

MACHAKOS COUNTY ASSEMBLY**OFFICIAL REPORT****Tuesday, 30th June, 2015**

The House met at 2.35 p.m.

*[The Speaker (Mr. Bernard Mung'ata) in the Chair]***PRAYERS****PETITION****PETITION BY MAU MAU VETERANS ASSOCIATION**

Hon. Speaker: Hon. Members, I am in receipt of a public petition from a group of persons known as Mau Mau Veterans Association which was in accordance with part XXII of our Standing Orders that dictates the procedure of handling public petitions. Pursuant to Standing Order No. 201 (1), *'every petition presented or reported pursuant to this Part shall stand committed to the relevant Sectoral Committee.'*

I hereby commit the petition to the committee on Culture and Tourism for interrogation. I further urge the committee to hasten the process and deliver their report in the House as per Standing Order 201 (2). Thank you. Proceed and let it be communicated to the chair that the petitioners are fairly aged and speed is of essence. Proceed.

PAPERS LAID**THE SECOND MACHAKOS COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2015**

Hon. Isaac Muinde: Pursuant to the provisions of Standing Order No. 186 (1), I wish to lay on the floor of the house the following paper; the Second Machakos County Supplementary Appropriation Bill, 2015.

Hon. Speaker: Paper laid. Proceed.

REPORT OF SELECT COMMITTEE ON DELEGATED LEGISLATION

Hon. Peter Nzioki: Thank you Mr. Speaker. Pursuant to Public Finance Management Act, 2012, section 116, I wish to lay on the floor of the House the report of select committee on Delegated Legislation.

Hon. Speaker: Thank you, paper laid. Proceed.

NOTICES OF MOTION

THE SECOND MACHAKOS COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2015

Hon. Muinde: Pursuant to provisions of Standing Order No. 186 (1), I wish to give notice of motion that this Hon. House discusses and approves the Machakos County Second Supplementary Appropriation Bill, 2015

Hon. Speaker: Thank you. Proceed.

REPORT OF SELECT COMMITTEE ON DELEGATED LEGISLATION

Hon. Peter Nzioki: Pursuant to Public Finance Management Act, 2012, section 116, I beg to give notice of motion that this Hon. House discusses and approves the report of the select committee on Delegated Legislation.

Hon. Speaker: Thank you. Notice issued. Proceed.

POINT OF ORDER

Hon. Edrick Ngunzi: Thank you Mr. Speaker. I want to raise a point of order under Standing Order No. 227 that Mr. Speaker I give the report of the *ad-hoc* committee; that is doing a report on censure of the County Public Board Secretary

Hon. Speaker: Proceed.

Hon. Ngunzi: Mr. Speaker, the *ad-hoc* committee that was constituted on 8th April, 2014 as per Standing Order No. 1 and as directed by the Chair, to investigate, enquire in to and report on the matters to censure the County Public Service Board. Mr. Speaker, Sir, it was directed that the *ad-hoc* committee be established to look into the above task and report back to this Hon. House on whether the County Public Service Board secretary would be in order to continue discharging her duties as the accounting officer in charge of the County Public Service Board. Mr. Speaker the Leaders of Majority and Minority were directed to forward names of Hon. Members to constitute the *ad-hoc* committee.

The following members were appointed to constitute the committee;

Hon. Edrick Ngunzi

Hon. Isaac Muinde

Hon. Nathaniel Nganga

Hon. Catherine Nguluku

Hon. Christine Mutune
Hon. Margaret Ndalana
Hon. Philip Ndolo
Hon. Timothy Kilonzo
Hon. Sammy Nduva

Extension of Time

Mr. Speaker, two weeks ago the committee applied for extension of time to finalize the enquiry and report back to this House. This House approved 30 days more for the committee to finalize the task, effective from 24th June, 2015. Unfortunately, Mr. Speaker, the committee received orders from the High Court of Kenya at Machakos suspending the business on a matter of an alleged contravention of rights and freedoms of the secretary to the County Public Service Board under articles 20, 22, 23, 47, 50, 176, 177 and 251 of the Constitution of Kenya.

Mr. Speaker, the secretary to the County Public Service Board under petition number 24 of 2015 dated 22nd June, 2015 has sued the County Assembly and the Speaker of the County Assembly in a matter that was to be heard today, 30th June, 2015. Mr. Speaker, the committee was summarizing the enquiry and was to hear the reexamination of the secretary by her legal representative to clarify on any self-contradictory responses to end the enquiry and proceed to write the report to table before this House.

Mr. Speaker, the committee adhered to the court order and would await the outcome of the case before it proceeds to write the report or as may be directed from this Hon. House. Mr. Speaker, sir, following the unfolding of the above events, the committee requests this Hon. House to suspend the extended time of 30 days with effect from 25th June, 2015 until such a time that the committee resumes its business. Thank you, Mr. Speaker. I am Hon. Edrick Ngunzi, the *ad-hoc* committee chairman. May I ask Hon. Sammy Nduva to second the report?

(Applause)

Hon. Sammy Nduva: Thank you Mr. Speaker, Sir. Mr. Speaker and the Hon. House, as we well know, the High Court is supreme to any other court and each person has a right to be heard and address his feeling against any accusation. Mr. Speaker, we have felt there is a right to give time to hear the decision of the court so Mr. Speaker, I stand to second the report as requested by Hon. Ngunzi for this House to suspend the time now that was extended until that time when the high court will have made its ruling. Thank you, Mr. Speaker

Hon. Speaker: Hon. Ngunzi, I think the Office of the Speaker has been sued and the office has not been served with the court order. Are you aware of the court order?

Hon. Ngunzi: I know, through the legal representative of the County Assembly, Mr. Muthui, that orders that have sued the Speaker and the County Assembly are within the assembly premises.

Hon. Speaker: Fine then, I will issue directions on the matter next week. Proceed.

MOTIONS

THE SECOND MACHAKOS COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2015

Hon. Muinde: Mr. Speaker, Sir, aware that this House received the second County Supplementary Budget for 2014/2015 and aware that the Machakos Level 5 hospital was renovated to accommodate the presidential visit and agenda of the County Government to absorb funds received within the financial year; Mr. Speaker, aware that the budget and appropriation committee met on 30th June, 2015 to discuss the report, I wish to move the motion that this House discusses and approves the report on Machakos County Supplementary Budget for the fiscal year 2014/2015. Thank you, Mr. Speaker. I call upon Hon. Ndumi to second the motion.

Hon. Ruth Ndumi: Thank you Mr. Speaker. I stand to second that the House discusses and approves the second Supplementary Appropriation Bill, 2015. Thank you, Mr. Speaker, Sir.

Hon. Speaker: Thank you. You may proceed the report should be circulated as you proceed.

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 the Budget and Appropriation committee findings on the second Machakos County Supplementary Budget for the fiscal year 2014/2015.

Mr. Speaker, the Budget and Appropriation committee derives its mandate from Standing Order No. 186 (3) and I quote: *“there shall be a select committee to be known as the County Budget and Appropriation committee which is mandated to investigate, enquire into and report on all matters related to coordination, control and monitoring of the county budget.”*

The main objective of the committee is therefore to ensure that public funds are well utilized and the public realizes value for money in all government expenditure. The basis for 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 | - | Chairperson |
| 2. Hon. Rachael Nduku | - | Vice Chairperson |
| 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 | - | ” |

The County Supplementary Budget for the Year 2014/2015

Mr. Speaker, the second County Supplementary Budget was received on 30th June, 2015. The Budget and Appropriation committee met to analyze the second county supplementary budget for the fiscal year 2014/2015.

Mr. Speaker, Sir, after analyzing the supplementary budget, the committee resolved that the main aim is to increase our absorption rate. It is evident that the funds in various votes may not be spent and need to be re-allocated to other priority areas that would absorb the monies immediately.

Mr. Speaker, this exercise would also accommodate the extra funding by the national government of the expenditure on renovation of Machakos Level 5 hospital and the new equipment received from the national government.

Mr. Speaker, it is important for members of this Hon. House to know that the expenditure on renovation of the Machakos Hospital was to be partially paid 60 per cent by the County Government of Machakos and 40 per cent by the national government. The expenditure has already been incurred or committed but the contractors are yet to be paid. The committee worked on the second supplementary budget and to deliberate on the rationality of expenditure and the proposed revised estimates.

Recommendation

Mr. Speaker, Sir, pursuant to section 135 (1) of the County Governments Act, the committee recommends to this Hon. Assembly to approve the second supplementary budget for 2014/2015 to facilitate the benefit to the county government of the extra funding from the national Treasury.

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 their support accorded during the committee sitting. I wish to express my appreciation to the 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 the committee members as drawn below; all members appended their signatures. Mr. Speaker, Sir, it is therefore my pleasant privilege on behalf of the Budget and Appropriation committee to table this report on the second county supplementary budget for the fiscal year 2014/2015 to this Hon. House for consideration. Thank you, Mr. Speaker.

Mr. Speaker, together with this report there is an annexure and I believe members of the Assembly have been issued with this; it is written Ministry Of Health, Environment and Emergency Services. It gives the summary report and Mr. Speaker I wish to take a few minutes to explain to members what is contained in this second supplementary. It is majorly on Machakos Level 5 Hospital.

Mr. Speaker, after we had passed the first supplementary budget, the county government of Machakos undertook an exercise to give a face lift to Machakos Level 5 Hospital. This was in collaboration with the national government and the works were inspected and His Excellency the President of the Republic of Kenya made a visit to the hospital and commissioned the equipment that were installed.

Mr. Speaker, there was an agreement between the two governments, that is Machakos government and the national government, that over and above the Machakos Level 5 receiving the equipment, Machakos government was also to fund renovation of the hospital to accommodate or to create space for the installation of the new machines, that is the machine for cancer screening and the dialysis machine.

Mr. Speaker, the total expenditure incurred amounts to Ksh. 185,921,691 as given in the form that I am reading and out of this figure, Mr. Speaker, 40 per cent is to be funded by the national government which is Ksh. 74,368,676.40 cents and the 60 per cent to be financed by the County Government of Machakos amounts to Ksh. 111,553,014.60. The financing is as follows;

1. Ksh. 24,101,056 is to be funded from votes from the Ministry of Roads. Mr. Speaker, that ministry of roads had that amount with them and they are funding the construction of the curb roads and any other works related to the ministry but were undertaken in Machakos Level 5 Hospital.
2. Ksh. 74,368,676.40 to be funded by the national government.
3. Ksh. 87,451,958.60 has been sourced from various ministries as per the attached schedule. So Mr. Speaker, this supplementary seeks to give authority for Ksh. 161,820,635.

Mr. Speaker I want to explain that the total expenditure is Kshs. 185 million but out of that we are funding part of it, Ksh. 24 million directly from the ministry of roads which already had that money and incurred the expenditure directly. The rest which is Kshs. 87 million plus what the national government will give to us amounts to Kshs. 161 million. This exercise today Mr. Speaker, seeks authority for the Ksh. 87 million locally to be sourced and the Kshs. 74 million from the national government and Mr. Speaker on page 103 in the next page, it gives a summary of the expenditures per vote; we have the approved revised budget 2014/2015 and in the second column, it shows the additional funding and the last column, that is the third column, shows the resultant figures after we add the additional funding to the already approved budget and that is per the first supplementary budget.

Mr. Speaker, the first part is on development and the second is on recurrent giving a total cost of Kshs. 161,820,635; that is the authority that is being sought by the Executive from this House and Mr. Speaker, the Ksh. 161 million which contains the Ksh. 74 million from the national government which if you take Kshs. 161 million minus Ksh. 74 million we have a balance of Ksh. 87,451, 958 which will be sourced from reallocations from ministries that were not able to absorb their funds as at the end of the financial year, which is today.

Ministry of Education will contribute Ksh. 499,957 and that amount will be taken from purchase of educational aids; these were votes that were still pending as at today. In the same ministry on refurbishment of non-residential buildings, Kshs. 1.2 million is also taken giving a total of Ksh. 4.2 million. On the department of lands Mr. Speaker, a total of Ksh. 37.9 million is taken from lands and on the ministry of tourism, culture and sports, a total of Ksh. 45 million is sourced. It is actually from capital transfers, which is money that had been allocated for transfer to Machawood which is a board within the ministry of tourism and because they had not absorbed that money as at the end of today, Mr. Speaker that money will be used to fund the Level 5 renovations.

Mr. Speaker, it is my wish that this Assembly finds the wisdom to support this expenditure because Level 5 Hospital in Machakos was renovated; it is within the law that once an expenditure is incurred within the same financial year, authority must be sought within the House so that the expenditures can be approved and Mr. Speaker we all know that the Level 5 Hospital looks not only beautiful, but it is attractive, it is clean and it is worthy the status of Machakos and we are happy with what the government did most specifically in the ministry of Health and it is my plea to the House to discuss and approve this expenditure so that all those contractors who were involved in giving it a face lift would be paid. Thank you, Mr. Speaker.

Hon. Speaker: Let me take contributions. Yes, you may proceed.

Hon. Cecilia Sereka: Thank you Mr. Speaker, Sir, and the House at large. Mr. Speaker, I stand here to second that this Hon. House approves the supplementary budget. Mr. Speaker if you

go to Level 5 Hospital, you will see the work was done. Mr. Speaker, everything there has changed and up to now we have not paid the contractors, Mr. Speaker. A lot of people, and I want to thank our contractors, agreed to work without money and to change the face of Level 5. Mr. Speaker, now we are not even calling it Level 5, we are calling it referral hospital.

(Applause)

So Mr. Speaker, I urge and beg this Hon. House to approve this supplementary budget. Mr. Speaker most of the contractors who were working there then come from Machakos county and some of them even had to get loans to help us because the President was coming. So that we be given the equipment that were being given Mr. Speaker, Sir, we had to do some renovation because the hospital was in a very terrible situation and if you go there Mr. Speaker, even the mosquito nets which are there, you will be shocked because the place looks like a State House as we talk now, Mr. Speaker.

This morning Mr. Speaker I even went there and I want to congratulate the minister and the chief officer and the nurses who are there; they are really trying to keep that place very clean. So Mr. Speaker, I urge this Hon. House to approve the supplementary budget. Thank you.

(Applause)

Majority Leader (Hon. Joshua Mwonga): Thank you Mr. Speaker. First and foremost, I want to start by applauding the chairman of budget committee and his committee members, the chairperson, health committee who has worked tirelessly in conjunction with the CEC, health and the CO, Mr. Speaker. If I were asked today to give presents to the CEC and the chief officer who have worked for the year which is ending today Mr. Speaker, I will say one of them is Hon. Ruth Mutie and her CO Collins Sila. Sorry it is Naomi Mutie, not Ruth Mutie. I do confuse her with that other CEC for Fisheries and Agriculture. They all come from the same area, only that they have been married to different places.

Mr. Speaker, it is true what the chairperson has said, that is Hon. Cecilia; I also happened to be there today. When they were doing all this Mr. Speaker, remember the Service Board was out of the country; I have never stepped there since we came back Mr. Speaker but today I happened to go there because I have a relative who is admitted but Mr. Speaker, I could not believe that was what I knew as Machakos Level 5, Mr. Speaker. It is true even the beddings are new, Mr. Speaker. I don't even know where they took the old ones which were there, Mr. Speaker.

So as the chairman said, all these contracts, the information I am getting from the Executive, were given to the locals Mr. Speaker and this Hon. House cannot afford to just sit here and see our locals being auctioned by the banks where they had gotten the money to give a

face lift to our Level 5 which the chair is saying we should not be calling it Level 5 but a referral hospital.

Mr. Speaker, I didn't want to say much on this; everybody knows how this hospital is as we speak today. So Mr. Speaker, it is my humble request; let us not dwell on this issue much. The chairman of budget committee has given us a very good report; he has gone further to explain how these monies were spent and where we are going to get some monies from the various ministries so that each ministry can cater for the relevant services. If it is cabro works, he has said it is the department of roads and other ministries. So Mr. Speaker it is my humble request to these Hon. Members that we approve this supplementary budget in the shortest time possible. Thank you, Mr. Speaker.

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

Hon. Ruth Ndumi: Mr. Speaker I stand to second this motion because, Mr. Speaker, when you go there to the hospital, it has lifted our county higher and Mr. Speaker, Sir, you know some men in Machakos County have never gone to labour ward to see how their wives deliver. Mr. Speaker, Sir, now our men enter the labour ward to see how women do so Mr. Speaker because most of the people who are in this Hon. House are men, let them second the motion and we finish quickly. Thank you, Mr. Speaker, Sir.

Hon. Cornelius Kitheka: Thank you Mr. Speaker and the House at large. I think I am one of the most privileged county reps of Machakos Central ward where the referral hospital is being refurbished. Mr. Speaker, I will not hesitate to make my contribution of supporting this motion of passing a supplementary budget simply because I know very well within the issues of finance and budgetary process, when funds are in the account and the year comes to an end like today, it sounds very awkward for a county like Machakos to take the money back to the Treasury while it has a lot of needs. So it is my opinion that every single cent within the ministries should have been brought to this committee for re-allocation so that at least we can leave an empty basket for the National Treasury to fill. There is no essence, and I have seen it happen when we were in the de-facto Municipal Council, we return money to the National Treasury then we start..... Mr. Speaker I need protection---

Hon. Speaker: Just proceed.

Hon. Kitheka: I am talking about my ward. I need protection, Mr. Speaker.

Hon. Speaker: Proceed.

Hon. Kitheka: Mr. Speaker I know it hurts many when we are talking about such developments and exactly what these members are trying to agitate is that we are pushing to

get funds to refurbish and even to make it able to receive funds which have been donated by the government. Mr. Speaker, if we cannot even supplement to get what the government is giving us, the government doesn't give people who have got empty hands; we have to show cause that we need money and we have to demonstrate that we have capacity to use the money.

So Mr. Speaker, I am in support of what is happening in the hospital and I have been there under the stewardship of the CO Eng. Aluanga; I have been there for all those days when it was being refurbished and I have seen and the people who are crying demanding for their pay, some are my relatives and I have seen them work there so I cannot come here to deny their pay while I am going next to their place.

So Mr. Speaker because they applied for the job in the most procedural way, they have to be paid regardless of where the money is coming from, but because we have seen the money is coming from the national government and a supplementary which has to be passed in this House, I have to support it regardless of the repercussions. Thank you, Mr. Speaker.

(Applause)

Hon. Speaker: Okay.

POINT OF INFORMATION

Hon. Dominic Maitha: Thank you Mr. Speaker. For those who are waiting for a negative contribution, you are shamed. I just wanted to put to the awareness of Hon. Kitheka that money no longer goes back to the National Treasury; it remains to the County Treasury. What we just need to do is to appropriate it; be informed. Thank you Mr. Speaker, Sir.

Hon. Speaker: Thank you. Yes.

Hon Sammy Nduva: Thank you Mr. Speaker, Sir. I want to stand to support this motion. As a member of the budget committee, we sat down and looked at the application by the CEC, finance for the supplementary budget and Mr. Speaker, I want to echo the chair and the committee of budget because unlike other times, Mr. Speaker we did not take time to agree on this noble supplementary budget.

Mr. Speaker if other works are done like what has been done to our Level 5 Hospital, I think Machakos County will be miles ahead. Mr. Speaker I want to mention something which was mentioned by our Excellency the President when he visited Machakos last time, because Mr. Speaker, the Governor for Makueni wanted to know why for the fourth time his Excellency the President was in Machakos and he has never gone to Makueni. When it came time for the

President to talk, he said he comes here because there is development; so Mr. speaker, he was told if he does the same in Makueni, the President will also be going there.

I want to urge these Hon. Members, it is because of what we and the Executive arm of government of this county are doing that we are getting the support from the national government. If we did not use the monies to extend the hospital, maybe the machines would not have been brought here and since we have worked hard and extended the facility, even the President appreciated. So I want to urge this Hon. House, this is the high time a motion takes only 15 minutes to be passed. Mr. Speaker let this House agree in oneness that we support and approve this supplementary budget. Thank you Hon. Speaker.

Hon. Speaker: Thank you.

Hon. Mary Ndinda: I just want to second what the other Hon. Members have said because we are what we are right now in Machakos because of the Ministry of Health and especially the good work which has taken place in Machakos county so I stand to support and say that I think everybody is proud of Machakos County. Even when you are connected with Machakos County, you are happy because everybody is recommending and commending what has happened in Machakos referral hospital. Last week, I had visitors from Chuka and Nairobi; I had nurses from Gertrude's Garden hospital and we just went round the hospital and one of them said that she wished she was working in Machakos Level 5 Hospital because of the way the place is appearing and the way the machines have been put in order. In fact three ladies who are nurses took photographs and put them on their phones where they said they will be using them to check how Machakos is and I am saying these people are not from Machakos by the way; they are from other counties and they are proud of what is happening in Machakos.

Hon. Members, I think it is high time we push and make sure that we get this supplementary because at least Machakos County is doing a good job. The guys from Chuka, Meru came and they said they wish Machakos was transferred to Chuka because they were telling me that there is nothing that is happening in Chuka and when they compare Machakos county with Chuka, they are wondering 'are these guys the same? Are we doing the same work? They were saying 'I think you have got very smart Hon. Members; you have a good Speaker, you have good workers in Machakos county' and you know that thing made me very happy.

Today this morning I had visitors and they were saying they are very proud of Machakos. Even right now they are right here inside; they have come to see what you are doing in the Assembly. I am saying Hon. Members we have done a good job and I am supporting this thing. Thank you Mr. Speaker, Sir. Thank you.

Hon. Speaker: Thank you. How many guys were they? I was not comfortable with that word, but it is okay. Let us proceed.

Hon. Kalunde: I am a member of Health committee. Mr. Speaker, I stand to support the motion because if you go to Machakos Level 5 Hospital today having gone to Aga Khan, you may confuse that Machakos Level 5 Hospital is Nairobi Hospital because it is very very clean and the machines there are wonderful. Mr. Speaker, people who have had sick people especially who are taking dialysis have been paying a lot of money in Nairobi Hospital and also in Aga Khan but today in Machakos Level 5, they are only paying a quarter. So why should we waste time discussing something which is beneficial to our people and ourselves? Please I urge you members, let us pass this motion straight away. Thank you.

Hon. Speaker. Thank you let's hear Hon. Anne there.

Hon. Anne Wairimu: Thank you Mr. Speaker, Sir. I stand to support this motion in totality. Mr. Speaker, Sir. Whoever has eyes has seen. Our referral hospital actually is better than Nairobi Hospital, Aga Khan...

(Applause)

...and I hope they will maintain that cleanliness and their unique job. Mr. Speaker, Sir, for those ones who have no eyes, actually they are just closing them and they are saying I see. When you see a blind person saying I see, there is something he has seen or she has seen. Mr. Speaker, sir, I just want to support this motion and say thank you to our President for coming to officiate this project. My President came because...

(Applause)

...because this was noble work; actually if it had no meaning, he would not have made it to this place. He did it and I am happy for that. We are talking about referrals; there was a time I had brought a motion about the cancer machines and I was told that cancer machines were on the way. Whoever has never had a patient suffering from cancer does not know what it means to have these machines around; taking these people very early at three in the morning to Kenyatta Hospital for them to be on the line. So I just thank God that these things are happening in Machakos under the leadership of our President and our Governor.

(Applause)

When it comes to payment Mr. Speaker, Sir, these are our sons and daughters who have worked in this county. Let us not deny them their pay; let us do it very fast and make sure they are not going to suffer. You know once you take a loan, you have to pay with interest and if you don't pay it immediately, you know the consequences. Mr. Speaker, sir, apart from those contractors who did their work at Level 5, kindly let us also remember the other contractors who did other works...

(Applause)

...in other parts of our county. Kindly let us move very fast and make sure that they have been paid. Thank you Mr. Speaker, Sir.

Hon. Speaker: Thank you very much. Let us hear Hon. Christine.

Hon. Christine Mutune: Thank you very much sir. I want to support that we approve this supplementary budget simply because most of us have visited the hospital and we can testify the work which was done overnight to change the hospital. Many are the times we oppose good things. I hope this time Hon. Members we are not going to waste time because we have seen with our eyes.

(Applause)

We want to pass this supplementary budget so that the health sector can move on. To add to that, we want to make sure as a county the hospital is fully staffed because we are lacking staff in the hospital. As much as we have done good things, it is good also to have qualified staff in the hospital. Thank you Mr. Speaker, Sir. I support.

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

Hon. Itumo: Thank you Mr. Speaker for seeing it wise to give me this time to contribute towards this important motion. Today Mr. Speaker, I am a happy man because if I look around I can see a good unison, Mr. Speaker. I remember sometimes when I and you were at a big hospital in Israel where I was admitted for half a day Mr. Speaker. I can put the Machakos referral in comparison to that other hospital that I have already forgotten the name, Mr. Speaker.

One of the members has said that for anyone who has not seen a cancer sufferer, maybe he cannot explain what cancer is, dialysis and all that. Mr. Speaker I stand....protect me, Mr. Speaker. The same, same people who have just yesterday---

Hon. Speaker: Order, order hon. members.

Hon. Itumo: The same, same people Mr. Speaker

Hon. Speaker: Order, order.

Hon. Itumo: Mr. Speaker let me finish.

Hon. Kitheka: Point of clarification.

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

POINT OF ORDER

Hon. Maitha: Mr. Speaker, it seems like we are having a thousand and one dictionaries in this world. Can the Hon. Member substantiate to this Hon. House who is a sufferer? The difference between a sufferer and a patient.

Hon. Itumo: Mr. Speaker, I mean a cancer patient.

(Laughter)

Therefore, Mr. Speaker, it is quite very important for us to pass this important supplementary budget so that we can see all those contractors being paid, Mr. Speaker. I was there myself and I took some photos for members who didn't visit there and Mr. Speaker with your authority, I can give them to take it round for those who never visited Mr. Speaker so that they may access when they are still here, Mr. Speaker. So I request all the members to support this supplementary budget and Mr. Speaker I think it is high time to put the question Mr. Speaker. Thank you.

Hon. Speaker: Thank you. Hon. Members I think Hon. Itumo has made it clear; a cancer patient can also be a sufferer. Is there a member who is of a contrary opinion? Because if I read, the mood of the House is that we are in agreement that this report passes. Do we need to endeavor? I think it will be interesting to hear Hon. Matheka.

Hon. Francis Matheka: Thank you Mr. Speaker, Sir. To start with, I am not of a contrary opinion but just a challenge to the two committees that is budget and health. Mr. Speaker to start with, I have heard members saying there is no need to waste time; in this House we don't waste time. This is a Hon. House and we are paid to discuss these Bills and pass them or oppose them so we don't come here to waste time; my dear members we should not say we should not waste time. We have to debate and pass the Bill if need be.

Hon. Speaker: I agree with you. That member who said waste time must....who is that? Do you remember that particular member?

Hon Matheka: I think it is Hon. Christine Mutune, if I am not wrong.

Hon. Speaker. If you only think, proceed.

(Laughter)

Hon. Matheka: Let me proceed, Hon. Chair. I said I am supporting the motion in totality because everybody knows what happened to the general hospital that is the Level 5 and my challenge is to the budget and health committee; the machines were supposed to come to two hospitals: Machakos Level 5 and Kangundo Level 4. Mr. Speaker, Sir, they should also move with speed and ensure that also Kangundo Hospital gets its share because in Kangundo it is easier to go to Nairobi for a referral than to come to Machakos.

So the earlier the machines are in Kangundo, the better for the people of Kangundo, maybe part of Yatta, part of Mwala and Matungulu. Mr. Speaker, sir, I urge the two committees; if my memory serves me right, the machines were to be in those two hospitals. Thank you Mr. Speaker, Sir.

Hon. Speaker: Thank you. One minute, Hon. Ndeto.

Hon. Ndeto: Thank you Mr. Speaker for this opportunity also to contribute. May I start by saying I fully support this motion. At the same time I would like to draw the House to a very crucial matter here of the source of funding which is allocation from the following ministries. I can see the committee has gone to the ministry of education and the matter which I want the Hon. Members to capture and to note is, the money that is being moved from the ministry of education: construction of non-residential building, that it Kshs. 499,000 and refurbishment of non-residential building, Kshs. 1.2 million, Hon. Members you will bear me witness, this is one ministry that has not been doing anything, the ministry of education.

For two years we have struggled with ECD centers; nothing has been done. For two years we have struggled with youth polytechnics; nothing has been done yet by the end of the year, the ministry is remaining with close to three million from the same allocations which we have been following. I support this money to be moved to pay the debtors and after this we need to re-think what is happening in this ministry and I thank the budget committee for what they did.

(Applause)

...to this ministry in the previous or on the ongoing budget, but immediately after this the chair, Education Hon. Kiviu and also the committee, this is a challenge to us; something needs to be done. Point number two, if we would have been receiving supplementary budgets for things which are clear like this, which are following the law, I have just consulted the Public Finance Act and it is very clear about the procedure, some of the things we raise as opposition and say no, you would not have been seeing them. So for now, thanks Chair...

(Applause)

...and I urge you to keep on doing the same. Thank you.

Hon. Speaker: Hon. Members now I use my discretion. Let us hear the chairman.

Hon. Muinde: Mr. Speaker, I want to start by thanking the Hon. House for overwhelmingly supporting this report and to quote what his Excellency the President of the Republic of Kenya said during the launch of the machines in Level 5 Hospital in Machakos "*vitu zingine ukiona ni nzuri na zimefanywa na mtu ambaye humpendi na unaona ni nzuri, wacha zikae zikiwa nzuri*" so that I may not be punished for speaking Kiswahili. Mr. Speaker, this was a noble project; we are proud of Machakos Level 5 and Mr. Speaker the Hon. Member for Kangundo North has just indicated that these machines were to be given to two hospitals. I want to put it clear that it is not Kangundo hospital; it is Matuu Hospital in Yatta to take...

(Applause)

...to take care of Masinga, Yatta and Upper Mwala. Mr. Speaker, Kangundo is very close to Machakos and very close to Nairobi, Mr. Speaker and that is why in the 2015/2016 budget, we allocated money for Mavoko Hospital and expansion of Matuu Level 4 Hospital. Mr. Speaker, that is the situation.

(Applause)

Mr. Speaker, the Hon. Anne Wairimu did say that even the blind can see what has been done in Machakos Level 5 and if the blind can see, even those who boycotted the function and went for a burial in Wamunyu can also see....

(Applause)

...that something good happened in Machakos Level 5. Mr. Speaker, with those few remarks, I thank the Hon. House for the support they have given this motion and I urge this spirit of brotherhood, there is a new political love in this house, Mr. Speaker, but that love has not meant that sense should not prevail. We are supporting good motions; we are actually in to ensure that in Machakos the right things are done in the right way. Thank you, Mr. Speaker.

(Applause)

Hon. Speaker: Hon. Chairman, when I gave you an opportunity, my expectation was for you to give a vote of thanks; I didn't expect you to address matters of funerals but nevertheless, I proceed to put the question.

(Question put and agreed to)

MOTION

CAR LOAN AND MORTGAGE SCHEME REGULATIONS, 2015

Hon. Peter Nzioki: Mr. Speaker, aware that the PFM Act, 2012 section 116 mandates the County Executive Committee member for finance to make regulations; further aware that these regulations were submitted to the Assembly and referred to the committee on Delegated Legislation pursuant to Standing Order 189 subsection 2; informed that the committee last week scrutinized the document and presented its submission, I wish to move the motion that this House discusses and approves the Machakos County Executive Committee And Chief Officers Car Loan And Mortgage Scheme Regulations, 2015. Thank you, Mr. Speaker. I call upon Hon. Cecilia Sereka to second my motion.

Hon. Cecilia Sereka: Thank you Mr. Speaker, Sir. I stand here to second the motion that this House discusses and approves the report of select committee on delegated legislation. Thank you Mr. Speaker.

Hon. Speaker: Thank you. Let us proceed with the motion; the report maybe circulated.

Hon. Nzioki: Thank you Mr. Speaker.

Preamble

The Car Loan and Mortgage Regulations for County Executive Committee members and Chief Officers were presented to the Assembly pursuant to the Public Finance Management Act, 2012 section 116. Upon receipt in the Assembly, the regulations were committed to the committee on Delegated Legislation pursuant to Standing Order 189 (2) which states that whenever a statutory instrument is submitted to the Assembly pursuant to the Constitution, any law or these Standing Orders, the statutory instrument shall, unless a contrary intention appears in the legislation, be laid before the Assembly by the chairperson of the relevant sectoral committee or any other member and shall thereafter stand referred to the committee on Delegated Legislation.

Mandate of the Committee

Mr. Speaker, this committee enjoys a wide range of mandates as far as matters of statutory instruments are concerned, some of which include; Considering if the statutory instrument is in accord with the provisions of the Constitution, the Act pursuant to which it is made or other relevant written law (Standing Order 189 (3)(a); considering if the statutory document involves expenditure from the County Revenue Fund or

other public revenues (S.O. 189 (3)(g); determining if it is defective in its drafting or for any reason the form or purport of the statutory instrument calls for any elucidation (S.O.189 (3)(h); if it inadequately subjects the exercise of legislative power to Assembly scrutiny (S.O.189 (3)(p); if it appears to make some unusual or unexpected use of the powers conferred by the Constitution or the Act pursuant to which it is made (S.O.189 (3)(i).

Committee Membership

Hon. Peter Nzioki	-	Chairman
Hon. Joseph Kalunde	-	Member
Hon. Cornelius Kitheka	-	”
Hon. Alexander Kathinzi	-	”
Hon. David Manyolo	-	”
Hon. Joseph Kilonzo	-	”
Hon. Cecilia Sereka	-	”
Hon. Leonard Katela	-	”
Hon. Geoffrey Munyao	-	”
Hon. Timothy Kilonzo	-	”
Hon. Justus Kimata	-	”
Hon. KyaloKyuli	-	”
Hon. BibianaNduku	-	”

Committee Meeting

Mr. Speaker, to exercise the enormous mandate bestowed on this committee, the members convened on 16th June 2015 and again on 26th and 27th June 2015 to conduct a thorough scrutiny of the stated regulations.

Committee’s Resolutions

Mr. Speaker, the members of the committee considered the regulations alongside a circular from Salaries and Remuneration Commission, Ref. No: SRC/ADM/CIR/1/13 Vol. III (128) for car loan and mortgage scheme for state officers and other public officers, a document which is attached, and found out that the document is good for implementation and that it will motivate the public officers and immensely contribute towards attraction and retention of requisite skills in the public service in line with the constitutional principles under Article 235(b) of the Constitution.

All state and public officers who are currently not enjoying these benefits and who are employed on permanent and pensionable basis and for state officers who are either on full time or part time basis are eligible for these benefits.

Questions on payment of loans even after the officer's contract lapses has been addressed clearly by the SRC circular attached whereby it provides that the duration for the scheme shall be a maximum of twenty years for mortgage schemes and five years for car loans.

(Applause)

The terms of the scheme will favour officers concerned and therefore lead to their individual development.

Mr. Speaker, it is out of the above listed grounds that the members of Delegated Legislation committee unanimously approved Machakos County Executive Committee members and chief officers' car loan and mortgage scheme regulations, 2015.

Conclusion

Mr. Speaker, the essence of having the Assembly as an independent arm of government is to provide a check to the Executive to see to it that the Constitution is adhered to the letter and ensure that the citizens of Machakos are given proper services in addition to making right use of the taxpayers' resources. Thank you Mr. Speaker. Inow call upon Hon. Cecilia Sereka to support the report. Thank you.

Hon. Cecilia Sereka: Thank you Mr. Speaker, Sir, and the House at large. I stand here to second this motion Mr. Speaker and to ask the Hon. House that we give our officers and our ministers this money, Mr. Speaker. I think it is their right and it is not wise for us to deprive them of their right. Mr. Speaker, again I would like to thank the chairman of this committee because when we were at 67, we came to learn that even us Mr. Speaker we are entitled to this loan...

(Applause)

...and Mr. Speaker I will be coming to you again and to the loans committee and the chair to get my share because Mr. Speaker you can see this...

(Applause)

...this Act allows me to pay this loan for 20 years even if I have gone home...

(Applause)

...so Mr. Speaker I urge these Hon. Members to come out and get loans and get these mortgages because that is their right. I know these Hon. Members are able; they can pay these loans even when they are not in this House. So I urge you Mr. Speaker, through the office

of the Clerk and our able chair, to go and sit down and approve our loans without conditions. Thank you, Mr. Speaker.

(Applause)

Hon. Speaker: The motion is now on the floor for debate. Let us hear Hon. Katela then we hear...

Hon. Leonard Katela: Thank you Mr. Speaker. I am also happy that the County Government is now keen on the welfare of workers whom I represent and I am happy that this House will not waste time to approve these monies for the workers of the county who will be motivated...

Hon. Speaker: I don't know whether you have heard the point of order that was properly raised by Hon. Kitheka that this House respectably doesn't waste time.

Hon. Katela: Thank you sir. What I am trying to say is that I am happy we are now looking into the welfare of the workers who will be motivated to do good jobs as they did in the hospital. We have just heard that our hospital is number one in Kenya and it was done by our workers who are working 24/7 relentlessly. So if we motivate them with these mortgages and car loans, I think they will work extra time, in fact 25/8 not 24/7 this time round. So I also support chair, health.

Mr. Speaker allow me to accompany her to the Clerk's office because when we were there at 67, we saw a letter which says we also qualify for that and I have been trying to get mortgage but because I have no title deed they all belong to my mother, I could not access it but now I can see I am qualified for it. So members we also in this bracket so let's approve this once and for all; let us not waste time. Mr. Speaker I am just saying that after I speak, you just put the question so that we can start flocking to the office tomorrow. Thank you, Sir.

Hon. Dominic Maitha: Thank you Mr. Speaker. I wish to applaud the committee on Delegated Legislation for the tireless time they have spent to fast track this defining moment and I wish this Hon. House will applaud the Hon. Chairperson for presenting a report for the first time in this floor of the Assembly which has direct and far reaching beneficial factors to the Hon. Members. Chairperson, if next time you come with such a report, I think you will be given credit---

Hon. Speaker: The Chair is with you in this. Congratulations.

Hon. Maitha: Thank you Mr. Speaker. All that notwithstanding Mr. Speaker, I have a different opinion. This letter was received on the 17th December, 2014 and the second last part says that it was given to the Clerks of all County Assemblies.

Hon. Speaker: You said 22nd of?

Hon. Maitha: 17th December, the year 2014. Mr. Speaker, Hon. Members have been taken up and down, left right and centre when this letter has been lying in the office of the Clerk. As at last week, few members, and this can be proven by the Hon. Members present, I believe it is less than ten members who have received their mortgages. Are you waiting for us to go home then when you hear us evicted from the houses we are living in you laugh because we don't own houses yet we had the privilege and opportunity to get these loans and pay within 20 years.

We passed a budget last week or was it deliberate that it was not to be produced before we pass the budget so that we can allocate the monies? That leaves more questions than answers. Mr. Speaker I want to say this, and I have told Hon. Members, we have a limited period here. Inasmuch as we are fighting for our people, we cannot stop to fight for ourselves. Anything that has to benefit these Hon. Members Mr. Speaker, Sir, cannot be brought to be washed away; neither can it be subjected to any political gimmicks or differences. It must benefit these Hon. Members the way they fight to have their people benefit.

So Mr. Speaker, if this letter landed here on the 17th December, 2014 the big question is why haven't the Hon. Members been communicated to of the same? It leaves also the question that maybe or might be, there are other letters with crucial information that maybe can benefit members that have not reached the hands of these members. It is now 6 months ago Mr. Speaker; it leaves more questions than answers and it is food for thought for these Hon. Members.

Therefore, Mr. Speaker all that notwithstanding, this letter says that it was reviewed and according to the SRC circular we had received before Mr. Speaker that was giving us only two million for car loans and three million for mortgages, Mr. Speaker, I think it is in the best interest that tomorrow morning the Hon. chairbudget can bring a supplementary budget before the floor of this House---

(Applause)

Mr. Speaker, Sir, so that we can review our mortgages and we only have one regulation that the mortgagescheme, because we are going to be out of this House in the next five years, that we only provide for insurance cover for the mortgage and car loan scheme---

(Applause)

...and by so doing Mr. Speaker, the mood of this House, the manner of operations in the county government of Machakos Mr. Speaker, will change once and for all.

(Applause)

We need the supplementary budget as late as tomorrow afternoon so that we can review the just passed budget we get these mortgages by end of next week. I hope members in this, we are not going to relent on this. Thank you Mr. Speaker, Sir.

(Applause)

Hon. Speaker: Thank you. Let us hear Hon. Geoffrey at the back.

Hon. Geoffrey Munyao: Thank you Mr. Speaker, Sir, for giving me that opportunity. I think *mheshimiwa* Hon. for Matuu is just huge enough that he is just holding me behind not to contribute. Mr. Speaker, I want to thank the committee on Delegated Legislation for this good report. Mr. Speaker, I am among the Hon. Members---

Hon. Speaker: Order, order.

Hon. Munyao:.....who supported this document and Mr. Speaker as the Hon. Member for Muthwani has said. This is something which is said to be of better use for these Hon. Members. Mr. Speaker, I happened to be coming to your office concerning our mortgages Mr. Speaker, because we are lacking title deeds and you know title deeds in Machakos are a challenge.

Mr. Speaker, I think this is the high time for these Hon. Members to get this opportunity to have the mortgages. Mr. Speaker in the committee of Delegated Legislation Mr. Speaker, I think we went through the document and we came to realize that we are also state officers and so long as we are state officers, I think this is the right time to be in this scheme. Thank you Mr. Speaker, Sir.

(Applause)

Hon. Speaker: Thank you. Let us have three contributions now. Let us hear Hon. Nzoka.

Hon. Nzoka Munywoki: Thank you Mr. Speaker, Sir, and the House at large. This is a motion that I have to support with a lot of energy. In fact, you have not seen me in your office seeking mortgage because of the conditions you put. You have to know that we have no title deeds---

Hon. Speaker: Order, order Hon. Nzoka. You are not addressing the person of the Speaker.

Hon. Nzoka: Yes. Thank you.

Hon. Speaker: You are addressing the Office of the Speaker.

Hon. Nzoka: Yes, I am talking of the Office of the Speaker. I have never been to the office of the Speaker because when I approached, I was given some conditions which I could not even go on. So what I can say and what I should like to introduce to this office is to assist us; we have some worthy documents of plots which have been searched by the Machakos county government. Those ones can also act as title deeds. So in fact this, and I am surprised but it is good if I can pay within 20 years.

We have other businesses at home even if not here; so we are not afraid of getting this mortgage because we are going. It doesn't matter even if we go, we have some properties, we have other business to do so we can service the loan; we can guarantee the servicing of the loan. So I support this motion and say let us do it as quick as possible and again it is also good and we shall be seeing good MCAs who have facilitated this to the workers of the Machakos County. It will show we are not greedy, we don't only bother about ourselves; we also care for our workers, so I support this motion. Thank you.

Hon. Speaker: Let us hear Hon. Kitheka and from there we will hear Hon. Kyalo Kyuli but there is one thing I want to make clear to the House; that it is true that this communication came from SRC but then it should not be imputed that the letter had been hidden from the Assembly and a statement will be issued about the journey of this letter to date. Just proceed.

Hon. Cornelius Kitheka: Thank you Mr. Speaker. As a member of the Delegated Legislation committee, I stand to support this motion. Mr. Speaker, we know very well the theories of Maslow dictate that we have to motivate our workers and the people we live with. Motivation is one of the most important things in any institution as far as you deal with workers. Motivation will give high productivity in whatever you do in the institutions.

So Mr. Speaker, extending these good gifts to our workers in terms of a loan which they will pay should not have a pain to any of the members or to anybody from any quarters, simply because we are still agitating for good incentives for our workers so that at least we can get good results. Mr. Speaker, as the details have been put down in the legislation, we know very well the way it has been stipulated in the letter which came from Sarah Serem; the letter is very elaborate on how the county will counter defaulters and everything, but there is still a need for us to go through the letter clearly because when you fail or you are discharged from duty on disciplinary matters, you should know the loan will directly revert to commercial state.

So Mr. Speaker, addressing that as a point of reference, I know very well Mr. Speaker we have good intentions for the people of Machakos and workers of Machakos and it will be good for us to pass this legislation instrument with a lot of ease for us to get results within our workers.

Mr. Speaker, knowing that the legislation or the legal framework which is in place is to benefit our workers in a very good manner, we have to know that we have to come into this House, pass the same legislation for the members if we do care about ourselves. We should not just assume that we have passed for the workers and assume that it is the one that will work on our side; we should bring the same legislation of the same magnitude into this House and we should also consider the lesser workers who are within the County because we have considered the top cream of the county.

We should also consider the other workers and come up with a legislation of the same magnitude and pass it within this House and consider them together with the other people but for the time being and for the urgency of the matter, we have to pass this document and relax and hope everything will be in good order. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. I think that contribution allays the fears that Hon. Dominic has. We need to come up with a motion that will engage the affairs of the Assembly.

Hon. Festus Ndeto: Thank you for yet another opportunity to contribute...

Hon. Speaker: Sorry, the opportunity was for Hon. Kyalo

Hon. Ndeto: He is my brother so he can accept I continue if he allows.

Hon. Speaker: I will allow him if he donates that chance to you.

Hon. Ndeto: Okay.

Hon. Kyalo Kyuli: Mr. Speaker, if I donate will I get any other?

Hon. Speaker: You lose it; you cannot donate and get any other.

Hon. Kyalo: Mr. Speaker nilikuwa nataka kubadilisha mita bendi. Kwa hivyo naomba nibadilisha mita bendi.

Hon. Speaker: Sawa.

Hon. Kyuli: Asante sana Bw. Spika. Naomba nibadilisha mita bendi kwasababu kizungu pia ni lugha ambayo ni ya muhimu na hata hivyo Kiswahili pia. Langu ni kwamba ninasimama kuunga mkono mambo haya ambayo kila mmoja anafurahia ama anaskia anaunga mkono kwasababu kwa undani Bw. Spika, sisi kama wanakamati tulikaa, tukachunguza, tukaangalia, tukapiga msasa, tukaona kwamba hata bajeti ambayo tulipitisha hivi majuzi Bw. Spika, wale wakule waliweka pesa zao ambazo wanataka tuwatengenezee mikakati ya kuchukua hizi pesa.

Kwa hivyo tayari kuna pesa ambazo tayari walitenga na hiyo ni milioni mia mbili; hiyo nina habari, tulichunguza kabisa Bw. Spika. Sasa zile milioni mia mbili hawawezi wakachukua holelaholela; lazima wawe na mikakati na basi ndio hii ambayo tunaweka hii leo; hivi kwamba mimi nina unga mkono kuwekwa mikakati ambapo waende wachukue pesa lakini Bw. Spika, tulipokuwa tukichunguza, pia tuliona mambo mengine ambayo ningeliomba mwenyekiti wa bajeti kama angeliskiza hili ambalo ninasema lakini naona ni kama ametoka, ya kwamba hata leo wameleta bajeti mbadala ambayo ina husu mambo ambayo ni ya muhimu kabisa natumeipitisha bila kupinga kwa sababu tunaona ni mambo ambayo ni ya muhimu kwa maisha yetu sisi na maisha yawatuwetu.

Sasa mambo ya maisha yetu sisi wabunge sasa ni kama imepigwa huku na huku yakafichwa mahali. Kwa sababu gani? Ni kwasababu hii barua ilikuja; tunaona kuna pengo ambalo tunaweza tukapenya halafu sisi tukafikia hata kwa miaka ishirini Bw. Spika, miaka ishirini. Sasa kama ingeliwezekana, pia tungeletewa bajeti mbadala iunganishwe na hii ambayo tumepitisha Bw. Spika iende pamoja na mikakati kuwekwa ya kuchukua hii pesa, kwetu sisi waheshimiwa kuweka ninajua ni kama siku moja maanake kila mmoja angependelea kufikia jambo hili.

Bw. Spika kama ingeliwezekana, tunapoenda kupitisha mikakati hii, pia tungeletewa bajeti mbadala tuunganishe na hii nyingine tumepitisha leo; siku kama ya kesho tuweze kupitisha halafu tuweze kupata pesa kwasababu bajeti tuliyo ipitisha juzi hatukuweka pesa ya aina hii kwasababu hatukujua kuna mashimo ya kupitia kama haya tumeyaona.

Bw. Spika, ninapounga mkono hili swala, ningeliomba, mambo ambayo yana tuhusu sisi kama wabunge na yanakuja kwa bunge yetu sijui ni nani angelikuwa akiyapinga maana hakuna uwezo mtu yeyote ama mheshimiwa yeyote kupinga kwasababu yana tuhusu na yanaguza maisha yetu vile yanavyo guza maisha ya wafanyikazi ambao wanafanya kazi mpaka hata hapa kwa bunge.

Bw. Spika, mimi ninaunga mkono na ningelisema hivi; kama kuna uwezekano, mwenyekiti wa bajeti aunde bajeti mbadala, ailete hapa haraka iwezekanavyo tuiptishe. Hata wewe cheo chako Bw. Spika kiko juu, itakuwa ni zaidi ya yale ambayo yako hapa chini mahali tuliko na wewe pia utafaidika, Bw. Spika na kuna faida kubwa kwa sababu unapewa miaka ishirini; miaka ishirini kulipa. Kesho haijulikani Bw. Spika; kesho haijulikani na hatuwezi tukasema sasa mwaka wa kuchaguana ukifika, sisi sote tutachaguliwa tena. Hakuna aliye na uhakika lakini kuna uhakika mmoja Bw. Spika; kwamba mimi nikipewa hii milioni kumi na tano ambayo imeandikwa na Sarah Serem, nitapewa miaka ishirini kulipa. Hata kama nitafungua biashara ya kuuza nyama, nitakuwa na uwezo wa kulipa.

Bw. Spika, miaka ishirinini, kiwango cha miaka kumi bwana kama ni pesa kidogo ambayo nitakuwa nikilipa, mheshimiwa anaweza kujipanga, Bw. Spika. Kwa hivyo ningeliomba waheshimiwa, tunapo pitisha hii Bw. mwenyekiti, tuweke pale kwamba tuletewe bajeti mbadala

haraka iwezekanavyo tupitische pia tuweze kufikia haya. Mimi ninasimama kuunga mkono. Asante sana.

Hon. Speaker: Thank you. I think Hon. Members we should all agree that we are deviating to an agenda that is not for today and the only way forward is to move with speed. I am sure the chair has heard what members are saying; withdraw and come up with a report that we can quickly debate then we can examine ourselves and see where we are. For the matter that is beforehand, I think there is consensus on approval. Let us hear that one point and then we hear the chairman.

Hon. Ndeto: I am going to make a point about the scope and eligibility of this scheme. The Sarah Serem circular which I am holding states, ‘the scope of the car loan and mortgage scheme shall include all state officers and other public officers who are currently not enjoying these benefits and who are employed on permanent and pensionable basis for public servants and for state officers who are either on full time or on part time basis.’

My concern and request if possible, is that we amend the scheme and also include other cadres of employees who are not included because according to this regulation, it is very clear the beneficiary of the scheme are: the Governor, Deputy Governor, members of the County Executive Committee, County Secretary, Chief Of Staff, County Attorney and Chief Officers. I am just proposing an amendment and also we add some other county government officials who are not included because it seems to exclude a few who also should---

Hon. Speaker: Let me take the point of order.

POINT OF ORDER

Hon. Kitheka: Mr. Speaker, for the purpose of continuity for this legislation which we have in hand, we either adopt it in whole or reject it in whole. I think there are no amendments.

Hon. Speaker: I agree; that is ordinarily the procedure.

Hon. Ndeto: That being the case, I request also the committee then to go back and also consider bringing another scheme for deliberation for the officers who have been left back. At the same time, members as we talk of the loan for the Hon. Members, it is also good to note it is very beneficial for us but we also sit down in a Kamukunji and discuss about it. I may not talk much about that but in a Kamukunji, I will come out about what I am talking about. Thank you.

Hon. Speaker: Let us hear the chairman, please. Chairman you will also need to tell us whether the Assembly is eligible to benefit from this one.

Hon. Nzioki: Thank you Mr. Speaker. First and foremost, Mr. Speaker, I would like to thank the members most sincerely for supporting this motion. Mr. Speaker, there is a saying in the Bible that says, 'we should love our neighbors as we love ourselves.'

(Applause)

The Executive side is our neighbor and our brothers and the same love should be extended to them because Mr. Speaker I wouldn't want to meet any of them outside after we have finished working here and then they cannot buy themselves food or tea. I would want to meet them when they can afford something. Mr. Speaker, I am saying this because this is a privilege that comes once; while we are here, we have a privilege and those privileges are limited in time.

We might be here for five years or ten years or for whatever years but after this, other people will come. So whatever there is now that is due to us, we should have it so that at least our welfare is improved. So Mr. Speaker, there is something I want to inform the member who has just spoken: what he has just read is the circular from Sarah Serem; he talked of the Governor, blah, blah, blah and the members are not mentioned. We are not mentioned so Mr. Speaker---

Hon. Speaker: Sorry debate has.... allow....

(Point of information raised)

Hon. Nzioki: Mr. Speaker, I think I am well informed. Please protect me.

(Laughter)

Hon. Speaker: Allow the chairperson to finish his address.

Hon. Nzioki: Thank you Mr. Speaker but at the same time, I had not finished. Something is mentioned underneath about the state officers; we are state officers. Mr. Speaker we need you to make a follow up with other groups and the Clerk so that that window, if there is any window, which is there, we can benefit. Mr. Speaker, I would want to meet you riding a higher vehicle than you are riding and maybe I riding a higher one than the one you have, so that our welfare is improved.

So members, I was saying that we cannot amend the Sarah Serem circular but we can follow up and maybe have it clarified and operationalized if possible. So members, thank you very much for passing this motion. I also thank the office of the Clerk for supporting the committee and I also thank most sincerely, the committee members of delegated legislation for sparing their time and going through this document. Thank you very much members.

Hon. Speaker: Thank you chairman and on the rules as they came from the Salaries and Regulation Commission, chairman, I don't know what is your interpretation of the part on scope

and eligibility. When I read it, maybe members we can go through it together, it states “all state and public officers who are currently not enjoying these benefits. I don’t know, if I pause at that point, where does that leave us Hon. Chair?”

Hon. Nzioki: Mr. Speaker, we are not enjoying that facility but Mr. Speaker if I can remember when I was in school last, sometimes we used to get questions; one question, many people will give different answers from one question. So Mr. Speaker, I think we need to get some clarification on this document so that we can do the right thing. Mr. Speaker I may not know everything about the scope or what is said---

Hon. Speaker: But you agree....

Hon. Nzioki: But Mr. Speaker, we need some clarification. I am not saying that...

(Loud consultations)

Members, members, listen....

Hon. Speaker: Order, order, Hon. Members.

Hon. Nzioki: Members I am not saying that we are left out. Members, remember I need that money more than you need it so I cannot say that we are not state officers. There is a window for us to get this money; I am only saying that we need to get some clarification. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. I think as the Hon. Chairman concludes, we will take it up and we will work hard and see the best that can be done. Having concluded the debate on this report, I therefore proceed to put the question.

(Question put and agreed to)

ADJOURNMENT

Hon. Speaker: That is the end of the day’s business. Hon. Members, let us meet tomorrow. Thank you.

The House rose at 4.18 p.m.