law. The inspectorate officers are public officers exercising their legal duties within the law.

In conclusion, part of enforcing the county laws and by-laws is by arresting offenders and the county inspectorate officers are legally empowered to. Hon. House, those were responses from the Chief Officer in charge of decentralized units. I think I have taken the Hon. Members, on how they operate especially when they are enforcing the bylaws and county laws. Thank you Hon. House.

Hon. Deputy Speaker: Yes, Hon. Peter Nzioki.

Hon. Peter Nzioki: Thank you Mr. Speaker, I would like to bring to your attention that there is no quorum, Mr. Speaker. Thank you.

Hon. Deputy Speaker: Clerk, confirm whether we have quorum in compliance with the Standing Orders. Any contribution towards the statement? Yes Hon. Maitha

Hon. Maitha: Mr. Speaker, thank you. I want to repeat and repeat I have no fear of contribution by saying that the kind of responses that this Hon. House is giving to the Hon. members here, actually undermines the status of this assembly. I want to disown this response because I never sought a statement about the warrant of arrest to developers by the county inspectorate team. So first, I don't even find any reason to why we should discuss about this document because this is not the document that I sought. The chairman needs to get the right information of the statement that I sought so that he can an actual answer of what I sought for and I want to repeat, Mr. Speaker, until and unless the Hon. chairpersons are going to take their work seriously because, first this report is even signed by the chairman it is signed by the vice chairman.

Secondly, the report is not even dated Mr. Speaker, Sir. So we are talking on a paper that does not even have legal backing. It is only stating the date when said member sought so whatever has been responded here, is totally not what I sought, Mr. Speaker, Sir. So there is no need to discuss even the contents of this---

Hon. Deputy Speaker: Hon. Maitha, this is not the statement which you sought?

Hon. Maitha: This is not the statement that I sought, Mr. Speaker.

Hon. Deputy Speaker: Chairman, can you respond?

Hon. Mutua Mutuku: Mr. Speaker, Sir, I would like to respond to the claims raised by Hon. Dominic Maitha. I would like to take Hon. Maitha through his own statement. If you read the statement clearly, it is a very ambiguous statement, too general. It is not specific. What I have given or what the department has given is the overview of the operations of the decentralized unit. The Hon. Member, when he was requesting the statement, he was not specific because if you read the statement, it is clearly requesting the operations of the county inspectorate. When you talk about operation, it is really too general. You have to be given everything.

That is what I can say so we need to start with the Hon. Member requesting for a specific and not a general statement, general request. He has to be very specific so that the committee under the chairmanship in cooperation with the decentralized units, can be in a position. More over and above that, I am trying as much as I can to grasp the logic behind requesting the operation because the operation is anchored in the constitution, in the Standing Orders. (??) So a actually whatever we are getting, we have to extract it from the bylaws we are using. Thank you.

Hon. Deputy Speaker: Hon. Maitha, I think if your issue has not been addressed going the statement, that has been copied in the Order Paper, it appears that your request was not very specific and maybe if you file a very specific statement the chairman, I am sure will be in a

position to answer your queries. Proceed. I think there are no further contributions on that so we can proceed to the statements that are being sought.

WATER MAPPING

Hon. Kyalo Kyuli: Thank you Mr. Speaker. Mr. Speaker, I wish to seek the following statements; Statement on water mapping exercise that you are all aware that was done a few days ago. I want to know, Mr. Speaker, how much was spend on the exercise. Secondly, the status of the mapping exercise as of today, Mr. Speaker, who authorized the exercise or the authenticity of the same and lastly on water mapping the status of payments of the enumerators, Mr. Speaker.

REVENUE COLLECTION SYSTEMS FAILURE

The second statement that I want to seek is that you may not be aware but this county is losing a lot of revenue and this is because of the systems that are being used and therefore, Mr. Speaker, I want to know on the revenue collection systems failure because for example, last week on Thursday, the system collapsed the whole day. This week on Monday the system collapsed up to 2 p.m. Mr. Speaker. I wish to seek the following;

1. What the department is doing or they are supposed to do or what they can do Mr. Speaker when the system collapses because the attendants cannot collect revenue without the system. Even issuing of licenses it is impossible to issue without the system being on.
2. On the same, Mr. Speaker, what was the agreement, I wish to know and we need to get the agreement between the system provider and the county government because there must be an agreement. These are gadgets that can fail anytime, Mr. Speaker, and what is the agreement between the county and the system provider when such occurrences appear because we are losing revenue. Mr. Speaker, thank you very much,

Hon. Deputy Speaker: Thank you. Chairman, your first statement is referred to the chairman energy, land environment and water and natural resources. And now that the chairman is not present in the house, the Deputy Majority Leader, you can give us an undertaking of passing that request to respond the matter. We need to get your undertaking

Hon. Kasimu: Thank you Mr. Speaker. We will pass the information to the chairman environment and resources committee.

Hon. Deputy Speaker: And on the second statement for the chairman finance and revenue collection.

Hon. Kasimu: Yes, Mr. Speaker.

Hon. Deputy Speaker: Thank you. Next statement. There is another statement that is being sought, Hon. Matheka.

BURSARIES WIRED DIRECTLY TO SCHOOLS

Hon. Francis Matheka: Thank you Mr. Speaker, Sir, and the house at large. Mr. Speaker, Sir, I wish to seek a statement on the status of bursaries which were wired directly to schools through the G-pay and were never received by the schools. I have attached a list from my ward where some money was wired to wrong account, maybe the accounts were not wrong but they were right to whoever was wiring the money. So I would like to know exactly whose accounts the monies wired to. Again Mr. Speaker, Sir, there was a balance which was never wired for children in schools in my ward. I would also like to know when the balance will be paid and the mode of payment because this business of wiring money to schools is a nuisance to the head teachers and to the bursary committee, by extension. I have Mr. Speaker, Sir, attached two reports and I would like it to be forwarded to the relevant committee---

Hon. Deputy Speaker: Yours is to seek the statement, the rest is for the Chair to do.

Hon. Matheka: There is something I want to say, Mr. Speaker.

Hon. Deputy Speaker: Then you had better say it then now.

Hon. Matheka: The same report went to the finance department and the education department and also to the education committee and nothing happened.

Hon. Deputy Speaker: Deputy Majority Leader, give us an undertaking when the chairperson of education committee will give us a response on this matter.

Hon. Kasimu: Mr. Speaker, it is true that the house needs a compulsory report on the bursaries that were released directly to the schools and I will take the undertaking of informing the chairperson of education to come with the same. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you. Final statement.

STATUS OF PUBLIC TOILET AT MLOLONGO

Hon. Alice Nzioka: Natoa taarifa, nataka kujua kwanza: Hali ya choo ambacho kilifunguliwa na Gavana wetu na Rais wa nchi ya Kenya ambacho kiko Mlolongo. Nataka kujua hali.

HYACINTH IN RIVER ATHI

Pili, nataka kujua hali ya mto Athi kwa ajili ya vugumaji ambalo limevamia mto wetu wa Athi na huo mto unatumiwa na wengikwa hivyo nijue kaunti yetu ina mipango gani ili kuona wameondoa Hilo vugumaji. Ahsante.

Hon. Deputy Speaker: Deputy Majority Leader, we would want responses from chairpersons of decentralized units committee and also the chairman of environment committee.

Hon. Kasimu: Mr. Speaker, we will consult and come with a report with the chairman and also about the President opening the toilet at Mlolongo, we will come with that report.

Hon. Deputy Speaker: A timeline?

Hon. Kasimu: Mr. Speaker, you know the program that this week ending today and next week, you know the time table of the house, so next week but one, Thursday, the chairman will come with the report.

Hon. Deputy Speaker Thank you. Pass that information to the chairpersons.

ADJOURNMENT

Hon. Deputy Speaker: Now having no further business, the house adjourns until next week on Monday.

The House rose at 3.38 p.m.

MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

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Tuesday, 28th April, 2015

The House met at 2.41 p.m.

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

PRAYERS

Hon. Speaker: Good afternoon Hon. Members. Let us proceed.

COMMUNICATION

MACHAKOS COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2015

Hon. Speaker: Hon. Members, I have a brief communication that on receipt of the Supplementary Appropriation Bill 2015, that was mentioned lastly, I think two weeks ago, the matter was scheduled for deliberation and you remember that the business of the house was not properly gazetted so not so much could be conducted. Incidentally, the Bill was committed to the committee for deliberations but procedurally, I invoked Standing Order No. 1 that the Bill shall grant the Chair the permission to read the Bill for the First Reading and then procedurally continue with the other matters. Proceed. It is indeed at this point that we will allow the Chairman to do it. Proceed.

MOTIONS

MACHAKOS COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2015

(First Reading)

Hon. Isaac Muinde: Thank you Mr. Speaker. I beg to move that the Machakos County Supplementary appropriation Bill 2015 be read for the first time.

Hon. Speaker: Thank you. The Bill is accordingly hereby read for the first time. Proceed.

PAPER LAID

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MACHAKOS COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2015

Hon. Muinde: Mr. Speaker, Sir, pursuant to provisions of Standing Order 186 (1), I wish to lay on the floor of the House the following paper, Machakos County Supplementary appropriation Bill 2015.

Hon. Speaker: Thank you. Paper properly laid. Proceed.

NOTICE OF MOTION

MACHAKOS COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2015

Hon. Muinde: Mr. Speaker, Sir, I wish to give notice of the following motion. That this assembly approves the Budget and Appropriation committee report on the consideration of the Machakos County Supplementary Budget 2014/15 as laid on the table of the assembly today, Tuesday, 28th April, 2015.

Hon. Speaker: Proceed.

MOTIONS AND BILLS

MACHAKOS COUNTY SUPPLEMENTARY BUDGET 2014/15

Hon. Muinde: Mr. Speaker, Sir, that aware that the county Executive is mandated to submit the supplementary budget to the County Assembly at any given time whenever need arises and aware that the supplementary budget re-allocates funds from where they are less needed to where they will be utilized within the remaining period of the fiscal year, Mr. Speaker, the Public Finance Management Act Section 135, subsection 2 states that *'the County Government shall submit a supplementary budget in support of the additional expenditure for authority for spending.'*

Mr. Speaker, Sir, I wish to move the motion that this hon. house discusses and approves the Machakos County Supplementary Budget 2014/15. Thank you, Mr. Speaker. I call upon Hon. Ruth Ndumi to support.

Hon. Ruth Ndumi: Thank you Mr. Speaker, Sir. I hereby second that the house discusses and approves the Machakos County Supplementary Budget 2014/15. Thank you Mr. Speaker, Sir.

Hon. Speaker: Thank you. Proceed, Chairman.

Hon. Muinde: Mr. Speaker Sir, on behalf of the Budget and Appropriation Committee and pursuant to the provision of Standing Order No. 186(1), it is my pleasant privilege to present to this Hon. House the report of Budget and Appropriation Committee findings on the County Supplementary Budget for the fiscal year 2014/15.

Mr. Speaker, Sir, the budget and appropriation committee derives its mandate from standing order No. 186 (3) (a) that states that ‘there shall be a select Committee to be known as the County Budget and Appropriations Committee which is mandated to, investigate, inquire into and report on all matters related to coordination, control and monitoring of the county budget.’

The main objectives of the committee are therefore to ensure that public funds are well utilized and the public realizes value for money in all government expenditure. The basis of the Committee’s execution of its mandate is annual and on special reports.

Committee Membership

Mr. Speaker, the committee as constituted by this assembly comprises of the following members.

- | | |
|--------------------------|-----------------|
| 1. Hon. Isaac Muinde | Chairman |
| 2. Hon. Rachael Nduku | V/ Chair person |
| 3. Hon. Wilson Mukewa | Member |
| 4. Hon. Ruth Ndumi | “ |
| 5. Hon. Charles Mutisya | “ |
| 6. Hon. Sammy Nduva | “ |
| 7. Hon. Christine Mutune | “ |
| 8. Hon. Renson Muthiani | “ |
| 9. Hon. John Sila | “ |

County Supplementary Budget 2014/15

Mr. Speaker, on receiving the Supplementary Budget on 7th April, 2015, the Budget and appropriation committee retreated to Mombasa for five days from 9th to 13th April, 2015 to analyze and discuss the County Supplementary budget for the fiscal year 2014/15.

Mr. Speaker, Sir, after analyzing the supplementary budget the committee resolved to invite and cross examine the Chief Officers of various county departments on the proposed revised budget allocations and held three days meetings at Machakos Youth Center, to enable the committee deliver a well-informed report.

Observations and Recommendations

Mr. Speaker, Sir, the supplementary budget shows approved estimates of the 2014/15 budget against the revised estimates. Mr. Speaker while the annual budget estimates may have variations, the supplementary budget is drawn close to the actual expenditures.

The main objective of the 2014/15 supplementary budget is to reallocate recurrent expenditure, and Mr. Speaker, I underline that word, to reallocate recurrent expenditure to provide for salaries and wages which was previously budgeted at Kshs. 2.5 billion but which to the end of June 2015 is estimated at Kshs. 3.1 billion and to provide for extra funding for water programs.

The County Executive

Mr. Speaker, the committee observed that, basic salaries for permanent employees increased by Kshs. 89 million to Kshs. 109 million. This was caused by under-budgeting and increased allowances to state and public officers by the Salaries and Remuneration Commission.

Mr. Speaker, Sir, the committee recommends allocation of Kshs. 12 million under special programs to cater for special requests made to the Governor by the citizens while on tours across the County. The total requests made so far amounts to Kshs. 22 million and committee recommends for allocation of Kshs. 12 million as a first tranche.

The County Treasury

Mr. Speaker, Sir, the recurrent expenditure on communication supplies and services increased by Kshs. 367,006. The increment was due to the charges by two mobile phone service providers, Safaricom and Airtel, for providing alternating connection to the revenue collection gadgets.

Mr. Speaker, Sir, the recurrent expenditure on domestic travel, increased significantly by over 45 per cent, from Kshs. 14,670,418 to Kshs. 20,887,076. The sharp increment was caused by increased allowances in the second quarter of the year, the continued movement of the revenue department staff across the county and the county Executive travelling on business class which is far expensive for the county budget.

Mr. Speaker, the expenditure on printing and advertising increased by over 90 per cent. The reason for the increment was due to the 2013/14 outstanding debts, the purchase of revenue collection electronic gadgets and security paper printing for the county government documents for example the single business permits, licenses and others.

The committee recommends reinstatement of Kshs. 30 million under development vote being purchase of vehicles and other transportation equipment that is vote 3110700. The committee also recommends adjustment to domestic travel vote, advertisement and public campaigns by Kshs. 32,962,366 to cater for public participation for 2015/16 budget and budget completion together with other operational costs and the Finance Bill 201/16.

Health and Emergency Services

Mr. Speaker, Sir, the departments' approved estimates on basic salaries was heavily affected by the recruitment of Economic Stimulus Programme (ESP) staff who had not been factored in the budget. Mr. Speaker, the wage bill for the department stands at Kshs. 111 million per month cumulating to Kshs. 1.332 billion per annum. The same figures will be useful for the 2015/16 financial year budget process.

Mr. Speaker, the department of health requested for additional allocation in the supplementary budget on medical drugs by Kshs. 98 million, electricity Kshs. 5 million and Kshs. 3.5 million more for purchase of oxygen and Kshs. 2.2 million for laundry services.

Transport, Roads, Public Works and Housing

Mr. Speaker, Sir, the committee observed that Kshs. 2.3 million on computers bought in the financial year 2013/14 were never paid. The department further requested for additional Kshs. 14 million for refined fuel and lubricants above the allocated Kshs. 27, 481,993 and Kshs. 4 million for lubricants.

However, the committee recommends capitalization of the extra required Kshs. 18 million for fuel and lubricants under access roads. The committee further recommends addition of Kshs. 21 million for purchase of vehicles and Kshs. 2.6 million for research, feasibility

studies, project preparation and design. I want to underline that, where we say for purchase of vehicles, they are not new purchases but vehicles already purchased. The commitment is done but the payment had not been done. So it is not a new purchase.

Environment and Natural Resources Department

Mr. Speaker Sir, the committee recommends additional funding under the following votes to the ministry. Kshs. 500,000 for stationery. Kshs. 5 million to pay pending bills for supplies of stationery. Mr. Speaker, the Kshs. 500,000 is for the remaining three months but the Kshs. 5 million is a pending bill. Kshs. 1.05 million for fuel and Kshs. 400,000 for routine maintenance under recurrent expenditure.

Mr. Speaker, the committee also recommends electricity costs of Kshs. 33 million to be capitalized and charged under the floodlight program, that is *mulika mwizi*, and that Kshs. 10 million be moved from rehabilitation of civil works under bridges. Mr. Speaker, when you open the document sent to us by the CEC finance under the department of environment, you find this vote where we say or recommend that we move Kshs. 10 million from that department because they are not able to spend in the remaining three months.

Mr. Speaker, Sir, the committee recommends that an amount Kshs. 194,920 from rent of vehicles and Kshs. 460,000 from remuneration of instructors be moved to refined fuels and lubricants and Kshs. 364,000 from training allowances be reallocated to routine maintenance of vehicles.

Further, Mr. Speaker, the committee recommends that an amount of Kshs. 410,000 from Boards, Committees, conferences and seminars be reallocated to telephone, telex, facsimile and mobile phones and Kshs. 460,000 from motor vehicle insurance and Kshs. 130,000 from maintenance of office furniture be reallocated to daily subsistence allowance.

Mr. Speaker, the committee recommends that Kshs. 310,000 from sanitary, cleaning materials, supplies and services be reallocated to office and general supplies. Kshs. 200,000 from supplies and accessories for computers and printers be reallocated as follows; Kshs. 100,000 to water and sewerage charges, and Kshs. 100,000 to trade shows and exhibitions. Kshs. 150,000 from maintenance of computers, software and network be reallocated to catering services.

Department of Water and Sanitation

Mr. Speaker, the committee observed that the hire of transport to ferry bulldozers amounted to Kshs. 700 per kilometer and the amount allocated on the vote head should be

retained, that is Kshs. 1, 077, 523. On 'Other Operating Expenses,' the department plans to be self-reliant by setting up a workshop for repairs and maintenance of their machinery and equipment.

Mr. Speaker, Sir, on Construction and civil works vote head, the committee learnt that the department planned to drill 70 boreholes per month that would cost Kshs. 300 million. It was also observed that Water and Sewerage allocation of Kshs. 300 million would be spent on construction of the boreholes including placement of tanks to collect the water and piping.

Planning, Trade and Industrialization

Mr. Speaker, Sir, the following allowances were deducted from various votes of the department and after consultations with the Chief Officer; top up allowances to Kshs. 800,000, electricity to Kshs. 300,000, Mobile services to Kshs. 250,000 and domestic travelling to Kshs. 600,000.

Mr. Speaker, the department requested for postal expenses to be increased to Kshs. 100,000 and Kshs. 1 million for foreign travel, Kshs. 500,000 for accommodation, Kshs. 500,000 for daily subsistence and Kshs. 50,000 for sundry expenses. Mr. Speaker, by a note by the CEC Finance to all the Executive members, she has banned all foreign travel but special request had been made by this department because of a special programme that the minister must attend and that is why the amount has been retained.

Mr. Speaker, Sir, the department requires an additional Kshs. 2 million for other operating expenses over the revised estimates. The department will not exhaust the targeted construction of the market sheds and the revised estimates would be reduced by Kshs. 50 million on construction of non-residential buildings under the development expenditure, Kshs. 10 million from construction and civil works and Kshs. 7,750,000 from capital transfers.

Mr. Speaker, this department is charged with construction of market sheds and out of the sheds that had been tendered to be constructed, the department has already terminated 10 tenders and each is estimated at Kshs. 10 million and the estimate that they may not be able to absorb or re-issue the tender within the remaining three months but that they would re-issue in the coming

financial year. That is why in the wisdom of this committee, such amount had to be re-allocated to the remaining period but a fresh allocation can be done in the 2015/16.

Overall Mr. Speaker, over and above the budgetary cuts by the CEC finance, the committee recommends addition of Kshs 7,311,685 over the recurrent expenditure.

Public Service, ICT and Labor

Mr. Speaker, Sir, the committee observed that the department reduced the number of employees thus affecting the basic salaries from Kshs. 44 million to Kshs. 23 million. Kshs. 100 million was budgeted for early retirement to reduce the wage bill for employees with little input to the county government but was not spent as scheduled. The revised estimates of Kshs. 7.8 million may not be spent in the remaining period. So, that money is also re-allocated.

Mr. Speaker, the committee observed that the Refurbishment of buildings, under development expenditure, the department incurred Kshs. 12 million which has not been paid to date. The committee also observed that the purchase of ICT networking and communication equipment cost the department Kshs. 90 million which is pending payment.

Mr. Speaker, Sir, the committee observed that Kshs. 5.5 million allocated for gratuity was not enough to pay the former councilors who had served for two consecutive terms and proposed that the allocation be factored in the next financial year

Mr. Speaker, funds set aside for early retirement were not spend and are unlikely to be spent in the remaining three months. The committee recommends that, the remaining Kshs. 7, 838,178 be moved and Kshs. 1,543,929 meant for foreign travel be reinstated.

Decentralized Units and Urban Areas.

Mr. Speaker, the committee observed that Kshs. 8 million was spent on armed security and there was need for an increase of security allowances by Ks 2 million. That is the amount the Executive is spending on hire of APs to secure the Governor's office, the treasury and other government installations. We had budgeted Kshs. 8 million and the amount is exhausted and the department requires Kshs. 2 million more in the remaining period.

Mr. Speaker, the committee observed that the Executive had made arrangements to have electricity bills charged under the department of energy. The department of decentralized units manages flood lights installed in markets centers and requested for additional Kshs. 2.5 million

to pay for the pending bills. Once the pending bills are paid, the other bills will be taken over by the department of energy.

Mr. Speaker, Sir, the committee recommends additional funds over and above what the CEC finance had provided as follows; Kshs. 2 million for security, Kshs. 1 million for purchase of tools like wheelbarrows for market cleaners, Kshs. 2.5 million for utilities, Kshs. 1.8 million for rental, Kshs. 2 million for training and Kshs. 500,000 for maintenance of police animals.

The committee further recommends additional Kshs. 2 million on development vote for payment of a pending bill of motor boat for Maruba dam.

Education, Youth and Social Services

Mr. Speaker, the committee observed that the allocation for scholarships and other educational benefits were never spent and the department is awaiting approval of the regulations by this assembly to release the funds. Therefore, the committee recommends moving the allocated Kshs. 40 million. Mr. Speaker, this is not the bursary money. This was a vote under scholarship. The bursary money is intact and I urge members, as we read the report, to open the supplementary sent us by CEC finance.

They will discover that we have Kshs. 80 million for bursaries which is not touched. I am sure part of it has been issued. The other remaining has not been touched but there is an additional vote for Kshs. 40 million under scholarship which is untouched and I am told regulations must also be approved by this house for scholarships. That money may not be spent. Mr. Speaker, I would have wished that members are given these papers. I am finding them on the table.

Hon. Speaker: Just proceed. It is agreed.

Agriculture, Livestock, Fisheries and Cooperative Development

Hon. Muinde: Mr. Speaker, Sir, the committee observed that the department required an additional Kshs. 1 million for the maintenance of plant, equipment and machinery. The department further required reinstatement of Kshs. 500,000 for office and general supplies.

Mr. Speaker, Sir, the committee learned that the department would be participating in June 2015 trade show and exhibition and required the approved budget estimates of Kshs. 2.2 million to be reinstated. The department further requires an additional Kshs. 200,000 to cater for

the trainings and workshops organized for the farmers. Further, a vote of Kshs. 5 million needs to be created to cater for operations of the co-operative department.

Mr. Speaker, Sir, Kshs. 16 million meant for silos and Kshs. 15 million meant for cold rooms and Kshs. 16 million intangible cannot be absorbed in the remaining three months and therefore the committee recommends the amount be moved. Further, Kshs. 3 million should be added back for green houses and Kshs. 5 million set aside for purchase of a generator under the co-operative department.

Tourism

Mr. Speaker, the committee recommends reinstatement of Kshs. 9 million under vote 3110300 for refurbishment of buildings to cater for incurred costs for repair of office block.

County Assembly

Mr. Speaker, Sir, an amount of Kshs. 180 million was allocated under other capital grants and transfers which was meant for the mortgage scheme and was revised to zero (0) and moved from recurrent to development and reallocated Kshs. 80 million.

Mr. Speaker, Sir, the initial supplementary budget for the assembly was Kshs. 653.5 million which was much higher than the ceiling of Kshs. 447 million given by the Commission on Revenue Allocation, but after consultative meetings with the Commission, the recurrent budget for the county assembly was revised downwards to Kshs. 608,833,441 as reflected in the supplementary budget. Further Mr. Speaker, Kshs. 4.6 million is transferred to the development vote for purchase of a vehicle for the Serjeant at arms department.

Concluding Remarks

Mr. Speaker, Sir, the committee received various proposals from most of the departments to match with either their development proposals or to pay off outstanding debts which are a big burden to the county government. However, Mr. Speaker, the numerous demands from the Chief Officers could not be met due to the limited available funds.

Acknowledgement

Mr. Speaker, Sir, The Budget and Appropriation committee is grateful to the office of the Speaker and that of the Clerk to the County Assembly for the support accorded during the committee sittings. I wish to express my appreciation to the Hon. Members of the Committee

who sacrificed their time to participate in the activities of the Committee and in preparation of this report.

Mr. Speaker, this supplementary budget report was discussed and approved by all the committee members as drawn below and signed by all the nine members.

1. Hon. Isaac Muinde.
2. Hon. Rachael Nduku.
3. Hon. Sammy Nduva.
4. Hon. Charles Mutisya.
5. Hon. Ruth Ndumi.
6. Hon. Christine Mutune.
7. Hon. Willy Kasimu.
8. Hon. John Sila.
9. Hon. Renson Muthiani.

Mr. Speaker, Sir, it is therefore my pleasant duty and privilege, on behalf of the budget and appropriation committee, to table this report on the county supplementary budget the fiscal year 2014/15 to this hon. house for consideration. Thank you, Mr. Speaker.

(Applause)

Hon. Speaker: Thank you very much, chairman of budget committee. The floor is open for contributions on the matter of the report. Yes, Hon. Ndumi.

Hon. Ndumi: Thank you Mr. Speaker, Sir. I stand here to support the supplementary budget Mr. Speaker. As you know you have through every department and seen what we have done and Mr. Speaker if you can recommend, I think this year, the budget committee can be given something Mr. Speaker, Sir, because you have seen how we went and we have done everything. We called the Chief Officers and the money which they needed and which was not necessary, we did not need. So I do support this supplementary budget and ask the house and I want to quote the words which were spoken by the late Professor Saitoti, may his soul rest in peace, and he said and I want to say this to the house; the Machakos county government and the Machakos county people are bigger than this house.

I do request this budget to be passed and with all due respect, this house does not have proper security because sometimes when we sit too much in the house we can throw a bottle or

throw anything. Mr. Speaker, Sir, you the only one who has the mandate to even have a glass of water or a bottle of water near you. So Mr. Speaker, I do request you to allow two members and then you put the question so that we can finish and go home .Thank you Mr. Speaker, Sir. I do support.

(Laughter)

Hon. Speaker: Alright. More contributions. Let me hear more contributions. Yes Hon. Mutuku.

Hon. Michael Mutuku: First and foremost, let me applaud the chairman of the budget and this committee for the good work. Mine is to support the Machakos County supplementary appropriation Bill 2015. Let me just say, we just need to approve with maximum speed maybe with minimum delay with the following reasons:

First, it is just a realignment of the money which all of us we are aware we had budgeted. The reason for realignment is because some of the money we had committed to contractors we realized some of them had not completed the work and this money has to be transferred to other priority areas. We also, if you were keen, we have realized we have reallocated some money for recurrent to development. So basically it is realignment of some money and I think it is within the provision of the constitution.

Secondly, as we are aware it is a requirement by the Controller of Budget that before we spend money, we need to really, as an assembly pass a supplementary bill. Then the other reason for supporting, it is actually within our tradition and within our best practices for all the legislative assemblies, both county and national, to really have a supplementary budget before the financial year ends. So it is within our mandate to pass the supplementary appropriation bill so that the Controller of Budget can release the money to be spent.

With those few remarks I would wish to stop there and appeal my hon. members to support the supplementary appropriation bill 2015 of Machakos County. Thank you so much.

Hon. Festus Ndeto: Thank you Mr. Speaker for this opportunity to contribute towards this supplementary budget. I stand here to oppose this supplementary budget. I oppose it due to various recommendations that have been observed and given by the committee. First and foremost in Page 3, paragraph two, it states ‘the main objective of the 2014/15 supplementary budget is to re-allocate the recurrent expenditure to provide for salaries and wages which was

previously budgeted at Kshs. 2.5 billion but which up to the budget end of June 2015, is estimated Kshs. 3.1 billion and to provide for extra funding for water program.

I am against this supplementary budget, one, because of that part ‘to provide for extra funding for water programs.’ This county undertook a serious water program which was called water mapping and it was the second time that exercise was been conducted. It was conducted first, then it was repeated and this was a program that spent a lot of money and to my understanding, I believe a program like that, for it to have taken place, it should have brought to this house, deliberated on and approved and it was not. It is this programme of water mapping in which we are now going to approve and if we approve extra funding for water programme, it will be through the backdoor.

Secondly, paragraph four. Mr. Speaker, the same page. The committee recommends allocation of Kshs. 12 million under special programs to cater for special requests meant to the Governor by the citizens, while on tours across the county. Now what is this? The total request made so far amount to amounts to Kshs. 22 million and the committee recommends for allocation of Kshs. 12 million as a first tranche.

I remember very well, the last budget there was the same money and in this house there was money that was sent to a given school in hon. Geoffrey Munyao’s schools and we found that the money was not given to that school. There was also some money that was said to have been given to the burial of the late Senator Mutula Kilonzo, of which later we followed and that money was not there. Those are just two things.

Majority Leader (Hon. Mwonga): Thank you, Mr. Speaker. Can the Hon. member substantiate that some amount of money was given towards the burial of the late Hon. Mutula Kilonzo. Can he substantiate the claims?

Hon. Speaker: Hon. Ndeto (*inaudible*)

Hon. Ndeto: That is something I am able to substantiate because it was in the findings of the Controller of Budget for the budget between March to June 2013.

Hon. Speaker: (*inaudible*)

Hon. Ndeto: As I stand now, I may not but given time, I can even bring a copy of the same.

Hon. Speaker: *(inaudible)*

Hon. Ndeto: I have withdrawn but the message is sent.

Hon. Speaker: *(inaudible)*

Hon. Ndeto: Thank you, I agree with you, that final paragraph can be deleted.

Hon. Nganga: Thank you Mr. Speaker and the house at large. Mr. Speaker I rise to interrogate further the allegation by the member for Muthwani. Mr. Speaker, you realize that the bill is still on the floor of the house and the PFM Act.....*(inaudible)*.....he needs to be very specific if there is an article within that Act that denies any member, the opportunity to make or to propose an amendment, because the bill has been brought to this house to be adopted and the members of the house have an opportunity to propose amendments and be seconded, and if the house adopts those proposals, then that would be, whatever will be included in the bill that is before us. Raising a concern that the law prohibits us from that, then he needs to be very specific on which law and which part of the PFM Act so that we may be properly guided.

Hon. Speaker: Thank you. My understanding of the matter hon. members was this; Hon Ndeto may not amend the bill on the floor. There is a session of the committee of the whole house where that can be made and that stage is still coming. At this stage, he can only propose that the particular clause can be amended or added but substantive issues shall be done within the committee of the whole house. I think to that extent the matter is resolved. Let us allow Hon. Ndeto to proceed.

Hon. Ndeto: Thank you Mr. Speaker. I think now so far we are in agreement over that. Back to page 4, paragraph two. The committee recommends reinstatement of Kshs. 30 million under development vote being the purchase of vehicles and other transportation equipment. Although the chairman gave a little bit of clarification over these, I was not convinced over the same because he ought to have come out clearly, which vehicles are these? In which method they have been purchased and not yet paid for? When we go to the last paragraph under transport roads public works, the committee recommends capitalization of the extra required Kshs. 18 million for fuel, lubricants and access roads. The committee further recommends addition of

Kshs. 21 million for purchase of vehicles and Kshs. 2 million for research, feasibility studies, project preparation and design.

I am also opposed to this supplementary budget also because of this part of Kshs. 21 million of purchase of vehicles. Hon. Members, I would like to remind this house what is happening in this county. There is a serious mess when it comes to vehicles. You remember the other day we debated a lot on the issue of tractors. There are the police cars, ambulances and I remember very well, some days back, we passed a motion here to buy second hand vehicles and this has seriously messed this county. How I wish we can also change this and fail to allocate money to purchase more vehicles bearing in mind the kind of expenses that this county is incurring in maintenance of this vehicles.

When we go to page 5, second paragraph, from the last paragraph. Mr. Speaker, Sir, on construction and civil work vote head, the committee learnt that the department planned to drill 70 boreholes per month that would cost Kshs. 3 million. 70 boreholes per month? Is this possible? Is this practical? This means per day, we will be drilling how many boreholes? Two. How many days does it take to drill a borehole even in the softest rock?

How many machines do we have that are drilling boreholes within the county? I tend to believe they are six. If they are six, then it is six divided by 70 and it means each machine will be drilling 11 boreholes per day. Is this practical?

Hon. Speaker: Hon. Ndeto, kindly guide us properly and mathematically.

Hon. Ndeto: Let me do the mathematics well. It says...

Hon. Speaker: Maybe you can have a moment. I will give you an opportunity to clarify that point. Go to the next point.

Hon. Ndeto: Let me go to the next point. I think that point is taken. It is not practical for 70 boreholes for 30 days. It is not practical. And when I said I am not opposed to water. In fact, if this house can commit even the next two budgets fully for water, I will 100 percent support.

When we go to page number 7, paragraph three. Mr. Speaker, Sir, the committee recommends additional funds over the above, what the CEC finance had provided as follows: Kshs. 2 million for security. Security is not a devolved function. Kshs. 1 million for purchase of tools, Kshs. 2.5 million for utilities, Kshs. 1.8 M for rental, Kshs. 2 million for training...

Hon. Speaker: There is a point of order at the back. Let us take that point of order.

Hon. Ndalana: Thank you Mr. Speaker, Sir. I am standing to inform the Chair that I do not have the documents that you going through and I am confused because I do not know where you are. Thank you Mr. Speaker, Sir.

(Laughter)

Hon. Speaker: Thank you. The Clerk, kindly attend to that member.

Hon. Ndeto: I hope that member is sorted out. Thank you

Hon. Speaker: I want to make sure that member is at comfort. May be a clerk can assist you and take you where we are. Let us take appoint of information here.

Majority Leader (Hon. Mwonga): Mr. Speaker, I to inform the hon. member, Hon. Ndeto, that the drilling of 70 boreholes is achievable because we have eight drilling rigs and in simple mathematics which is oral you do not need a calculator Mr. Speaker. It is 70 divided by eight which gives an approximate of 8.7 which is you round it off and it will be nine boreholes per driller in one month. That is achievable, Mr. Speaker. Thank You.

Hon. Speaker: Proceed Hon. Ndeto

Hon. Ndeto: Thank you---

Hon. Speaker: You want to inform Hon. Ndeto again. We are only informing Hon. Ndeto is the one contributing. Proceed.

Hon. Stephen Muthuka: Thank you Mr. Speaker and the rest of the house. I would like also to inform Hon. Ndeto, that if we are drilling 70 boreholes at a cost of Kshs. 300 million, if you do simple calculations that means one borehole will cost our tax payers money Kshs. 4.786 million. That is not practical. Thank you.

Hon. Speaker: Thank you. I noticed that point, wanted the chairman budget to clarify. I now refuse. Hon. Ndeto, please conclude.

Hon. Ndeto: Thank you, Mr. Speaker, thank you my brother Hon. Muthoka for that more information. Over the same point where I was under, page 7 paragraph 3, ‘and Kshs. 500,000 for maintenance of police animals.’ Which police animals are these? Maintenance of police animals in the next two months Kshs. 500,000. This is questionable. The committee further recommends additional Kshs. 2 million on development vote for payment of a pending bill of motor boat for Maruba dam. This is shameful. Kshs. 2 million payment for a motorboat at Maruba dam. And I participate to approve this? Not I and I will not. I state this is not practical. What is the Cost of this boat?

Back to Education, Youth and Social Services. Mr. Speaker the committee observed that the allocation for scholarship and other educational benefits were never spent and the department is awaiting approval of the regulations by this Assembly to release the funds. Therefore, the committee recommends moving the allocated Kshs. 40 million. The hon. Chairman put it very clear, these is not bursaries but there two columns, scholarships and other educational benefits. What are these other educational benefits? I wish he clarifies the same. Down to page 8 first paragraph. Mr. Speaker, Sir, Kshs. 16 million meant for silos and Kshs. 15 million meant for cold rooms and Kshs. 16 million intangible cannot be absolved in the remaining three months, and therefore the committee recommends the amount be moved.

I would like the chairman of budget committee to clarify. In which budget, did we budget money for cereals? Was it 2013/14 or was it 2014/15? And which budget right now are we doing a supplementary budget for because I have a document with me, not right now, in which money was spent for construction of silos and within the whole county, you cannot point a single silo and that was for 2013/14. For 2014/15, I do not remember us budgeting for silos. Thank you, Mr. Speaker for giving me time to contribute. I totally oppose this bill today. Thank you.

(Applause)

Hon. Speaker: Thank you. Let us hear hon. Muthuka.

Hon. Muthuka: Thank you Mr. Speaker, Sir, and the rest of the house. Mr. Speaker, it is a good thing to supplement to move some vote heads to others, where they are equally more beneficial. There some issues or shortcomings of this supplementary budget. To the attention of the house, we have three documents. First of all we have the report from the committee, we have also the forwarded document that is the brief on supplementary budget from the CEC finance

which is also appended the budget that we passed and variations and also Mr. Speaker we also have the gazetted bill.

If you look at all this documents, they are different. Mr. Speaker, with your guidance are we going to debate the report of the committee, are going to debate the summary which is on the bill, are we going to debate on the report from the Executive? As you give your direction Mr. Speaker, I have some observations that I would like to point out.

Under Education youth and social services, on the report forwarded by the CEC finance and I would like to take you to the pages. If you look at the vote head 264100 on scholarships and other Educational benefits, under that we have to vote heads. We have 2640999 on scholarships and other educational benefits and it has been awarded Kshs. 84 million. Down there we have same vote heads that has been awarded Kshs. 40 million.

Hon. Speaker: Take me there. Page?

Hon. Muthuka: Page 13 of 39. Maybe we need clarification from the Chairman of the two, which are bursaries and which are scholarships that are waiting the regulations. Further we have vote head 2640499 current transfers, that is other, Kshs. 190 million. What are these transfers for? Is it for the social welfare? Is it for the bursaries too? What are they for? And I can see there is no variation in that.

Mr. Speaker, I would also like to point on other issues. If you go to the same vote head 3, under development on Education, vote head is 3111109 and it is about purchase of educational aids and related equipment which is Kshs. 50, 287,038. Maybe also, we would like to know what are these educational aids and related equipment because that has not been affected and we believe that money has been spent and we only have two months to go.

Further Mr. Speaker, I would also like to bring to your attention that indeed we received a report from the committee of education and the chairman gave us a report on the budget of bursaries 2013/14 and the balance that was issued on the first tranche of Kshs. 1 million per ward, the balance was Kshs. 5,899,340. We would like to know, has these money been factored so that our children can get their money because already we had allocated this money and most of the money is claimed that we gave the wrong accounts but the money has been there.

So, do we have that vote head in the supplementary Budget? Are we taking consideration on such issues?

Second, in the year 2013/14, we had budgeted Kshs. 2 million per ward. Some people have given another Kshs. 1 million. Is it for this financial year or is it for 2013/14 because I believe we passed a budget of Kshs. 3 million per ward this financial year 2014/15. Is it part of this supplementary budget or that has gone down the drain?

Mr. Speaker, Sir, we also need assurance that the Kshs. 3 million per ward is intact and we are going to give it within the next three months before the end of the financial year. Mr. Speaker, also we had budgeted ECD classes. Where is the budget as we are aware that 2013/14, that money was there and we know by the closure of the 2013/14 financial year, the county government of Machakos had a balance of Kshs. 15 million which was brought forward after the expiry of that financial year.

So we would like to know, was that money there and if we have so many bills of that particular time, is that part of that bill and are we ready to clear that bill?

Mr. Speaker, as I shift gears to roads and transport, public works and housing. From the report that we were given by the CEC finance, maybe somebody can help us which page, I have an issue which I would like to raise. Page 24 of 39, and my interest is vested on the fuels, that is refined fuels and lubricants for transport and initially. If you check on the amount that we had budgeted, page 22 of 39, the vote head is 2211201 where we had budgeted and approved Kshs. 93,418,103. From the CEC finance, she has recommended a reduction of Kshs. 65,936,109 and now the revised estimates has Kshs. 27,981,994.

Mr. Speaker, we have all the machinery grounded because of fuel. If you go to the workshop, all the bulldozers and graders are grounded. Today, I was there in the morning, and five of them are grounded there. Simply because they have no fuel, yet the CEC finance is requesting for a reduction of that vote head by Kshs. 65,000. Is this the way to work, Mr. Speaker, and if that is the way to work, maybe I need an explanation from the Chair of budget committee on why are these machines grounded or stalled.

If you look at the vote head 3110400 on construction of roads, we had approved a budget of major roads Kshs. 142,350,429. Has that amount been spent and if spent, on which road?

If we go to access roads, whereby initially in the year 2013/14, we had budgeted Kshs. 15 million per ward, that is amounting to Kshs. 600 million. The phase one we had a report year after year that the phase one was done shoddily. We were to go to phase two. This financial year we budgeted more than that, we budgeted a total of Kshs. 703,428,871 and from the supplementary budget, there is a revised additional of Kshs. 34,384,447 giving a total of Kshs. 737,813,318. Maybe we would like to know for the remaining three months, has this money been spent or is it here to be spent and where? Which wards have received funds for the access roads? Since we have the machinery, why all this money?

Mr. Speaker, Sir, I would like to wind up, but before then, we still have under the Transport and public works, we had budgeted for ward offices, and the vote head was 3110202, and the amount was Kshs. 171,127,023. Do we have any of the ward offices constructed and if it is there, through the chairman budget, maybe you may inform us and how much has been spent on that particular vote.

If you go to bridges, vote 3111501, we had budgeted Kshs. 35,651,463. Has that money been spent on bridges and which bridge has been constructed and now we have two months to go. Still, I have also noticed an anomaly. We still had budgeted Kshs. 30 million for bridges...

Hon. Speaker: Order Hon member, are you saying no single bridge has ever been constructed?

Hon. Muthuka: Mr. Speaker, Sir, I have just posed a question because I am inquiring through the chairman of budget committee so that he will specifically tell me 'we have built such a bridge in such a ward' and I will appreciate that information.

Hon. Speaker: Proceed.

Hon. Muthuka: Under environment, we had also budgeted, I don't know whether it is erroneously or it was intentional, Kshs. 30 million for bridges, maybe under the department of environment and we would like to know, did you construct a bridge under your department? There is a lot of information that we are lacking and that is the vote head of 3111501 under the same environment department. Now, I want to finish up with a few departments that I am going to touch on---

Hon. Speaker: Yes, let us take the point of order.

Hon. Ndumi: I want to tell the mheshimiwa that he is asking the chairman of budget things which are not in his committee. He has to ask the hon. chairman of implementation, Hon. Alphonce Wambua.

Hon. Speaker: Thank you. That point of order is sustained. Proceed.

(Laughter)

Hon. Muthuka: Mr. Speaker, under agriculture, we have foreign travel, daily subsistence allowances. They have been revised to zero but at the same time, we have accommodation of Kshs. 221,238 which under vote head 2210402. I wonder, these people are not travelling, there is no daily subsistence but they are being paid accommodation. To whom? Is it ghost or somebody? Maybe we would like to know, is it an anomaly or something.

Under the same agriculture, we have fungicides, insecticides and sprays worth Kshs. 100,000. Has that money been spent, and if it is not spent, for the next two months are we expecting to buy the insecticides and sprays and for what reason?

Under agriculture we still have a vote head 3110706 on purchase of tractors, Kshs. 39,640,710. I would like to know in this financial year, have you bought extra tractors, while we know now the season has ended without any farmer benefiting from the previous tractors.

Then still under the same, we have 311103 on purchase of agricultural machinery and equipment Kshs. 22,427,935. What machinery and what equipment? I think maybe if I can propose chairman of budget committee, through the Speaker and chairman you should hear this; in your committee you should have proposed to increase allocation of strategic stocks because in this assembly, a month ago we passed a budget to buy food for our people, yet we are now very serious and very categorically transferring money to other issues which are not important to our people.

Very soon we will have drought in this county. Have you factored that amount in the supplementary budget because under the strategic stocks, vote 3120199, the Kshs. 6 million that we had budgeted for was taken away to zero. Do you mean that we don't care for the food for our people? So if we are talking about supplementary budget, we should focus on the livelihood

and importance of the money because this is not our money, it is our peoples' money. So we must put it where it deserves. Then I saw an intangible...

Hon. Speaker: Order hon. member, I think this is the opportunity now to put that money where it deserves by pushing an amendment to this supplementary budget.

Hon. Muthuka: Mr. Speaker, Sir, I think there was a direction that was given. We are just on the floor of the house, I have three documents on my table and we are just interrogating that budget that we need to supplement and yet your question is very valid but I don't know to what document to push it to. Because now after passing this supplementary budget, what will come out? Is it this or is what we have already?

Hon. Speaker: Okay, fine. That will be answered. Have you concluded?

Hon. Muthuka: Not yet.

Hon. Speaker: Let him conclude.

Hon. Muthuka: I am going to skip some bits. About the water, we did some simple calculations of Kshs. 300 million divide by 70. You get Kshs. 4.286 million per bore hole. Even if you go to Davis and Shirtliff, a bore hole will not cost that. It will be cheaper than that and imagine Mr. Speaker, you are supposed to...

Hon. Speaker: Let us take the point of information.

Hon. Muthuka: But I don't want to be informed Mr. Speaker.

Majority Leader (Hon. Mwonga): Mr. Speaker, I want to inform the hon. member for Ndalani ward, that Mr. Speaker, the Kshs. 4 million and something he is talking about, is not only for the drilling of the holes Mr. Speaker. This involves supply of electricity or solar panels and electrification Mr. Speaker, whereby this water from the borehole, we will have three water drawing points at every one kilometer which will total to three kilometers because it will be one kilometer maybe north of the borehole, one kilometer south of the borehole and maybe one kilometer east of the borehole Mr. Speaker.

This will include piping, trenching, supply of power, the raising of the main tank Mr. Speaker and more other things. The Kshs. 4 million is not only for the drilling of the borehole Mr. Speaker. That is what I wanted to inform that hon. member Mr. Speaker, and I know he knows that Mr. Speaker. He is just opposing the supplementary budget Mr. Speaker for the sake of opposing.

Hon. Speaker: Hon. Muthuka just proceed.

Hon. Muthuka: Thank you Mr. Speaker, I hope that has gone to the HANSARD because one year down the lane, we will discuss the same thing. It is good when it is talked about. Talking is free.

(Laughter)

Mr. Speaker, I want to wind up and under water supply and sewerage, we had approved a budget of Kshs. 153,195,489 and then under the addition of Kshs. 300 million, that is vote head 3110502. We still have another one, 3111502, water supplies and sewerage. We had also budgeted, under development, Kshs. 198,345,865. Now, I am asking, why is comprehensive water mapping programme vote head because right here in this assembly Mr. Speaker, maybe you will have the authority to pose this question, we would like to know from the government side, how much did we spend on the water mapping?

Again, the Majority Leader has explained how Kshs. 4.286 million will be spent on a single borehole. Maybe that may not be the discussion for today but maybe point out somewhere you may ask that question one day.

Finally, Mr. Speaker, is the Kshs. 500 million expected this financial year, that was part of the promised Kshs. 1.5 billion by his Excellency the President, part of the supplementary budget? And if it is there, where is it?

As I crown my presentation Mr. Speaker, I am coming back to the assembly. Mr. Speaker, we had budgeted Kshs. 180 million for our mortgages and this has been moved from recurrent expenditure, which is ok, to development, but what has gone to the development is only

Kshs. 40 million. Where is the Kshs. 140 million going? Is it going back to the Executive or is it within the assembly premises. Thank you Mr. Speaker.

Hon. Speaker: I will give the chairman of budget committee some time to clarify the many issues that have been raised by the two members, but in the meantime Hon. Muthuka, when we began this debate, we indicated that we are dealing with Machakos County Supplementary Appropriation Bill, 2015 as gazette? So kindly find guidance on the gazetted document.

Hon. Francis Matheka: Thank you Mr. Speaker and the house at large. I stick to my promise of one point and that goes to this Bill, item No. 13.

Hon. Speaker: Hon Matheka, we wanted to have the chairman clarify the...

Hon. Matheka: I want him to clarify that...

Hon. Speaker: Okay finish up then

Hon. Matheka: Hon chairman of budget committee, I want to touch on the amount of the county assembly and that is a movement of money, Kshs. 40 million to development. I have no issue with that but there is another movement of money, Kshs. 227 million from the assembly to where? I am wondering, are you reducing the assembly budget to Kshs. 447 million which was increased to Kshs. 608 million? You want members to go home without salaries for three months? What is this? I just want a clarification of the Kshs. 227 million. Where is it going to because it is being taken from the assembly account to somewhere we don't know and I think that is part of the members' salary. Thank you.

Hon. Speaker: Mr. Chairman, you concentrate on the issues raised. The issue that you have brought three different documents before the house. The issue of the boat at Maruba dam for Kshs. 2 million. Those are the multiple issues that have been brought up. Police animals...

Hon. Muinde: Thank you Mr. Speaker, first I appreciate all the members who have made contributions, both for and against, but Mr. Speaker, as I started by reading the report, by the budget committee, it was my expectation, because members have this document and they have also taken time to read what was forwarded to this house by the CEC finance and Mr.

Speaker, the committee report is based on its interrogation of the document forwarded to us. It is true that there are three documents here.

One is the original document sent to us by the CEC finance, the heavy document which contains the approved budget, the proposed variations by the CEC finance and the resultant budget after the variation.

There is also the report that I have read to the house and which we are now debating. There is the yellow paper, which is the gazetted supplementary Bill, as forwarded to this house by the CEC finance.

But Mr. Speaker, after the committee made its own observations and recommendations, there is what they have prepared as the recommended or the amended appropriation which we shall be debating and discussing under the committee of the whole house. So I would wish to have my colleague guided that here we are debating the report by the committee as based on the document sent to us by the CEC finance.

Secondly Mr. Speaker, there is---

Hon. Speaker: Let us hear the point. Just a moment.

Hon. Ndeto: Mr. Speaker, there is a very important point the chairman has just mentioned; that there is the document that the CEC Finance has prepared after your final whatever and I would like to know, is it this one or which document is that? This one? (*Waving a document*)

Hon. Speaker: I think the House has answered. Proceed.

Hon. Ndeto: If this is the final one, proceed. Thank you.

Hon. Muinde: Mr. Speaker, I am wondering, the afternoon is not very hot and I expect the hon. member to have had time and cool mind to follow what is presented to us.

Hon. Speaker: Just proceed.

Hon. Muinde: Mr. Speaker, the Supplementary Appropriation Bill as sent to us was gazetted by this house as given to us. It is therefore after the debate by this house and together with the recommendations of the budget committee that we shall present to the committee of the whole house the amendments which will be passed by this house, Mr. Speaker.

Secondly Mr. Speaker, I want to clarify, I can see my hon. colleagues belabouring a lot to interrogate the budget. Mr. Speaker, we are only on the supplementary. Members have taken too much time to now debate again the same budget that they passed in this house. A time will come when this house will talk about budget implementation for 2014/15. That is in the future as we are talking today.

(Applause)

And the appropriate chairpersons will be put to a tight corner by the members to explain the budget execution of their own committees, so I am only here to talk about money matters and further clarification, Mr. Speaker---

Hon. Speaker: Allow him to proceed.

Hon. Muinde: Further clarification Mr. Speaker, the budget itself is prepared using the IFMIS software. Mr. Speaker, that software is standard; that is what we are using in Machakos as one of the 47 counties. That is what the national government is also using and there is a problem because the software is not tailor-made to a particular county. So in trying to allocate figures to votes, Mr. Speaker, because it is a standard document and you will find that, for example, under transport, you find a figure like bridges and when I talk this way, Mr. Speaker, the hon. member for Ndalani, I know he is ICT compliant, he will understand it better having worked with one of the big communication companies in this country.

Mr. Speaker, the vote on bridges. That is the closest of the votes that money can be put, even for construction of drifts, weirs and gabions because you only put money to a vote that is similar because we do not have a software tailor-made for Machakos County alone. So it is a problem that is experienced by all the counties because we are using the IFMIS programme which is a standard programme. So you may find a code, Mr. Speaker, I would wish that...

Hon. Speaker: Allow the chairman to clarify the points that were raised. We will hear you later.

Hon. Muinde: Mr. Speaker, I also want to bring to the attention of the hon. members that if you have read the forwarding letter by the CEC finance, before we come to the supplementary budget, she has talked about the current year's budget which was pegged at Kshs. 8.9 billion of which Kshs. 4.9 billion is meant for recurrent and Kshs. 3.98 billion is for development.

Mr. Speaker, she has also presented an overview of the 2013/14 budget which was at Kshs. 8 billion and Mr. Speaker, in an earlier debate in this house, I said that however much we had budget of Kshs. 8 billion in 2013/14, the actual receipt and expenditure was far below the Ksh. 8 billion because we collected close to Kshs. 1.2 billion and the Kshs. 4.9 billion expected from the national government was not received in whole because some deductions were made because the ministry of health was devolved after the budget had been prepared occasioning the kind of back log or accumulation of debts that we experienced today and Mr. Speaker, all that information is contained in this bulky document and I would wish members take time and read them slowly.

And now to be specific on some of the questions that hon. members have asked, Mr. Speaker, this county is not purchasing new vehicles. When you find a vote that the committee says we reinstate, it is because the CEC finance had gone to the budget and decided to move the money as appropriated by this house to a lower figure but after the Chief Officers explained themselves out, you will find that, yes purchase of vehicles had been done, the process of payment is ongoing, money has not yet moved from the county to the supplier and when the minister finds some pending monies, you might think that the money is unspent.

These are already money spend and payment was in the process. So the committee report is to reinstate the amount after the CEC finance had indicated that she would wish to move the money. For example the Kshs. 30 million under treasury, for purchase of vehicles, it is not that we are purchasing new vehicles. The double cabin vehicles that are being used by the revenue collectors is amount that the department wishes to have it reinstated so that they are able to pay. So it is already the fleet that we have and payment was in the process Mr. Speaker.

Secondly, Mr. Speaker, this house stands guided that, in 2013/14, yes, we budgeted for silos and cold rooms. By the time we ended the year, we had a supplementary budget where money that had not been spent was reallocated again. Therefore, there was no money that remained in the 2013/14 budget. For example, during the supplementary of the 2013/14, we had to pay for the suppliers or the contractors of the Kithimani ward, which was not part of the

original budget. Some of the money that had been swept from other votes went to pay off part of the contractors, Mr. Speaker.

So, in the 2014/15, such amounts again were re-budgeted and it is in this supplementary budget again we are saying, we are moving the money again because the department has not been able to spend. Mr. Speaker, perhaps the chairman on implementation or the relevant committee chairperson of the departments should put the CECs and the Chief Officers under pressure to perform so that we may not continuously allocate the money and at the end of the year, move the money back.

So it is that the money had not been spent and it is the same money we are allocating. Mr. Speaker, the best word we should even be calling this budget is not even supplementary but a revised budget because we are not introducing extra money. We are only trying to re-arrange money that are likely not to be spent in the remaining period so that they can be spent. Because when you look at the yellow page, the net effect of the recurrent expenditure is zero, so we are not introducing new money, it is the remaining because there are votes that had not been spent. We want them spent by units that are able to absorb the money.

Mr. Speaker, the bursary, the scholarships. If the hon. member takes time to look at the approved budget contained in the bulky document, you will find that there is a code that has Kshs. 84 million, Mr. Speaker. It was in this house that such amount was passed meant for bursaries. Mr. Speaker, the original document the CEC finance had only allocated Kshs. 80 million but by a way of an amendment by this house, members added another Kshs. 4 million which was meant to facilitate the bursary committees which is an average of Kshs. 100,000 per ward, coming to Kshs. 4 million and I remember Mr. Speaker, that amount was deducted from the department of finance and put under the department of education, bringing the figure to Kshs. 84 million.

That money is intact Mr. Speaker, and I believe it is the chairman on education committee or implementation committee who in a later date should answer whether we have been able to absorb the Kshs. 84 million. I am aware as a member who represents a ward that part of the bursaries awarded and not all is given but we have not touched the remaining amount, so we expect the department to be able to issue bursaries to the full. The Kshs. 40 million under scholarships and that is not what is unlikely to be spent. That we is what we moved.

The figure of Kshs. 190 million as asked by the hon. member I think for Muthwani, that is money for Machakos Social Welfare and Empowerment Board (MSWEB) and Mr. Speaker, the amount is intact. It is the relevant chairpersons and their committees to ensure that the Executive performs. We have not reallocated that amount Mr. Speaker.

The purchase of educational aids and etcetera, Mr. Speaker, a figure of Ksh. 50 million, that amount was allocated for purchase of, the support for the ECDs, the support for polytechnics, there was a feeding programme also to buy food for the young ones Mr. Speaker, to buy the swings for example. That is the amount that had been allocated Mr. Speaker that was passed by this house.

On transport Mr. Speaker, it is true that money made for fuel is of concern to this house. The CEC finance had tried to move Kshs. 65 million from Kshs. 93 million meant for fuel, to remaining with a figure of Kshs. 27 million which is a far cry from what the department requires. It is true in that case, I am together with the hon. member who has made the concern and it is in the same length that the committee on budget decided to reallocate Kshs. 18 million and capitalize the amount so that under the code 'access roads' so that that money can still be utilized.

Hon. Ndeto had asked about the Kshs. 2 million and something, I can't get the figures well, it is for feasibility. It is for the soil-testing and all that, for the road that also cuts through the Matuu-Ekalakala ward. It has not been done, but the survey work which is meant to be done, that is the amount that is meant to be used on that Mr. Speaker, and the amount has been reinstated by the committee. It had already been moved by the CEC finance but the committee recommends that it be taken back.

Mr. Speaker, on domestic travel, where a vote still exists and travelling is already banned. It is because it is already a pending bill. Some cost had been incurred and the actual payment has not been done and the vote still remains, because the supplier of the service has not been paid for. So, other than two departments, public service and planning, the rest of the Executive are not meant to travel out of the country as a way of instilling austerity measures to ensure we save as much as possible from the recurrent expenditure of the Executive to reallocate more money to pay for salaries.

Mr. Speaker, why the salaries are going up is because there was under budgeting, we under budgeted for Kshs. 2.5 billion and during the year, the Economic Stimulus Programme

workers were still being paid by the national government and we absorbed them and as we end this year, Mr. Speaker, under the same ministry of health, we are more likely to absorb health practitioners who are being paid by ICAP, which is an American NGO, working within our county and whose contract is ending. These are the people supporting the HIV programme in Machakos. Around 56 of the clinical officers we are expected to absorb them. That will push our wage bill higher especially in the department of health, which is still understaffed Mr. Speaker.

Most of the money that we swept from other recurrent votes is going to pay salaries Mr. Speaker and that which is not provided for, like for example the strategic stocks taking of the Kshs. 6 million, it is because between now and July, we may not need to buy, but if need be, by the time we pass the 2015/16 budget Mr. Speaker, I encourage the hon. member to ensure that in that budget we budget enough to have strategic stocks or money to buy strategic stocks if the rains are going to continue being good, Mr. Speaker.

Hon. Muinde: I am asked to explain the Kshs. 500 Million promised by His Excellency the President of this country and whether the Kshs. 500 Million is part of the budget. Yes, Mr. Speaker, the promise is made and the promise coming from the President prudently as accountants would say, chances of it not coming are minimal. When we come to the Supplementary Budget as given in the yellow paper, you will find that there is a gap of over Kshs. 300 Million. That is where the money under development is supposed to fund and the remaining amounts which stand uncommitted is just to take care of any eventualities in case we will need any recurrent expenditure to accompany the development, Mr. Speaker.

The Assembly budget Mr. Speaker, is a matter more squarely of the Service Board but I will try to explain this way, that when we were passing this budget Mr. Speaker, we budgeted Kshs. 180 Million as our grants, which was not awarded as mortgage but on later realization, we found that that money should have been budgeted for as development because it is seed capital. It is money that will move to the Members but over time, it will go back again to the Assembly as Members continue to pay and this money will remain in this House for the entire age of this House, but the money can go up and will never come down as long as there is a County Government of Machakos, Mr. Speaker. That is why we need to budget the money as development and not recurrent. That explains why we moved Kshs. 180 Million from recurrent to development.

Mr. Speaker, after a discussion between the Executive and the Service Board, it was realized that in the remaining three months, not every Member of this House may be able to apply for his Kshs. 3 Million mortgage and that is why there is an agreement to provide at least

for Kshs. 80 Million for the remaining three months to be accessed by Members as mortgage and by July 1st, those that will still be requiring the money, over and above the Kshs. 80 Million, can be reallocated again in the 2015/2016 financial year. So the money moves back to the Executive not from the Assembly; that is only the vote on mortgage.

We are going to retain Kshs. 80 Million to be accessed by those who can access it in the remaining three months. If there is more demand, this money will be reallocated back in the 2015/2016 budget. Why was it moved Mr. Speaker? The same reason, we still have to pay salaries for our staff and especially the health workers, whom we had budgeted for Kshs. 882 Million as salaries but as at the end of the year they will require Kshs. 1.332 Billion, so Mr. Speaker, we'd rather go without our cars and pay our health workers because even a delay in submitting their statutory deductions, they are always on the streets and we do not want to have our patients not treated, Mr. Speaker.

I believe the movement of the Kshs. 180 Million is the one that is occasioning a minus of Kshs. 227 Million in the recurrent budget and Mr. speaker it is also important to note that we are moving from a recurrent of Kshs. 653 Million to Kshs. 608 Million after the tussle we have had with the Commission on Revenue Allocation. Mr. Speaker, if someone takes time to look at the movement of funds from Kshs. 653 Million to Kshs. 608 Million and the movement of the Kshs. 180 Million from recurrent, not all is taken to development, and then we have also retained Kshs. 4.6 Million for the purchase of a utility vehicle for the Department of Serjeant-at-Arms; that brings a minus of 226 Million but it is true our recurrent went down from what we had budgeted, Kshs. 653 Million, but not to Kshs. 447 Million as earlier directed by CRA but to Kshs. 608 Million as negotiated by the house leadership.

Mr. Speaker, it is important for this House to note that a supplementary budget as forwarded to the County Assembly is not necessarily introducing something new. Sometimes, and it is within the law, the Minister is allowed to spend and even bring to the House for ratification. it is procedural, supplementary budgets are everywhere, there is not even a limit on the numbers of supplementary budgets that the Government can forward, but basically why we have a Supplementary at the end of the year is to realign our expenditures to the actual and to ensure that no department goes without money while others are sitting on money. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. Let's hear Hon. Dominic.

Hon. Dominic Maitha: Thank you Mr. Speaker. I wish to take the shortest time possible. First and foremost, let me appreciate the committee on budget for the observation they made and

also take this opportunity to congratulate the Hon. Members of the so-called government for the patience they have exhibited today, Mr. Speaker, because they never spend much time when we have such issues and i wish to recommend to them even in future, if they can concentrate on all matters pertaining to this County the way they have concentrated today, we are going to move this County miles and miles ahead, Mr. Speaker.

We don't have to be serious on certain matters, we have to be serious on all matters because we are leaders who have been elected and meant to do the right things for the people but not just as managers who just do things in the right way.

I would like to make some observations, Mr. Speaker. I would not want to dwell much on what has been said and outlined by the Hon. Members because the message has been passed, Mr. Speaker. I just want to make a general observation, Mr. Speaker sir. We are sitting here for the second year running, almost two three months to go and we need to take stock Mr. Speaker of what the past budgets and supplementary budgets have done to our people. This budget as it is, however much we try to debate, I'm convinced it has to pass today; that one I have no doubt.

We can try to object it, I Am not standing to object it, neither to support it, but I just want to make a general observation: the numbers in the House dictate themselves and the budget has to pass. But I want to say this, we can boast of tyranny of numbers but I say, Mr. Speaker, I thank God that I'm blessed with tyranny of wisdom. Why am I saying this Mr. Speaker? We need to take stock of what we have done to our people. Mr. Speaker if you check on our budget, various issues have been raised. We need to ask ourselves, is our budget focusing on the devolution agenda that was adopted after we got the new Constitution, Mr. Speaker? Our budget is becoming more of a consummative budget than a budget that benefits our people, Mr. Speaker. I would have wished the Hon. Chair here would have proposed we increase the amount of money to allocate for fuel for the graders and bulldozers that are going dry in a week without fuel. But instead, we are reducing the money, Mr. Speaker.

I would have expected the Chair, Budget, through the CEC, Finance and the CEC, Members from the other departments for example the department of Water, to request for more monies first to ensure that the existing boreholes which are not working, which need less than Kshs. 1 Million to operate and supply water immediately, is catered for, Mr. Speaker. I would have expected the CEC member in charge of Health to forward a budget here requesting to accomplish the ongoing construction of the so-called community hospitals.

We have got so many dispensaries that were constructed by the CDF which up to date, two years down the line, are not operational. Are we serving the spirit of devolution, Mr. Speaker? That is what I would have expected of this supplementary budget. but now when we are brought budgets to drill more boreholes, yet we have existing boreholes which they are not giving the value of service that they are intended for Mr. Speaker, graders which are going dry of fuel and bulldozers, I think this supplementary budget as much as we want to pass it, then it is not serving the spirit and the agenda for devolution.

What I want to say is we need to focus ourselves and ask ourselves, we've got two years gone, another one and a half to two years are coming, what do we intend to do for our people? The roads department is proclaiming to use Kshs. 700 Million on access roads. Up-to-date, three months down the line and to the end of this financial year, we are still undertaking projects of 2013/2014. Here we are boasting to pass the supplementary budget; what have we done to the people? We can cheat all people, but we cannot cheat all people all the time. Thank you Mr. Speaker, sir.

Hon. Speaker: Thank you. Let's hear Hon. Kyalo Kyuli at the back.

Hon. Kyalo Kyuli: Thank you Mr. Speaker. I wish first to congratulate the Chair and the committee. At least today there is a lot of business in the House and Mr. Speaker I want to dwell on the report as the Chair directed, Mr. Speaker, because surely we will have time to interrogate this voluminous document. but in comparison Mr. Speaker, on page 8 where it is touching on tourism, while I compare with the big document that is here, again Mr. Speaker, IFMIS that gives templates for which these budgets are made, I am 100% sure there is nowhere in the template that is given by IFMIS where they talk about Machawood.

Mr. Speaker, in this voluminous booklet there is Machawood and therefore that is where I wanted to base my observation that in Machawood, there is purchase of musical instruments. That one Mr. Speaker, we will deal with it when we start interrogating the big document but I would wish Mr. Speaker, that the Chair would have said something on the same or the committee would have said something on the same because there is appropriation of about Kshs. 87 Million or so, appropriated for that particular Machawood which happens not to be in the templates given by IFMIS.

Mr. Speaker, on Education, Youth and Social Services, much has been spoken about but Mr. Speaker, if you compare the recommendations and the big document here which again Mr.

Speaker, We'll have time but it is prudent that i mention, this reinstatement of Kshs. 2.2 Million that the committee has recommended that if you look at that particular department, you'll find that the committee is reinstating only Kshs. 2 Million and there is some firing of monies for paying salaries that has been fired from the said department.

Therefore Mr. Speaker, we will again cross that bridge when we get there because we'll have the opportunity but to comment on the committee that they should have talked about those salary monies that has been fired from that particular department to go elsewhere instead of just reinstating only Kshs. 2.2 Million. Mr. Speaker, when we talk about the department of Agriculture, there are issues that the committee did not raise emanating from the voluminous document but all in all Mr. Speaker, I just wanted to raise those few issues and I will wait for the time to interrogate the big document. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much. Hon. Magdalene Ndawa, you hand was up. Yes?

Hon. Ndawa: Thank you Mr. Speaker. I'm in support of this Bill because one, in every house there is always an opposition and I want to believe in each one of the member who has spoken before me, especially those in opposition...

(Applause)

They tackled issues which were supposed to have been done, but we cannot turn the clock behind Mr. Speaker. we have been fighting for water, in the report of the committee of Budget page 3, paragraph 2, it said, *the main objective of the 2014/2015 supplementary budget, is to re-allocate recurrent expenditure to provide for salaries and wages, which was previously budgeted at Kshs. 2.5 Billion but which to the end of June 2015, is estimated at Kshs. 3.1 Billion, and to provide for extra funding for the water program.*

(Applause)

Mr. Speaker, the people of Machakos have always cried for water, as leaders we have cried for water to our people, as we speak the drilling rigs are already in most sub counties. I believe Hon. Kamitu can confirm to this house that water has been drilled in Tala ward and during the course of this week, water is going to be drilled in Matungulu West ward; that is the cry of Hon. Ndawa for the people of Matungulu West. I have no doubt Mr. Speaker, it is said in the same page 3, paragraph 4 that *Mr. Speaker sir, recommends allocation of Kshs. 12 Million*

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under the special program to cater for special requests made to the Governor by the citizens while on tours across the County. The total requests made so far amounts to Kshs. 22 Million and the committee recommends for allocation of Kshs. 12 Million as the first tranche.

Mr. Speaker, these Hon. Members, especially those who have wards can agree with me we sat down and also put aside something to run our offices when we are down there in our wards. I do not have any disagreement with the Governor having a kitty so that when he visits my people, he is able to attend to them without complaints. Mr. Speaker on the same report, page 4, paragraph 4, *the department of Health requested for additional allocation in the supplementary budget on medical drugs by Kshs. 19 Million, electricity Kshs. 5 Million, Kshs. 3.5 Million more for purchase of oxygen kits and Kshs. 2.2 Million for laundry services.*

Mr. Speaker, we have been complaining so much about our health facilities; it is the high time we pass this Bill, Hon. Members.

(Loud applause)

Our people need services, especially when it comes to health services. I personally have complained about my dispensaries, lack of drugs, lack of oxygen, electricity bills not paid, it is the high time we give the Ministry of Health Services the support for the sake of our people. In addition Mr. Speaker, we should not waste so much time discussing about this Bill.

(Loud applause)

Because we should be preparing for the budget for 2015/2016. It is three months to the next financial year, let's pass this Bill and start working on the 2015/2016 budget, Mr. Speaker. Mr. Speaker, it is in the records that Machakos Government is leading today when it comes to local tourism.

(Applause)

In page 7, paragraph 4 of this report, it says, *the committee further recommends addition of Kshs. 2 Million on development vote for payment of pending bill of motorboat for Maruba Dam.* Mr. Speaker we know this park in Machakos County has created business in the county; it is because of whatever we are collecting or the visits from all over the country that we have been able to promote business communities in Machakos County and the sub-county in particular. I do

not see the reason why we should continue with this debate, Mr. Speaker. Let's pass this Bill and move to the next level of preparing the 2015/2016 budget.

(Applause)

Hon. Speaker: Thank you very much. I think Hon. Members let's hear Hon. Kasoa, and as Hon. Kasoa speaks, the purpose of the debate that follows the second reading is for members to exhaust issues that will form the amendments in the Committee of the Whole House. So I am of the view that perhaps if we hear Hon. Kasoa, we can conclude business and revert to the Committee of the Whole House. Let's hear.

Minority Leader (Hon. Kasoa): Thank you Mr. Speaker. I stand to support this motion and applaud the Chairman and his committee for their good job.

(Applause)

Mr. Speaker, supplementary budget means to allocate funds to different departments depending on the priorities and Mr. Speaker I want to put to your attention that for the last two weeks, eight counties across the country have passed their supplementary budgets. Mr. Speaker, three months ago at the parking lot, I met Hon. member for Kola ward and Speaker what he told me, the time this county will allocate more funds for water, he will support the government.

(Applause)

Mr. Speaker, I was very shocked today to hear the Hon. Member for Kola talking about extra money allocated for water and even in the last few weeks, he has also gone to the media Mr. Speaker talking about the money for the elderly and the bursaries and the county so far has disbursed the money for the elderly. Mr. Speaker, I'm urging all members of this House to learn patriotism; we should be patriotic to our own county, Mr. Speaker and we should not be opposing---

Hon. Speaker: I don't know...

Minority Leader (Hon. Kasoa): Mr. Speaker we should not be opposing everything. If something is good Mr. Speaker, we should say it is good. So I'm urging all the members Mr.

Speaker to rise above partisan politics. This one is a good document and we should support it. Thank you, Mr. Speaker.

Hon. Speaker: Yes, Hon. Ndeto, in conclusion.

Hon. Ndeto: I just want to inform the Minority Leader that I said categorically that I fully support water and I said even if we set the next two budgets for water, 100 per cent I will support. I was only raising the realistic issue of what is in this. Two, when he talks of the money for the elderly, the elderly in Kola ward have not received even a single cent and I want to make it clear and the Hon. Chair told me to wait until tomorrow and he will clarify for me. So Kasoa I'm not opposed to water, I support 100 per cent as you said. Thank you.

Hon. Speaker: Hon. Ndeto I don't know whether he is Kasoa; he is still Hon. Kasoa.

Hon. Ndeto: Hon. Minority Leader, Thomas Kasoa, the doctor.

(Applause)

Hon. Speaker: Hon. Members, let's hear the Chairman. He will conclude and then we shall convert to a committee of the Whole House. The session was a debate following the Second Reading of the Bill.

Hon. Muinde: Thank you Mr. Speaker. I am a happy man, today 28th April 2015, Mr. Speaker, is my birthday and there is no better way to be rewarded by my colleagues than to support a document that I am championing Mr. Speaker. I want to express my gratitude to all the members who have contributed to this debate, those for and those against, for those opposing Mr. Speaker, are making us smarter by critiquing the document so that we can always make better documents every time. It's a period to learn Mr. Speaker; for those who have supported the document Mr. Speaker, I say thanks to them all and more particularly, Mr. Speaker, Hon. Magdalene Ndawa, the Hon. Member for Matungulu West ward. Mr. Speaker, you know it is said in religious parlance, those who get saved last actually preach the word more than those who have been found in.

(Applause)

Mr. Speaker, there was one Saul in the Bible when he fell from a donkey and converted to Paul, he actually preached more than even Peter who lived with Jesus.

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(Applause)

So here we have converted one. Mr. Speaker, I can never be happier than I am today for having a prodigal daughter coming home. And therefore Mr. Speaker, I propose...

Hon. Speaker: Maybe you may consider her for your birthday?

(Applause)

Hon. Muinde: Mr. Speaker, so you say. And therefore Mr. Speaker, I propose that the House converts to a committee of the Whole House so that we can debate the Supplementary Bill and ask Hon. Joshua Kiilu Mwonga to support.

Majority Leader (Hon. Mwonga): Thank you Mr. Speaker and without saying much, I second that the House turns into a committee of the Whole House. Thank you.

Hon. Speaker: Thank you very much. With the approval of the House, we now convert to a committee of the Whole House with a panel member chairing. We'll meet again shortly.

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

[Mr. Speaker left the Chair]

IN THE COMMITTEE

[Mr. Chairman (Hon. Nathanael Nganga) took the Chair]

Hon. Chairman: We now begin.

Clause 1

Hon. Isaac Muinde (Chairman, Budget & Appropriation Committee): Mr. Chairman, the committee recommends the amount be amended under the recurrent to Kshs. 101,030,700.

(Question of the amendment proposed)

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(Question put and agreed to)

Clause 2

The committee recommends the amounts to be amended and the development amounts to decrease by Kshs. 27,323,420 and the recurrent expenditure to decrease by Kshs. 3,611,767.

(Question of the amendment proposed)

(Question put and agreed to)

Clause 3

The committee recommends that Clause 3 be amended to increase development amount by Kshs. 124,481,407 and to decrease recurrent by Kshs. 62,622,778

(Question of the amendment proposed)

(Question put and agreed to)

Clause 4

The committee recommends in Clause 4 to increase development expenditure by Kshs. 15,267,472 and to decrease recurrent expenditure by 185,125,907.

(Question of the amendment proposed)

(Question put and agreed to)

Clause 5

The committee recommends Clause 5 to have development expenditure increased by 1,828,309 and recurrent expenditure to increase by 508,573,623.

(Question of the amendment proposed)

(Question put and agreed to)

Clause 6

The committee recommends in Clause 6, to increase development expenditure by Kshs. 209,138,026 and reduce recurrent expenditure by Kshs. 76,145,720

(Question of the amendment proposed)

(Question put and agreed to)

Clause 7

The committee recommends in Clause 7 to decrease development expenditure by Kshs. 72,792,771 and decrease recurrent expenditure by Kshs. 91,722,872.

(Question of the amendment proposed)

(Question put and agreed to)

Clause 8

The committee recommends in Clause 8 to increase development expenditure by Kshs. 84,786,881 and reduce recurrent expenditure by Kshs. 17,735,721

(Question of the amendment proposed)

(Question put and agreed to)

Clause 9

The committee recommends in Clause 9 to decrease development expenditure by Kshs. 33,049,478 and increase recurrent expenditure by 149,434,660

(Question of the amendment proposed)

(Question put and agreed to)

Clause 10

The committee recommends in Clause 10 to decrease development expenditure by Kshs. 24,068,063 and decrease recurrent expenditure by Kshs. 24,811,437

(Question of the amendment proposed)

(Question put and agreed to)

Clause 11

The committee recommends development expenditure to increase by Kshs. 23,656,284 and reduce recurrent expenditure by Kshs. 18,863,215

(Question of the amendment proposed)

(Question put and agreed to)

Clause 12

The committee recommends in Clause 12 development expenditure to go down by Kshs. 110,157,000 and recurrent expenditure to go down by Kshs. 46,264,156

(Question of the amendment proposed)

(Question put and agreed to)

Clause 13

The committee recommends amendment in Clause 13 to have development expenditure go up by Kshs. 84,466,559 and recurrent expenditure to go down by Kshs. 224,666,559

(Question of the amendment proposed)

(Question put and agreed to)

Clause 14

The committee recommends amendment in Clause 14 to have development expenditure go up by Kshs. 5,416,616 and recurrent expenditure to go down by Kshs. 7,468,851

(Question of the amendment proposed)

(Question put and agreed to)

Memorandum of Objectives

The committee recommends amendment to the amount given to increase from Kshs. 172,391,495 to Kshs. 362,848,822.

(Question of the amendment proposed)

(Question put and agreed to)

Clause on Short Title agreed to

Clause on Long Title agreed to

Title page agreed to

Mr. Chairman, I beg to move that the Committee do report to the House its consideration of The Machakos County Supplementary Bill, 2015 and its approval thereof with the relevant amendments.

(Question proposed)
(Question put and agreed to)

(The House resumed)

[Mr. Speaker in the Chair]

REPORT, CONSIDERATION OF REPORT AND THIRD READING
MACHAKOS COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2015

Hon. Nganga: Mr. Speaker, I wish to report that the committee does report to the house its consideration of the Machakos County Supplementary Appropriation Bill, 2015 and its approval thereof. Thank you, Mr. Speaker.

(Question proposed)
(Question put and agreed to)

Hon. Speaker: Clerk, proceed with third reading.

This Bill may be cited as the Machakos County Supplementary Appropriation Bill, 2015.

Hon. Speaker: We need to hear the Chairman of the Budget and Appropriation Committee on the matter of the third reading.

Hon. Muinde: Mr. Speaker, I wish to move that the Machakos County Supplementary Appropriation Bill, 2015 be read for the third time.

Hon. Speaker: Who is to second your request?

Majority Leader (Hon. Mwonga): Thank you Mr. Speaker. I stand to second that the Supplementary Bill 2015 be read for the third time.

(Question proposed)

(Question put and agreed to)

(The Bill was accordingly read the Third Time and passed)

Hon. Speaker: Before we contribute, the Bill is now hereby read for a third time and we need to hear the remarks from the mover of the motion. Sorry, let us hear the long title.

A Bill to authorize the issue of a sum of money out of the Machakos County Revenue Fund and its application toward the service of the year ending 30th June 2015 and to appropriate that sum for certain public services and purposes.

The Bill is hereby read for the third and final time. It is now considered as having been passed as a legislation of the County Assembly of Machakos. Let us hear the remarks by the Chairman of Budget committee.

Hon Muinde: Thank you Mr. Speaker. As I had stated earlier, during debate time, Mr. Speaker, that this supplementary Bill has its main purpose to provide for extra funding to pay salaries and wages for our staff across the county and to provide extra funding to the enhanced water programme that is being undertaken by the Executive arm of the government.

Mr. Speaker, by passing this, it ensures that our staff in the entire government do not go without salaries as it has been experienced in the past and that our outreach there, that is doing good work in drilling boreholes, will not have idle time where materials are lacking because of the extra funding that had not been factored during the main budget period.

Mr. Speaker, I want to thank all the members, starting with the members of the budget committee for the time they took to keenly interrogate this document, do a lot of balancing to ensure that the mathematics add up, that there is no extra funding required outside what was provided in the original budget of 2014/15.

The net effect on the recurrent expenditure is a zero. We only moved funds from where they are not absorbed to where they are more needed, Mr. Speaker. Movement of the development expenditure to ensure that those departments that are not able to absorb the money allocated to them in the remaining three months, the money has been moved to the department of

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water so that we are able to support the ambitious water programme that is being undertaken by this executive government.

So Mr. Speaker, I want to thank all the members again those who supported this document, the supplementary Bill and even preached conversion to those who are opposing this document from a point of no information. Mr. Speaker, I would wish they take time in interrogating, and even engage the committee on budget during the process. We have had long time and this document was with our members and it was an open time for every member, not only members of the Assembly but all the residents of Machakos who wished to make any amendments or to have their views considered. We operate an open door policy in our committee. We wish to have our members engage us more so that together we can work for this county government.

I also thank your office for the support that we got during the entire period and the office of the Clerk and even the office of the CEC finance, because during these hard times, they supported this committee, because sometimes we did not have the ability to move about and they were really of help.

Thank you Mr. Speaker, I believe that now the problems that have been developing in some of the departments for lack of funds will be a thing of the past. As I go out, I will go out to celebrate. I am only a year now after beginning life and this is a nice birthday gift to me, but still Mr. Speaker, I will be waiting to celebrate more. Thank you.

ADJOURNMENT

Hon. Speaker: In the absence of further business, the house adjourns until tomorrow. Thank you. Have a good evening.

The House rose at 5.19 p.m.