

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

**OFFICIAL REPORT**

**Wednesday, 1<sup>st</sup> March, 2017**

The House met at 2.34 p.m.

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

**PRAYERS**

**Hon. Speaker:** Good afternoon, Hon. Members.

**BILL**

*Second Reading*

MACHAKOS COUNTY SUPPLEMENTARY BILL No. 1, 2017

**Hon. Kasimu:** Thank you, Mr. Speaker, Sir. Pursuant to Standing Order 121 (1), I wish to move the motion that the Machakos County Supplementary Bill No. 1 of 2017, be now read for the second time. I call upon Hon. Sammy Nduva to second. Thank you, Mr. Speaker.

**Hon. Nduva:** Thank you, Mr. Speaker, Sir. I second the motion having gone through the document and Mr. Speaker, done the appropriate interrogations. Mr. Speaker, we have invited the CEC member for Finance and she has clarified all the areas that we felt needed clarification so that, Mr. Speaker, we can have enough information on the details of the document. Mr. Speaker, much of what is in the Supplementary Budget are pending bills and the bursaries.

It is well known to all Members that, most of the students are at home because of school fees. So, Mr. Speaker, you have seen it of importance that, supplementary budget is just re-allocation of monies from departments that have not been used and since there is a need for the bursaries and completion of stalled projects, we have agreed and with the entire committee on budget that we present the document and support it in this House. Mr. Speaker, I stand to second.

*(Applause)*

*(Question proposed)*

**Hon. Kasimu:** Thank you, Mr. Speaker. The Public Finance Management Act 2012, Section 135 in particular has given County Government authority to approve Supplementary Budget to cater for additional expenditure which over the time within a financial year may arise. Mr. Speaker, Sir, the Act in section 135 in particular states;

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1. A County government may spend money that has not been appropriated if the amount appropriated for any purpose under the County Appropriation Act is insufficient or a need has arisen for expenditure for a purpose for which no amount has been appropriated by the Act, or money has been withdrawn from the county government Emergency Fund.
2. A County government shall submit a supplementary budget in support of the additional expenditure for authority for spending under subsection (1).
3. In complying with subsection (2), a county government shall describe how the additional expenditure relates to the fiscal responsibility principles and financial objectives.
4. When the county assembly has approved spending under subsection (2), a Supplementary Appropriation Bill shall be introduced for the appropriation of the money spend.
5. In any financial year, the county government may not spend under this section more than ten percent of the amount appropriated by the county assembly for that year unless that county assembly has, in special circumstances, approve a higher expenditure.

Mr. Speaker, Sir, the Public Finance Management Act 2012 Section 154 (1) further stipulates that;

1. An accounting officer shall not authorize the transfer of an amount that is appropriated-
  - a) For transfer to another county government entity or person.
  - b) For capital expenditure except to defray other capital expenditure; or
  - c) For wages on non –wages expenditure.
2. An accounting officer for a county government entity may reallocate funds between programs, or between sub-votes, in the budget for a financial year, but only if-
  - a) Provisions made in the budget of program or sub- vote are available and are unlikely to be used.
  - b) A request for the reallocation has been made to the county treasury explaining the reasons for the reallocation and the County Treasury has approved the request; and;
  - c) The total of all reallocations made to or from a programme or sub- vote does not exceed ten percent of the total expenditure approved for that programme or Sub- vote for that year.
3. Regulations approved by the county assembly may prescribe requirements for the reallocation of funds within sub-votes or programs;

Mr. Speaker, Sir, the Machakos Supplementary Appropriation Bill 2017 mainly reallocates funds from both recurrent votes and development votes. The Executive Committee Member of Finance and Revenue intends to raise funds to cater for the additional recurrent and development expenditure that briefly includes the salaries for the healthy workers who are expected to be paid an additional salary of Ksh. 10,000 each.

Mr. Speaker, the supplementary budget intends to re-allocate funds to complete the stalled project that include the stalls construction of community hospitals, market sheds, early education development classes, tarmacking of small towns, install insulation of *Mulika Mwizis* (floodlights) in towns within the County. The supplementary will further re-allocate funds to pay pending bills and fund ongoing water and road projects.

Mr. Speaker, Sir, the supplementary budget re-allocation involved freezing 100 of all uncommitted funds in development and 75 per cent of absorbed recurrent funds.

## **Departmental Budgets**

### **Office of the Governor**

Mr. Speaker, Sir, the office of the Governor has been allocated Ksh. 565,631,493 in the approved budget and Ksh. 44,434,891 has been re-allocated to other department leaving Ksh. 521,196,602 as approved by the budget.

### **Public Service Labour and ICT**

Mr. Speaker, the approved budget was Kshs. 635,439,742 and the budget allocation has been increased by Kshs. 198,083,732 to Kshs. 833, 523,474 to cater for salaries.

### **Trade Economic Planning Industrialization and Energy**

Mr. Speaker Sir, the approved budget allocation was Ksh. 1,108,258,355 and has been reduced by Ksh. 562,909,232 to Ksh. 545,349,123. This is because; Ksh. 161 million has been transferred to the department of Education to cater for bursaries while the Ward Development Fund has been distributed to the other county departments.

### **Finance and Revenue Management**

Mr. Speaker, Sir, the department had a budget allocation of Ksh. 414,317,429 and the allocation has been reduced to Ksh. 11,791,651 after 75 per cent cut on the unspent funds leaving a total allocation of Ksh. 402,525,778.

### **Decentralized Units, County Administration, Water and Irrigation**

Mr. Speaker, Sir, the approved budget allocation was Ksh. 2,081,208,097 and has been reduced by Ksh. 9,741,634 to Ksh. 2,072,143,463 after 75 per cent cut on the unspent Funds.

### **Agriculture, Lands and Urban Development**

Mr. Speaker, the department had a budget allocation of Ksh. 577,646,966 and the allocation has been reduced by Ksh. 95,328,991 to Ksh. 482,317,975.

### **Transport Roads, Public Works and Housing**

Mr. Speaker, Sir, the approved budget allocation was Ksh. 825,617,276 and this has been increased by Ksh. 254,348,281 to Ksh. 1,079,965,557 to cater for major roads.

### **Health and Emergency Services**

Mr. Speaker, Sir, the department had a total budget of Ksh. 2,895,088,473 and this has been increased by Ksh. 200,133,890 to Ksh. 3,095,222,363 to cater for salary increment for health workers.

### **Education Youth and Social Welfare**

Mr. Speaker, the department had a budgetary allocation of Ksh. 249,947,309 and this has been increased by Ksh. 126,742,249 to Ksh. 376,689,559 to accommodate for the bursaries---

**Hon. Speaker:** Oder! Let me hear Hon. Muthuka.

**Hon. Muthuka:** Thank you, Mr. Speaker. It is a humble request that the Chairman for budget committee is supposed to use financial language because when he is talking about Ksh. 249 million then 947,309, seriously nobody will understand what he talking about. Please kindly. Thank you.

**Hon. Speaker:** Thank you. Proceed. Call them shillings.

*(Laughter)*

Or dollars

*(Laughter)*

**Hon. Kasimu:** Thank you, Mr. Speaker.

### **Sanitation and Solid Waste Management**

The department has a budgetary allocation of Ksh. 121,412,721 and it has been reduced by Ksh. 29,955,328 to Ksh. 91, 457,393 as a result of 75 per cent cut on uncommitted funds.

### **Tourism, Sports, Culture and Co-operative Development**

Mr. Speaker, Sir, the department had a budgetary allocation of Kshs.234, 721,867 and this has been reduced by Ksh. 6, 909,617 to Ksh. 227,812,250

### **County Public Service Board**

Mr. Speaker, the approved budget allocation was Ksh. 63,292,001 and this has been reduced by Ksh. 5,236,809 to Ksh. 58,055,192

### **County Assembly**

Mr. Speaker, the approved budget allocation was Ksh. 1,102,741,272 and this has been reduced by Ksh. 13,000,000 from the car loan and mortgage fund to Ksh. 1,089,741,272. Mr. Speaker, Sir, the total budget allocation of Ksh. 10,876,000,001 has not changed as this supplementary seeks to reallocate funds internally among the county departments.

Mr. Speaker, the committee recommends that an amount of Kshs. 74 million be reallocated from Car loans and Mortgages to pay pending bills on legal fees. Mr. Speaker, Sir, the committee recommends that this Ho. House approves the Machakos Supplementary budget for 2016/2017 financial year.

Mr. Speaker, Sir, the Budget and Appropriation committee is grateful to the office of the Speaker and that of the Clerk and the County Assembly of Machakos 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, it is therefore my pleasant duty and privilege, on behalf of the budget and appropriation committee Members to table this report on the Machakos County Supplementary budget 2016/2017 to this Hon. House for consideration. Thank you, Mr. Speaker, Sir.

(Applause)

**Hon. Speaker:** Thank you. I now open debate on the report for contributions. Yes, Hon. Itumo.

**Hon. Itumo:** Thank you, Mr. Speaker for allowing me to participate. In the first place, I stand to support this supplementary budget. Mr. Speaker, you realize that it is the passing of this supplementary budget that actually will allow the stalled projects to be accomplished. Mr. Speaker, by not passing this supplementary budget, actually is equivalent to kill all the stalled projects.

Mr. Speaker, as an elected Member, I represent my people through development and if developments is not done completely, Mr. Speaker, then I think I am not a good leader. Mr. Speaker, I stand here to support this supplementary budget and I urge all my fellow Members to do so with one heart. Thank you so much, Mr. Speaker, and I believe each and every Member of us actually will have a positive heart towards this supplementary budget.

**Hon. Speaker:** Yes, Hon. Rachel.

**Hon. (Ms.) R. Nduku:** Thank you, Mr. Speaker and also I applaud the committee for this supplementary budget but I want to raise a concern Mr. Speaker, where the Chairman has said, on page 3, on the supplementary budget overview, the Chairman has said that the supplementary budget intends to re-allocate funds to complete the stalled projects that include the stalled construction of community hospitals, market sheds, early education development classes, tarmacking of small towns and stall installations of *mulika mwizis* in towns within the County.

When I compare that paragraph with page 4, where the same chairman has come and told us that on health and emergency services, the department had a total of Ksh. 2.8 billion and this has been increased by Ksh. 200 million to be Ksh. 3 billion, to cater for salary increment for health workers, Mr. Speaker.

When I compare the two paragraphs, there is nowhere I can see the stalled community hospitals because the increment is to pay the health workers yet on page 3, the Chairman has told us that the re-allocation of monies will be to complete the stalled projects.

Again, Mr. Speaker, I wish to raise concern to the Chairman of the committee. It is good for us to know because when you talk of stalled projects and we do not know where the projects are. We do not know how much it is needed for certain projects and I am not happy because in my ward, Mlolongo/Syokimau, I have been presenting statements here in this House of my stalled projects and I am not happy because in this general stories in this supplementary budget, I would be happy if I see Mlolongo/Syokimau health centre requires such amount of money so that when we add up the whole amount, we will get why the increment is here.

So, I would wish the Chairman to explain to me how the increment is going to pay the health workers and yet he is also talking of stalled health facilities. Thank you, Mr. Speaker.

**Hon. Speaker:** Chairman, you have heard what is required? Are you in a position to answer that now or do we proceed with the debate?

**Hon. Kasimu:** Let us proceed.

**Hon. Speaker:** Let us hear Hon. Kitheka.

**Hon. Kitheka:** Thank you, Mr. Speaker and the House at large. I am perturbed with the kind of decision which we may arrive at this document because in most cases what will pass in this House gets another way as it goes to implementation. Mr. Speaker, I wish to comment on some issues.

First, on page 3 on stalled projects; I wish to inform you that all the way from 2013 to this financial year, we have been budgeting for these projects which have been earmarked in this programme. Mr. Speaker, I wish to know where the money we have been allocating to these projects is because there is no way we can give money to a project the money is utilized, then we come and sit down again, we appropriate the same amount to the same project then we sit home and dry and say we are doing any kind of business.

Mr. Speaker, I foresee that we have a problem here in the issue of the projects, ECDE classrooms, tarmacking and *Mulika Mwizi* in our wards.

Mr. Speaker, I wish also to point out the issue of public service and labor and ICT. There is an increment of what has been budgeted. I would also wish to know what has necessitated the increment because we have budgeted for every employee of this county and if there is any change, it has to come through an increment which has to be annual and which has to be budgeted for.

So, Mr. Speaker, I also wish to know why there is a supplementary when we are addressing the issue of recurrent expenditure in terms of the salaries for this people. Mr. Speaker, the best part of it is that, the department of trade, economic planning and industrialization, there is the issue of the bursaries which has been addressed and it is being addressed from the vote which we passed in this House for the bursaries which is in the Ward Development Fund.

Mr. Speaker, I think this is the high time now, we the elected members and nominated, who may benefit from the bursaries in one way or another by getting from the elected members, bursaries for their people, we should get the entire amount of funds of the bursaries which are remaining, if that is the case.

Some of us members have been punished and we did indicate in the allocation, last time, when we were discriminated and we wish these bursaries be given in an equitable manner so that we can feel we are in this county in the same capacity as the others.

So, Mr. Speaker, to go back to the drawing board, a larger amount of bursary should be allocated if we wish the people of Machakos to benefit from this issue.

On the issue of decentralized units, county administration water and irrigation; as a member of the decentralized units committee where we have the able chairman with me here, there is a time during last session, where the Chief Officer for the department of decentralized units was in our committee and we tried to inquire from him what budget he had for the decentralized units and he told us he didn't have any budget for this financial year.

Now that we are seeing there is an allocation of about Ksh. 2 billion which is either being increased or decreased. Mr. Speaker, it seems there is some kind of water passing under the bridge because we did not get the information when we tried to inquire the kind of projects which are carried in the decentralized units, we were told that there are no projects.

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So, Mr. Speaker, these are issues which can be highlighted by the budget committee so that by the end of the day, the members who are here can be informed of what is going on within the county.

We have a lot to address from this document and on the issue of sanitation and solid waste, in Machakos town, if you start addressing the issue of solid waste and garbage management, it will not give me a way to comment for the removal of funds from that department, because there is a lot of garbage in the streets. When we address it we are told that there is no transport, there are no garbage collecting implements. Does it make sense now we move funds from that department to another while that same department is impoverished of the funds? So, Mr. Speaker, on the issue of sanitation and solid waste management where there is removal of funds, I see it as a very queer decision to make.

Mr. Speaker, to finish my statement, there is the issue on page 3 on the workers who expect to be paid an additional salary of Ksh. 10,000, Mr. Speaker, if you get the salary scales of these people and you address the issue of increment it doesn't come to Ksh. 10,000 unless we are doing an aggregate of the entire department; that would make sense. But even with that kind of sense which is being made by making an aggregate there is a problem within the workers of Machakos County.

The old employees of Municipal Council of Machakos had passed a Collective Bargaining Agreement and they were on the streets this February trying to address the issue of CBA which was passed and we came to this House and we passed a supplementary for these people to be paid and everybody was happy that the workers will be settled only to realize this year, they were not paid and they were on the streets.

Mr. Speaker, I wish the chairman budget was addressing the issue of the CBA and we would be very happy because if these workers failed to get their money, it is not only that this government is losing the ground but we are also being inhumane because if there is an agreement which was signed and is in place and it is honored, Mr. Speaker, there is a problem.

Mr. Speaker, I congratulate the mover of the motion but we need to get solid information of what we are addressing. Thank you, Mr. Speaker.

**Hon. Speaker:** Hon. Kathinzi.

**Hon. Kathinzi:** Thank you, Mr. Speaker. I would like to start by applauding the chairman of budget committee for this timely budget to make sure that the government is well facilitated from the legislative arm of the government to ensure there are no hitches of law when the Governor is trying to implement what is due for our people.

Nevertheless, Mr. Speaker I would like to handle only three issues starting with page 3. Once upon a time in this assembly, I said once bitten twice shy. Under the department of trade, economic planning, industrialization and energy, you find that sub-title indicating that 'the approved budget allocation was Ksh. 1,109,258,355 and has been reduced by Ksh. 562,909,232 to 545,349,123.

The chairman and his committee continue and say, 'this is because Ksh. 161 million has been transferred to the department of education to cater for the bursaries while the Ward

Development Fund has been distributed to other departments. My key note there is while the Ward Development Fund has been distributed to other County departments.

This is the second time in running years when we have been short-changed as elected Members of this Assembly. The Executive arm of Government has not been able to facilitate us in this particular scenario but I am happy because the term is over. There is not time to do this particular duty.

That is my key note number one and number two is when you go to page 4, under the transport, roads, public works and housing, you find we had allocated Ksh. 825 million and some thousands there to do the road works and this has been increased by Ksh. 254,348,281 to over Ksh. 1 billion to cater for major roads. Underline the words major roads', Mr. Speaker and go to the annex report, you go under the category of roads, and you find there the only major road which has been identified there is only major road is Masinga road which has been given Ksh. 110 million.

So, putting like terms together, Mr. Speaker, from Ksh. 254 million, you find there is a whooping whole of Ksh. 145 million which is not indicated in this document. Where is this money been taken to?

My key note number 3, Mr. Speaker is on page 5, under recommendations, which says, Mr. Speaker, 'the committee recommends that the amount of Ksh. 74 million be re-allocated from car loan and mortgage to pay pending bills on legal fees. It is not detailed. What kind of legal fee is being paid by the Ksh. 74 million and it is pathetic to realize that we can be able to have a vote for over Ksh. 74 million in Machakos County Government to pay legal fees which is not well stipulated.

I am going to support this document because of the benefit of doubt and because the term is over. I am going to say we support it, the executive to continue using money the way they wish because this House is toothless. I rest my case Mr. Speaker. Thank you.

**Hon. Speaker:** Let us hear Hon. Muthuka.

**Hon. Muthuka:** Thank you, Mr. Speaker and the rest of the House. Mr. Speaker, I want to applaud the committee especially the Chairman for a job well-done. Mr. Speaker, if you go to the preface of this report and particularly page 2, number 5, whereby in any financial year the County Government may not spend, under this session, more than 10 per cent of the amount appropriated for the County Assembly for that year unless the County Assembly has, in special circumstances, approved the higher percentage.

Mr. Speaker, my expectation was that, the Chairman of the budget committee would take us through to what percentage are we appropriating? Are we within the 10 per cent or we now appropriating higher because now we are in special circumstances? But, Mr. Speaker, we may not be able to understand them.

Mr. Speaker, if you look also at page 3, whereby the supplementary budget intends to re-allocate funds to complete the stalled projects that include the stalled construction of community hospitals, market sheds, Early Childhood Development Education (ECDE) classes, tarmacking of small towns and installed installations of *mulika mwizi* in towns within the County. The supplementary budget would further re-allocate funds to pay pending bills and fund ongoing water and road projects.

Mr. Speaker, this House, has never received Debt Management Strategy Paper since inception. I also want to pose this to the Chairman of budget, we want to know, how much is the



pending bills for the County and again ongoing water projects? If you look at the kind of work that the Chairman has tabled in this House, you will be amazed on whether we have just joined this Assembly or we are winding up our term in this Assembly after four years.

Look at the annexure. I bet if any other Hon. Member here, can understand what this annexure is all about and particularly, I will go to the water department and unfortunately going through my annexure, there is no water department. So now my question is, if these are not stories, how much are you re-allocating to the ongoing water projects?

Then, Mr. Speaker, I do not know who I will call myself. Suddenly in this Hon. House we support supplementary budget whereas we do not have progressive reports on how the departments have been performing and the activities or projects which have been funded within this financial year that we purport to now reallocate some funds to.

Particularly, Mr. Speaker, this financial year, Ndalani ward residents, a full ward has never benefited from anything starting from the chicks that are normally distributed or they are normally picked from the department every Friday. They have never seen the light in Ndalani. So, Mr. Speaker, I would request, it can be my wish that this Hon. House be furnished with a well-organized and explanatory report so that we can understand where we are standing.

What is our standing? What has been funded? How much do we need if for the hospitals, which hospitals are due to be completed within this financial year? How much do they want? How much do we allocate money for those hospitals? For ECDEs, I want to know in this financial year which ward has benefited from any ECDE class constructed within this financial year so that we can talk about now we want to reallocate more funds to complete some of them.

So, Mr. Speaker, from my side, I know maybe my vote is one but categorically, I would say that if furnished with a better report that I can understand and I can explain to my people, I would stand and support but less of that, Mr. Speaker, with all my consciousness and this should go to the records, I will not stand here to support a report that nobody can understand and that is why I stood on a point of order because even the chairman could not articulate the figures he was talking about. It is as if he was just given a story book just to read for the listeners, Mr. Speaker.

Finally, Mr. Speaker, this is for the records. If you go to the Standing Order 151 (5) (d) is about House Business Committee that determines the order in which reports of committees shall be debated in the House, and (e) they take decisions and issue directives and guidelines to prioritize or postpone any business of the House acting with the concurrence of the Leader of the Majority party or the Leader of the Minority party, as the case maybe.

Mr. Speaker, with me here I have the statement that was issued by the Majority Leader who is right in this House and Mr. Speaker, we approved business for this week and today we were expecting to have the report of Budget and Appropriation committee on County Fiscal Strategy Paper 2017/2018 and in the afternoon we were ready to debate the report we debated in the morning that is the report on decentralized units and urban areas committee on a petition by Syokimau Residents Association and Syokimau master plan.

Tomorrow we were set for the Supplementary Appropriation Bill of the supplementary thinking that after yesterday's commitment of the first reading, we would have been given some material to go through so that we can have a quality debate in this House but that has been changed. Today, we have the supplementary budget and then tomorrow, I can see we will only have a report on committee and also the motion on adjournment.

Mr. Speaker, some of us feel wasted and if this Hon. House cannot follow the procedures which are laid, we need some guidelines so that, maybe in future, we will not put our efforts in planning for the House whereas after that, there are some other meetings which maybe change

the business of the House and again with that view, Mr. Speaker, it leaves a lot of suspicion why did the business of this week change and again why did we have such a shoddy report on the supplementary budget. I rest my case. Thank you.

**Hon. Maitha:** Point of information, Mr. Speaker.

**Hon. Speaker:** Yes, Hon. Maitha.

**Hon. Maitha:** Mr. Speaker, I would inform Hon. Muthuka, unless I am not properly informed, money bills as properly articulated in the Standing Orders, do not need the approval of the House Business Committee. Unless I am not guided, Mr. Speaker, but what I know is that money bills, in most cases, when you read the Standing Orders, money bills do not need the approval of the House Business Committee. Thank you, Mr. Speaker.

**Hon. Speaker:** In any event, on the matter for today's debate, permission was sought from the Chair in view of the nature of the business but on the other matters raised, the Chairman kindly note to respond. Let us proceed with debate. Yeas Hon. Ngunzi.

**Hon. Ngunzi:** Thank you, Mr. Speaker. It is unfortunate, Mr. Speaker, that in the House I have been born and brought up in an area that is so hunger-stricken and Mr. Speaker, I had expected whoever was doing the supplementary re-allocation to have thought of the hunger situation that is currently facing the people of Machakos County.

*(Applause)*

People are dying, people are going without food, children are suffering, mothers are not able to breast feed because breast feeding and I had expected, somebody would have thought of re-allocating some money to relief food to wananchi. So, Mr. Speaker, without that element being considered here, as a man from a hunger-prone zone, I would not support this paper.

*(Applause)*

Mr. Speaker, again I would want to look at this document as being very general, it looks like a storybook and not a financial document. Mr. Speaker, when we look at the department of education on page 3, Ksh. 161 million is being moved from department of trade to cater for bursaries and again if you look at the department of education, it is indicated there another Ksh. 126 million is being put a side for bursaries. How much are we giving for bursaries this year? That is Ksh. 126 million for bursaries and another Ksh. 161 million. Unless Mr. Chairman for budget, and I stand guided, Mr. Speaker, I cannot comprehend the figures.

Mr. Speaker, again some money is from Ward Development kitty is being moved to other departments. I thought Mr. Speaker, we would hear the chairman of budget committee tell us that out of a total Ksh. 800 million, Ksh. 200 million was put in this department, Ksh. 150 million there and like so. We cannot have these generalities, Mr. Speaker.

**Hon. Speaker:** Let us have the point of information.

**Majority Leader (Hon. Mwonga):** Mr. Speaker, I want to inform the Hon. Member that on page 4 under education, youth and social welfare, the department had an allocation of Ksh. 249, 947,309 and this has been increased by Ksh. 126,742,249 to Ksh. 376,689,599 to accommodate for bursaries. It is the Ksh. 161 million which has been moved from the department of trade to the department of education. That is why we are talking of an increment. Thank you, Mr. Speaker.

**Hon. Speaker:** I will urge Hon. Ngunzi to proceed.

**Hon. Ngunzi:** Mr. Speaker, unless Mr. Majority Leader is teaching me while I am a teacher, if you move Ksh. 161 million when it gets to the department of education it reduces to Ksh. 126 million. How is this mathematics, Mr. Speaker? So, I am saying we need not generalities, Mr. Speaker, we need figures. How much was set aside for Ward Development Fund and how much has been moved to where?

So, that, as elected members, we can follow up the money there. Where do we get the money now that it has been moved all over? Where?

*(Applause)*

Mr. Speaker, this is a document that is very general and should not be tabled into this House as a financial document but a story book. Mr. Speaker, I do not support this document. Thank you.

**Hon. Speaker:** Yes Hon. Mutuku.

**Hon. M. Mutuku:** Thank you, Mr. Speaker, Sir, for granting me the opportunity. Mr. Speaker, Sir, in view of the supplementary budget, I would like, first to applaud the chairman for the report and Mr. Speaker, Sir, I would like also to pinpoint some issues here in line with the report. Mr. Speaker, Sir, as much as we are reallocating the money internally, we had agreed we need a program-based budget but not the budget we are seeing because if you read the mood of the House, Mr. Speaker, we were expecting to have a program-based budget whereby we are in a position to know if the money was moved from a particular department to another, it is moved to do what. For what particular purpose. If it is for the ECDE we know specifically it is for the ECDE.

Mr. Speaker, I would also like to echo one of the member because in my ward, since beginning of this financial year, it has not received any development fund. In other words, Athi River ward the life line of Machakos County it has not received any development project up to then. Even the ECDEs, the community health centres, infrastructure is actually a stalled project. So, when we say now we are moving money for the stalled projects, Mr. Speaker, we are not specific.

Mr. Speaker, we the Hon. Members know one of our duties is to pass the budget, Mr. Speaker, it will not be in order to pass this supplementary budget blindly without knowing specifically where the money is going. With those few remarks Mr. Speaker, I wish to rest my case. Thank you.

*(Applause)*

**Hon. Speaker:** Let us hear Hon. Manyolo.

**Hon. Manyolo:** Thank you, Mr. Speaker, Sir. On this report, we have so many irregularities and things which are not well understood. If you go to the annex, you find that the department of trade, we have additional annex. Energy addition of electrical, energy addition *mulika mwizi* and in Matuu, I do not have even one *mulika mwizi*. Addition for what, Mr. Speaker, Sir? If you go to agriculture department on purchase of seeds is additional; adding what and yet the previous ones have never been seen anywhere?

Why are we adding and yet in the previous budgets we have been budgeting for all these things? Mr. Speaker, Sir, if you go to the roads, you find Ksh. 13 million re-allocation from the assembly to housing; for what, Mr. Speaker, Sir? We need clear information, touching evidence of every item. Mr. Speaker, Sir, all the budgets we have been passing have never been implemented from 2013. We have supplementary budgets which have been passed here for ECDE classes, I was the chairman for education committee and nothing has been done even to my ward, no class which has been built. Mr. Speaker, Sir, all these additions are for what?

*(Applause)*

On the roads department, we also have purchase of motor vehicles; pending bills. Purchase of motor vehicles; pending bills! Which bills are these, Mr. Speaker? We are still worried and Mr. Speaker, Sir, because you are wise, can you help us we throw this thing through the window, Mr. Speaker, Sir, because it has no impact to us. If the previous budgets have not been implemented why will this one be implemented? Thank you Mr. Speaker, Sir. I sit not supporting.

**Hon. Speaker:** Chairman, I think there are several issues maybe you can respond to so that we can have the debate back in the perspective.

**Hon. Kasimu:** Thank you, Mr. Speaker. I wish to stand and respond to several issues that have been raised. Hon. Rachel has raised the issue of increment in the health and she seeks to know and I have said I have attached at the back page of the report and I would request that Hon. Rachel go through before I come to that. One Hon. Muthuka has said that there are---

*(Laughter)*

**Hon. Speaker:** Proceed.

**Hon. Kasimu:** I would like to highlight on what Hon. Kathinzi has said about the legal fees of Ksh. 74 million and we were proposing because we are getting the Ksh. 74 million from car loans and mortgages and the executive they have seen that the term is almost over they cannot get the car loans and mortgages that is why we propose we move that money to the legal fees to clear the bills that is there.

Hon. Kathinzi has highlighted that the Ward Development Fund has been distributed to other departments he has also elaborated that we could not absorb the fund in the remaining time of our term and that is why we felt we distribute also to the other departments.

Mr. Speaker, Sir, about Hon. Ngunzi of Kibauni ward highlighting the issue of the hunger stricken areas Mr. Speaker, Sir, I understand that we are working together with the National government concerning the issue of hunger, we are working together with the national government to see that the areas affected would be---

*(Loud consultations)*

**Hon. Speaker:** Order! Allow the responses. Proceed.

**Hon. Kasimu:** Mr. Speaker, Sir, I think the supplementary budget is in black and white and members, after going through some of the issues arising, especially on page number 3 where the members feel that supplementary budget that intends to re-allocate funds to complete the stalled projects that include the construction of community hospitals, market sheds, education, ECDE classes and *mulika mwizis*, Mr. Speaker, Sir, that is the position of the government that the supplementary budget will take care of the stalled projects---

**Hon. Speaker:** Allow the chairman to finalize the process.

**Hon. Kasimu:** Mr. Speaker, Sir, when a member rises to says that he does not have a project in his area or he does not have any project that the government has undertaken, Mr. Speaker, Sir, I wish the member brings that as a motion to this House to see how his area can be assisted in this financial year because we have set aside money for the projects that are ongoing and those that are stalled. Mr. Speaker, Sir, I seek to answer to that position.

**Hon. Speaker:** Now, Hon. Muthuka talked about water, he said that you have not addressed.

**Hon. Kasimu:** Sorry, Mr. Speaker, Sir. The issue of water is under decentralized units. Under the department of decentralized units that is the truth let us go to the page---

*(Loud consultations)*

**Hon. Speaker:** Order, Hon. Members! Which page? Take us there we see.

**Hon. Kasimu:** Annex under decentralized units. DU.

**Hon. Speaker:** That is what is DU.

**Hon. Kasimu:** Yes. Items from water department, you will see. That is why I am saying it is under that department. He asked if he does not see water in this budget but we have set aside money under decentralized units. Thank you.

**Hon. Speaker:** Let me hear Hon. Muinde.

**Hon. Muinde:** Thank you, Mr. Speaker. I want to point out that the issues raised by members are weighty and the spirit should be to find a way in which we can pass a supplementary budget that fits very well with the fiscal responsibility principals.

So, Mr. Speaker, however much we may have only one day before the short recess, I would request that you find a way because we are also waiting for 10 days after we are back might also be tricky because the government must also operate but in ensuring that the government operates, we should also not sit as a House and just rubber stamp a document that glaring issues.

So, I would urge the chairman of the committee you are in your position you find a compromise in which the issues raised can be addressed so that we have a fine document that can come to the House. Members are not rejecting the budget but we need to find the issues raised being addressed in a manner that we are also seeing to be a House of order, a House that is made up of people with brains.

So, Mr. Speaker, you may have to use your discretion to find a way even if you have to shorten our short holiday to ensure we are here after having addressed the issues. If need be then, we may have to come back again after our short recess because there are many issues that have been raised and they need to ironed out. Thank you, Mr. Speaker.

**Hon. Speaker:** Yes let me hear Hon. Nzoka.

**Hon. Nzoka:** Thank you, Mr. Speaker, Sir. I do say thanks to the former chairman of budget committee because the document before you is even shameful to this House and we cannot be used as a stamp to just to stamp things and go. We have witnessed a lot of budgets that we have passed and I do say as they are saying in Kikamba that ‘a white man plants flowers when he is flying tomorrow.’ So, we cannot drive this county to the ocean because we are going.

*(Applause)*

We need to sit and see how we can.....like now the question of bursary is just put here because we are crying for bursaries. It is just a scapegoat which is used here.

*(Laughter)*

We have set money for bursaries it has not been given to us. The students have not benefited. So, do you mean this one is the one that will benefit the students now? This is gimmick. So, what I can say is we need something fully itemized. You can see where we talk of roads they are saying Masinga road, the others are access roads; which access roads? We have one that is named what about the rest? Like my area, the road which I gave Ksh. 20 million is not there and is nothing which has been done. Do you mean it is in the access roads now?

How can I explain this document to the community down there? So, what I is this should be thrown out immediately because this is just joking with the people of Machakos County. We are here to represent I am representing a ward of more than 40,000 people. So, if I am passing something like this, in fact, I am hanging them. I should not be elected so we have to sit and see we are here for the full county.

We are not here to benefit one person and take all the money to wherever he is going. We are annoyed and we are ashamed of what we have done here. What I can say is let it be taken back then it has to be itemized well. Thank you, Mr. Speaker, Sir.

**Hon. Speaker:** Let me hear the chairman of finance committee.

**Hon. Nzeki:** Thank you, Mr. Speaker. I have one item in page 3, the budget chairman---

**Hon. Speaker:** And maybe before that Hon. Chairman, we wanted to address the matter that has been raised by Hon. Muinde and the other members. Let us talk about it maybe and let me hear the government's position on this. Yes Majority Leader.

**Majority Leader (Hon. Mwonga):** Thank you, Mr. Speaker. I do not know why the members are happy when you say that I respond to this. Mr. Speaker, I have listened to member's contributions keenly and Mr. Speaker, I have heard what the member for Ekalakala has said. Mr. Speaker, to this, instead of throwing this document through the window members, I want to beseech you we have a consensus because we have some issues here which we should look at and first, I would urge the members let us forget the past and look into the future. Mr. Speaker, there are three issues which had been raised---

*(Loud consultations)*

**Hon. Speaker:** Order!

**Majority Leader (Hon. Mwonga):** The issues raised by Hon. Itumo. Mr. Speaker, these are the same issues I would have supported this supplementary with; that is completion of stalled projects. Mr. Speaker, the issue of stalled projects is almost in each and every ward, in the 40 wards, Mr. Speaker, touching on community hospitals, market sheds. The other issue is issuance of bursaries. I have keenly listened to the member for Matungulu North. Mr. Speaker, it is true as a House, we passed a motion so that each ward can get Ksh. 4 million which was giving us a total of Ksh. 161 million with Ksh. 1million being for administrative purposes, Mr. Speaker

Now why these members or our beneficiaries have not received bursaries is due to the Controller of Budget who categorically said you cannot appropriate monies through a motion Mr. Speaker. So, these monies of bursaries should be in this supplementary budget. It is upon this House to say we are giving bursaries or we are not giving bursaries.

The other thing, Mr. Speaker, it is payment of health workers. Right now Mr. Speaker, and members are aware about two or three weeks ago our nurses were on the streets. It is not precisely increment of their salaries but allowances, Mr. Speaker. So, members what I would wish to say is instead of throwing this document, why can't we have a consensus, why can't we, even if we are going to give the budget committee sometime up to tomorrow in the afternoon, they sit again with the CECM finance and they bring another document which these members are asking.

Otherwise, there will be no point of throwing this document and having it come after six months which will be detrimental to issuing of bursaries and finishing of stalled projects. Thank you, Mr. Speaker.

*(Applause)*

**Hon. Speaker:** So, basically what are you requesting?

**Majority Leader (Hon. Mwonga):** Mr. Speaker, I am requesting that we have enough time for members to have consensus. First, we can have the budget committee sitting again and itemize the supplementary budget as the members are requesting.

**Hon. Muinde:** Thank you, Mr. Speaker, for giving me another chance. In one way, I agree with the Majority Leader but on other side, I want to say a document of this size, a supplementary budget is not a simple paper. It needs to be re-aligned, a lot of mathematics must be done and a day is not enough. We maybe in a hurry and we may get it wrong or we may come back again here in the afternoon tomorrow and we find ourselves in the same situation.

I do not think, without undermining the capacity of the committee, but a day is extremely too short for them to do a good job. So, we may have to find a way because it is true if we throw away this document, this county may come to a standstill. We may not have to wait for another six months.

So, the best way, in my own view, is to give the committee more time but more time is definitely not a day or two. We need to give them more time and also give Hon. Members time so that their input can be heard. In fact, some of the points that have been raised are very good for the committee so that they incorporate in the document so that the document they bring in this house can pass in record time.

We are not going anywhere. This county belongs to us even when we are not in this assembly. So, it is our duty when we are here that we make sure that what comes in here is for the benefit of the people of Machakos because Machakos County is an ongoing concern and it is not going to end with the end of our contract period here.

So, Mr. Speaker, I call upon you so that you can give the budget committee enough time and also enough time to the members of the assembly so that their contributions can be heard by the members of the committee and by that time, we shall have a good supplementary budget that will be good for all of us. Thank you, Mr. Speaker.

*(Applause)*

**Hon. (Ms.) Mueni:** Thank you, Mr. Speaker, Sir. Mine is to ask the report to be referred to committee because as the former budget committee chairman has said, this county is ours and there outside, it is very hot for these members.

*(Applause)*

If they pass this report when it is like this, it is also not good because we have minds, they are not blind and they can see what is wrong and what is right. So, you give the committee time, with your wisdom. They go and come on Monday or Tuesday and the give us a good report that can be read by people with brains. Thank you, Mr. Speaker, Sir.

*(Laughter)*



**Hon. Speaker:** Chairman of budget committee, let me hear you. Do you need time or you want to proceed and prosecute your report?

**Hon. Kasimu:** Thank you, Mr. Speaker. I want to appreciate every contribution that has been presented to this House today. I want every member to know that we respect your contribution and that we treasure every contribution that has been deliberated here. I appreciate you as a Chair and as a committee we take it positively.

I want to support what the Hon. Member for Ekalakala, the former chairman has suggested and what the Majority Leader has also suggested and what most of us are saying that we go back and come with an elaborate report on budget and appropriation supplementary.

*(Applause)*

So, Mr. Speaker, I would agree with them and seek more time, from your wisdom, to come up with a detailed and itemized supplementary budget. Thank you, Mr. Speaker.

**Hon. Speaker:** Are you likely to be ready by the coming Tuesday so that the appropriate arrangements can be made?

**Hon. Kasimu:** Yes, Mr. Speaker.

**Hon. Speaker:** Hon. Members then... Yes, let me take the point of information.

**Hon. Maitha:** Mr. Speaker, next Tuesday we will have traveled to Naivasha unless a gazette notice is given for a special sitting, Mr. Speaker. Why can't the chairman promise to dispense the same between today and tomorrow or Friday and give us that information, Mr. Speaker? Because next week we will not be around, Mr. Speaker, unless he wants to do something that is not possible.

**Hon. Speaker:** Order! Let me hear some guidance from the---

**Majority Leader (Hon. Mwonga):** Mr. Speaker, it is true we are starting our recess tomorrow and we can have a special meeting next week and members, let us look at the importance of this supplementary budget. So, I am proposing that, although I can hear some members saying there will be a devolution conference somewhere maybe next week, Mr. Speaker, it is less than 10 members who will make it to that conference.

So, as long as the House has quorum and we have an elaborate document as members are saying, even those who have opposed the document now they are not saying that they will not support the document. It is only that they need some input and an elaborate detailed supplementary budget.

So, Mr. Speaker, we can give the committee tomorrow, Friday, Saturday, Sunday they compile the report on Monday and on Tuesday we have a special meeting in the afternoon. So, before the end of that week, our children can get these bursaries and we have stalled projects starting, Mr. Speaker, and for the information of these members, Mr. Speaker, from where I stand, I know last week that His Excellency the Governor made a few changes in the

departments and on Friday he formed committee to oversee the completion of the stalled projects.

So, let us not hold the executive at bay because of not passing this document. So, Mr. Speaker, I propose we have that we have a special sitting next week, Tuesday. Thank you, Sir.

**Hon. Speaker:** Let me hear the chairman of finance committee.

**Hon. Nzeki:** Thank you, I agree with the Majority Leader, that we come on Tuesday but because it is a sensitive issue, I am asking the wisdom of the Speaker, for the budget committee to burn the midnight oil tomorrow, Friday and Saturday by Monday we come and discuss the document. Because if I happen to see page 3, a department is given Ksh. 1 billion and it is tied. It cannot even spend half of it. Why should it be given such an amount? Page 3 that is economic, planning and industrialization and energy. So---

*(Loud consultations)*

**Hon. Speaker:** Order, Hon. Members!

**Hon. Nzeki:** So, Hon. Speaker, let the committee of budget sit down from tomorrow until Sunday then on Monday we come and sit here. Those who are going to devolution conference can go on Tuesday morning. Thank you.

**Hon. Speaker:** Hon. Members, I think we now the Speaker will issue directions so that further deliberations will be done on Tuesday, afternoon. Appropriate arrangements will be made to enable a sitting and directions will be issued on the calendar that has been laid on the Table.

Further, that the directions of today is to proceed with the provisions of Standing Order 121 of the Standing Orders that read that 'no amendment maybe moved to the question that the bill be now read a second time.' Then Hon. Members I have heard that the chairman convenes, with speed and that the debate will further continue on Tuesday. Proceed.

## ADJOURNMENT

**Hon. Speaker:** Then the House adjourns

The House rose at 4.00 p.m.