

REPUBLIC OF KENYA

MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Thursday, 2nd March, 2017

The House met at 2.33 p.m.

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

PRAYERS

COMMUNICATION FROM THE CHAIR YOUNG LEADERS OF THE EARLY BIRD SCHOOL

Hon. Speaker: Hon. Members, mine to invite the young leaders of the Early Bird school from Machakos central and I will give one minute to the member for Machakos central to invite the Early Bird School learners.

Hon. Kitheka: Thank you, Mr. Speaker. I take this opportunity to appreciate the concern of the Assembly to invite and call upon the students of Early Bird primary school of which it is a school in my ward and where my children attend school.

Mr. Speaker, I think the students who have come to witness what we have been doing in the Assembly, they are potential leaders of tomorrow and we appreciate what they are doing in their school and the effort they are making to ensure they emulate what the leaders are doing within the county. To the students, I wish you work hard and make good results. Thank you very much. May God bless you!

Hon. Speaker: Let us proceed, clerk.

PAPER LAID PROGRESS REPORT OF COMMITTEES FOR JANUARY TO JUNE, 2016

Hon. Speaker: Hon. Nathaniel Nganga.

Hon. Katela: Thank you, Mr. Speaker, Sir. I beg to lay the following paper on the floor of the House today 2nd March, 2017, the report of Liaison committee on progress reports for select and sectoral committees for the period starting January, 2016 and ending June, 2016. Thank you, Mr. Speaker.

Hon. Speaker: Paper laid. Proceed.

NOTICE OF MOTION

PROGRESS REPORT OF COMMITTEES FOR JANUARY TO JUNE, 2016

Hon. Katela: Mr. Speaker, Sir, pursuant to Standing Order 180(2), I wish to give notice of the following motion; that this Hon. House discuss and approves the Liaison committee report on the progress reports for select and sectoral committees for the period starting January, 2016 and ending June, 2016 as laid today 2nd March 2017. Thank you, Mr. Speaker.

Hon. Speaker: Notice is issued. Proceed.

MOTIONS

MACHAKOS COUNTY FISCAL STRATEGY PAPER 2017/18

(Hon. Kasimu on 28.02.2017)

(Resumption of Debate on the Motion tabled on 28.02.2017)

Hon. Kasimu: Thank you Mr. Speaker. Mr. Speaker, Sir;

That aware that the county treasury is mandated to prepare the County Fiscal Strategy Paper under section 117 of the PFM Act 2017 and is further required to submit it to the county assembly by 28th February, each year and this being an election year, the county treasury submitted the 2017/2018 County Fiscal Strategy Paper on 24th November, 2016 to this Assembly earlier than stipulated in the PFM Act to enable the county government carry out the budget process by 31st March, 2017.

Mr. Speaker, pursuant to Standing Order 205(2), the County Fiscal Strategy Paper shall have;

(a) Have been aligned with the national objectives in Budget Policy Statement.

(d) Shall have taken into account the views of the commission on revenue allocation, the public any interested persons or group and any other forum that is established by legislation;

Mr. Speaker, I wish to move the motion that this Hon. House discusses and approves the county fiscal strategy paper for the financial year 2017/2018.

Thank you, Mr. Speaker. I wish to call upon Hon. Nduva to second the motion.

Hon. Nduva: Thank you, Mr. Speaker. I second the motion that this House should discuss and approve the County Fiscal Strategy Paper. Mr. Speaker, the committee of budget has gone through the document and analyzed it and made its recommendations and the areas that we felt were to be rectified by the department of finance, Mr. Speaker, it has been done so.

Mr. Speaker, this County Fiscal Strategy Paper sets the way for the budget for the following year. What is in this House is the budget for 2017/2018 which gives direction on how the budget will be prepared. Much of what is in this document, Mr. Speaker, I would like to put across to these Hon. Members that the committee has put consideration even for the eight months that this House is likely to last and puts monies, which if the law accommodates, because we are aware that there are contentious parties on the matter of paying for the eight months, the committee has gone forward and made sure that the money is in this document so that when the law says yes, the members can be paid this money.

So, Mr. Speaker, I second the County Fiscal Strategy Paper and urge this Hon. House to support the document since we feel it is late and the budget of the next financial should be read by the end of this month. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. Let us proceed. Chairman.

Hon. Kasimu: Thank you, Mr. Speaker. On behalf of the budget committee and as required under Standing Order 186 on the mandate of the committee, the County Fiscal Strategy Paper 2017 was forwarded to the County Assembly on 24th November, 2016. Section 117 of the Public Finance Management Act 2012 requires the County Fiscal Strategy Paper to be forwarded to the Assembly by the 28th February, each year.

Mr. Speaker, this being an election year all county governments are required to carry out the budget process by the 31st March, 2017 and that prompted the executive to forward the County Fiscal Strategy Paper 2017/18 earlier than stipulated in the PFM Act. The County Fiscal Strategy Paper was committed to the Budget and Appropriation committee on 29th November, 2016. This was at a time when the house adjourned and members departed for the long recess.

The Committee convened on 17th January, 2017 to analyze and scrutinize the document with a view of reporting to this honorable house on the projects and programs proposed for funding in the County budget estimates for the 2017/18.

Mr. Speaker, the current membership of the Budget and Appropriation committee is as follows;

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|--------------------------|-------------|
| 1. Hon. Wilson Kasimu | Chairperson |
| 2. Hon. Charles Mutisya | Member |
| 3. Hon. John Sila | “ |
| 4. Hon. (Ms.) Ruth Ndumi | “ |
| 5. Hon. Renson Muthiani | “ |

6. Hon. Sammy Nduva “
7. Hon. (Ms.) Jacqueline Nziva “

Mr. Speaker, Sir, the Budget and Appropriation committee is established under standing order No. 186(1) and is mandated under Standing Order 186(3) to;

- (i) Inquire into and report on all matters related to coordination, control and monitoring of the County budget.
- (ii) Discuss and review the estimates and make recommendations to the assembly.
- (iii) Examine the budget policy statement presented to the House.
- (iv) Examine bills related to the County budget including appropriation bills.
- (v) Evaluate tax estimates, economic and budgetary policies and programs with direct budget outlays.

Mr. Speaker, Sir, the County Fiscal Strategy Paper sets out the broad strategic priorities and goals that should guide the Budget Estimates for the 2017/18 financial year. It provides a platform for review of the proposed activities in light of the challenges and opportunities for the county and offers the government an opportunity to adjust its expenditure and revenue along more crucial activities to deliver better services to the citizens of Machakos.

Mr. Speaker, Sir, the Public Finance Management Act, 2012, section 117(6) states that ‘not later than fourteen days after submitting the County Fiscal Strategy Paper to the County Assembly, the County Assembly shall consider and may adopt it with or without amendments. Further, Mr. Speaker, the PFM Act section 117(7) states that the County Treasury shall consider any recommendation made by the County Assembly when finalizing the budget proposal for that financial year.

Mr. Speaker, it is worth to mention that once approved by this Hon. House the County Fiscal Strategy Paper 2017/18 will inform the preparation of the annual estimates and by extension it should form the basis of evaluating the 2017/18 Budget estimates for the various spending agencies. This is therefore the most important stage in the budget-making process as it provides recommendations to be considered when preparing the 2017/18 Budget and sets the expenditure ceilings for the various spending government agencies. Hon. Members should therefore debate and propose further amendments on the proposed projects and programs which may not be possible to implement in the 2017/18 Budget.

Mr. Speaker, Sir, it is important to mention that the County executive carried out public participations on the County Fiscal Strategy Paper 2017/18 and has further undertaken public participation on the County Budget Estimates 2017/18 across the County which should be informed by the County Fiscal Strategy Paper 2017/18.

Mr. Speaker, the County executive is working on timelines to ensure that the Budget Estimates for the 2017/18 financial year are forwarded to this Assembly the earliest to adopt by 31st March, 2017. The committee had no reasonable time to appeal for public participation

otherwise the Budget proposals would be forwarded to this Hon. House before the County Fiscal Strategy Paper 2017/18 is adopted by this Hon. House.

Mr. Speaker, Sir, the committee had to bank on the public hearings carried out by the County executive in all the eight sub-counties in line with the Constitution Article 196[2].

Mr. Speaker, Sir, Section 117(2) of the PFM act 2012 requires counties to align their County Fiscal Strategy Paper with the national development objectives and the committee observed that the mechanism to ensure that development strategies are aligned with those of national government is lacking therefore achieving the strategic priorities envisioned in the County Fiscal Strategy Paper in financial year 2017/18 may be a big challenge.

When such information is lacking, it makes it difficult for members of this Hon. Assembly to make an informed decision on the budget process. For example, county departments are not in line with national ministries.

Mr. Speaker, Sir, the PFM Act 2012 section 123(1) requires the county treasury to submit County Government Debt Management Strategy to County Assembly on or before 28th February, in each year setting out the Debt Management Strategy of the County government over the medium term with regard to its actual liability and 123(2) sets out the information required in the statement; the debt management strategy paper was not forwarded to the assembly to support the committee on measures to restrict the County government from borrowing through the procurement processes.

Mr. Speaker the committee observed that the expenditure forecasts was projected at Ksh. 11.4 billion, with a recurrent expenditure of Ksh. 7.81 billion and development expenditure of Kshs. 3.6 billion with a priority given to completion of ongoing projects.

Mr. Speaker, Sir, the committee observed that the revenue allocation proposed for the county government for 2017/18 include equitable share Ksh. 8.9 billion and local revenue amounting to Ksh. 2.5 billion.

Mr. Speaker, the committee observed that several programs have been reintroduced with no explanation on what happened to the funds allocated in the previous years including whether the targets and outputs were achieved or the percentage of accomplishment. The department of Education seeks to expand and renovate ECDE centers, the construction of ECDE classes was included in the 2014/15, 2015/16 and 2016/17 Budget Estimates and the status of completion should be forwarded to this Assembly before any further allocations.

Mr. Speaker, the committee observed that the County has continuously failed to achieve 55 per cent of proposed local revenue collection in the past financial years leading to poor performance and posing greater risk on non-achieved targets. Thus, previous incomplete and white elephant projects which pose a great risk, are ignored and may remain in the same status for many years due to non-achieved local revenue collections resulting to accumulated public debt through unpaid contracts and supplies.

Mr. Speaker, borrowing through procurement process without paying for programs and projects that this Hon. House appropriated for in the budget discloses a loop in the budget process.

Mr. Speaker, Sir, the County emergency fund allocation has not featured in the County Fiscal Strategy Paper.

Mr. Speaker, the County Public Service Board has continuously failed to spend the allocated development funds in the past two consecutive years. The committee is therefore reluctant to allocate any development funds to the County government agency. The proposed development ceilings for the board are either dubious or assumed, denying other County government agencies the opportunity to substantial development programs.

Mr. Speaker, on policies to ensure sustainable development, a report on the status of our hospitals and stalled hospital projects in various sub-counties, was assumed in the County Fiscal Strategy Paper 2017/18. These are projects that should be reflected or reallocated funds for completion. The provision of ambulance is not an ongoing program and should not be proposed in the County Fiscal Strategy Paper.

The construction and refurbishment of the 40 community hospitals per ward proposed in 2013/14 should have a status report availed to initiate further reallocation of funds. 10 motor cycle ambulance reflected as procured by the county government should be clarified.

Mr. Speaker, the 2015/16 and 2016/17 Budget Estimates allocated Ksh. 2.5 billion and Kshs. 1.9 billion respectively for boreholes across the County; the 2017/18 budget should reduce allocation for the same program to the minimum.

Hon. Speaker: Sorry chairman. Let me hear the point of order.

Hon. Ngui: Thank you, Mr. Speaker. I am just concerned. This is a Hon. House and we have one of our Hon. Members who is not dressed properly as per the guidelines of this House. Hon. Justus Kimata, Mr. Speaker.

Hon. Speaker: Hon. Kimata, maybe you can rise up and greet the House.

(Laughter)

Hon. Kimata: Mr. Speaker, I can go out and dress properly.

Hon. Speaker: The Speaker has asked you to greet this House.

Hon. Kimata: The way can address this House, there is no problem. I respect this House, your rulings and whatever deliberations you are saying, I am with you. Thank you, Mr. Speaker.

Hon. Speaker: Allow him some moment to leave the chamber. He will come when he is--

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Hon. Kimata: I will do that.

(Hon. Kimata withdrew from the House)

Hon. Speaker: Let us proceed Hon. Chairman.

Hon. Kasimu: Thank you, Mr. Speaker. Mr. Speaker, Sir, the County Government proposes to budget for the planting of flowers which should be eliminated and substituted with planting of trees for county beautification in the budget.

Mr. Speaker, the committee observed that recruitment of ECDE teachers, has a case in court and any budget to that effect should establish the status. The program has never taken off and should be excluded in the budget.

Mr. Speaker, the County Government proposed in 2016/17 to establish Automatic Weather Observing Stations but the committee had previously advised for partnership with the existing metrological department at county level to achieve a reliable data collection objective. The program has not been reflected and no details on progress.

Mr. Speaker, the proposed expected revenue share from the National Government for 2017/18 is proposed at Ksh. 8.9 billion; the county expects to collect Ksh. 2.5 billion during the period. The total proposed expected revenue amounts to Ksh. 11.4 billion.

Mr. Speaker, Sir, the committee observed that the total expenditure is projected at Ksh. 11.4 billion with a recurrent expenditure of Ksh. 7.81 billion. The recurrent expenditure Personnel emolument are estimated at Kshs 4.1 billion which is 36 per cent, while operations and maintenance are estimated at Ksh. 3.7 billion.

Mr. Speaker, Sir, the committee observed that the County government proposes to set aside funds on security programs through provision of police vehicles, police housing and police posts. Mr. Speaker, some of the projects proposed in the County Fiscal Strategy Paper 2017/18 were previously budgeted for including recruitment of ECDE teachers Construction of ECDE classes, forensic laboratory, early retirement package and retrenchment.

Mr. Speaker Sir, the committee observed that the County Fiscal Strategy Paper projected the County Assembly recurrent budget ceiling at Ksh. 993 million considering the CRA set ceiling, and the development budget at Kshs. 165 million.

Mr. Speaker, Sir, the committee recommends that the County expenditure be projected to relate with the predictable revenue of Kshs. 9.923 billion comprising of the equitable share allocation of Kshs. 8.223 billion and possible Local revenue collection of Ksh.1.7 billion. The county treasury has failed over the last three years to collect 55 per cent of proposed local revenue hence the County government should budget within possible achievable revenue.

Overestimated revenue may lead to committing more funds than available resulting to accumulation of debts.

Mr. Speaker, the committee recommends that development expenditure for the department of Public Service, ICT, Labor and Cooperative development be reduced from Ksh. 50,749,761 to Ksh. 42,257,555 and the recurrent ceilings be reduced from Ksh. 616,461,968 to Ksh.

530,516,006; the department of Trade, Investment, Economic Planning and industrialization, development expenditure be reduced from Ksh. 974,677,829 to Ksh. 811,580,220 and the recurrent expenditure ceilings be reduced from Ksh. 188,993,444 to Ksh. 160,490,813.

Mr. Speaker, the committee recommends that development expenditure for the department of finance and revenue management be reduced from Ksh. 79,530,995 to Ksh. 50,222,685 and recurrent expenditure ceilings be reduced from Ksh. 355,502,305 to Ksh. 300,650,065.

Mr. Speaker, Sir, the committee recommends that the development expenditure for the department of decentralized Units, County Administration and Energy be reduced from Ksh. 1,000,013,274 to Ksh. 812,676,161 and the recurrent ceilings be reduced from Ksh. 1,185,966,078 to Ksh. 984,797,785.

Mr. Speaker, the committee recommends that development expenditure for the department of Agriculture, Livestock, Fisheries, Lands and Urban Development be reduced from Ksh. 120,261,536 to Ksh. 82,137,585 and the recurrent ceilings be reduced from Ksh. 486,267,779 to Ksh. 390,078,241.

Mr. Speaker, Sir, the committee recommends that the recurrent expenditure for the department of Health, Environment and Emergency Services be reduced from Ksh. 2,814,849,193 to Ksh. 2,420,121,681 and the development expenditure be reduced from Ksh. 224,993,704 to Ksh. 187,344,407.

The committee further recommends that development expenditure for the department of Transport, Roads, Public Works and Housing be reduced from Ksh. 594,531,843 to Ksh. 490,045,923 and the recurrent ceilings be reduced from Ksh. 272,366,297 to Ksh. 234,172,255.

Mr. Speaker, Sir, the committee recommends that the development expenditure for the department of Education, Youth and Social Welfare be reduced from Ksh. 70,557,174 to Ksh. 50,750,497, and the recurrent expenditure of the department be reduced from Ksh. 191,887,500 to Ksh. 155,979,034.

Mr. Speaker, the committee recommends that the development expenditure for the department of environment, sanitation and solid waste management be reduced from Ksh. 54,119,857 to Ksh. 40,063,717 and the recurrent ceilings be reduced from Ksh. 73,363,500 to Ksh. 60,075,705.

Mr. Speaker, the committee recommends that the development expenditure for the department of Tourism, Sports and Culture be reduced from Ksh. 107,240,716 to Ksh. 80,295,602 and the recurrent ceilings be reduced from Ksh. 139,217,245 to Ksh. 95,694,751.

Mr. Speaker, the committee recommends that the development expenditure for the County Public Service Board be reduced from Ksh. 8,025,299 to Ksh. 6,682,387 and the recurrent ceilings be reduced from Ksh. 58,431,302 to Ksh. 50,237,456.

Mr. Speaker the committee recommends that development expenditure for the County Assembly be increased from Ksh. 164,928,089 to Ksh. 291,329,865, to meet the development expenditure for the new County Assembly office block construction, furnishing of the new office block, the proposed new chamber and other development activities.

The committee further recommends that the County Assembly recurrent expenditure be reduced from Ksh. 992,950,247 to Ksh. 964,670,184 to meet the ceiling threshold of the Commission on Revenue Allocation.

Mr. Speaker, Sir, the County Assembly recurrent budget includes other transfers amounting to Ksh. 150 million to cater for mortgage and car loans for both members of the County Assembly and staff and Ksh. 95 million to pay members eight months' difference occasioned by early election and Ksh. 10 million to cater for the suspended staff dues.

Mr. Speaker, the committee recommends that no funds or costs should be incurred by the county government to sponsor police activities. Provision of police gun detectors, police vehicles, alcohol-blow devices, police housing and posts are activities within the national budget and should not share the county revenue.

Mr. Speaker, personnel emoluments are more than required in the PFM regulation No. 25(b) that states that the County government expenditure on wages and benefits for its public officers shall not exceed 35 per cent of the County Government total revenue; the County Public Service Board should put efforts to control the ballooning wage bill and take advantage of the allocated early retirement package.

Mr. Speaker the committee recommends that both the County executive and the County Assembly to independently set aside funds to cater for the KICOSCA games in 2017/18.

Mr. Speaker Sir, the committee is grateful to the office of the Speaker and that of the Clerk to the County Assembly for the support accorded during the committee sittings. I wish to express my appreciation to the Honorable Members of the Budget and appropriation committee who sacrificed their time to participate in the activities of the Committee and in preparation of this report.

Mr. Speaker, Sir, it is therefore my pleasant duty and privilege, on behalf of the Budget and Appropriation committee to table this report of the Machakos County Fiscal Strategy Paper 2017/18 in this honorable House for consideration and adoption.

Thank you, Mr. Speaker.

(Applause)

Hon. Speaker: Thank you very much chairman for that articulate report. I will ask for contributions. Yes, Hon. Maitha.

Hon. Maitha: Thank you, Mr. Speaker. I wish to applaud the chairman and his committee for the work done but before I make my submissions, Mr. Speaker, I am concerned about this paper and it comes in the manner in which the departments have been allocated funds and I have noted with a lot of concern that the department of water is missing in this paper and there is no single cent that has been allocated in that department.

I have tried to peruse through the document provided and I can see no single cent has been allocated to the department of water, Mr. Speaker. Can the chairman share light on that because in

the departments which have been shared and the recent reshuffle, there is no were the department of water is appearing, Mr. Speaker. I seek guidance by the chair. Thank you, Mr. Speaker.

Hon. Speaker: There must be water here Hon. Chairman. Just find us were water is.

Hon. Kasimu: Mr. Speaker, I will quote what I said yesterday that the Government of Machakos has put the water department under the department of decentralized units so the budget of water is under the---

Hon. Maitha: Point of order, Mr. Speaker.

Hon. Kasimu: Mr. Speaker, it is the responsibility and the duty of the government to set its department the way its sees it can be managed. So, if the Governor of Machakos and his cabinet have proposed that water department would be under one minister in the decentralized units then, Mr. Speaker, if we have issues as members of this House, should bring a motion here and correct that but as it is now, water is under decentralized units. Thank you Mr. Speaker.

Hon. Speaker: Order, Hon. Members! The Chairman, kindly tell us wherever water is, how much is allocated to water? Kindly guide us wherever water is we don't mind about that, how much is allocated.

Hon. Kasimu: Mr. Speaker, it is very clear from the report that I have laid here that all departments have given a lump sum amount of money that they will be using under that department. So decentralized units has been allocated itself and I said in that share of decentralized units we have water and if you allow me, Mr. Speaker, I have said that the department of decentralized units, county administration and energy, we have reduced from Ksh. 1 billion---

Hon. Speaker: That is in which page?

Hon. Kasimu: We are in page seven, Mr. Speaker, paragraph one, two three four...Allow me to read. 'Mr. Speaker, the committee recommends that the development expenditure for the department of decentralized units, county administration and energy be reduced from Ksh. 1 billion to Ksh. 812 million and the recurrent expenditure be reduced from Ksh. 1 billion to Ksh. 984 million.

(Loud consultations)

Hon. Speaker: Allow the chairman to respond to my concern. Yes, finalize.

Hon. Kasimu: So, Mr. Speaker, within the amount that we are recommending, we have just said that water is under decentralized units.

Hon. Speaker: Just a minute. Order! Just wait, Hon. Members. Chairman, when we go to page six in the first paragraph of the report, you have talked about Budget Estimates allocated Ksh. 2.5 billion, Ksh. 1.9 billion respectively for boreholes across the county. Is that not water? Anyway, let me take the point of order.

Hon. Maitha: Mr. Speaker, you have practiced law, Mr. Speaker, and there are some key words that really can land you to jail or save your way to jail. Mr. Speaker, the words shall or may. Mr. Speaker, if we happen to adopt this budget without the word water, we will have committed suicide, Mr. Speaker.

That is a very key department, Mr. Speaker. If such a key department can miss in this budget, then the chairman is misleading this House, Mr. Speaker, and is totally out of order and mentioning the word borehole, that is just a wave. We need to see the actual budget if you see the estimates Mr. Speaker there is nowhere at all and at all where the department of water is being mentioned and the chairman should stop misleading this House, Mr. Speaker, because he is out of order Mr. Speaker.

Even when he says that we have no problem with the governor reorganizing his government, that one is upon him but we need to see the department of water in this budget because if we don't factor it in the department as he is purporting decentralized units, then all of a sudden we will come back here maybe he comes back and start bringing us a supplementary budget to review for the water.

We need the word water factored and we know how much money is going to be used by the department of water as it has been the previous norm in this House Mr. Speaker. He is out of order, Mr. Speaker.

Hon. Speaker: Let me take the point of information Hon. Nduva. You are a member of this committee. Isn't it?

Hon. Nduva: Yes, Mr. Speaker.

Hon. Speaker: Kindly help us.

Hon. Nduva: Mr. Speaker, I think even when you check at the budget allocated to the department of decentralized units and energy, I think, Mr. Speaker, there must be a typing error because something has not been put here because even the monies allocated here cannot fit the three departments. Mr. Speaker, if you look at, if water---

Hon. Kitheka: Point of order, Mr. Speaker.

Hon. Speaker: I must get the information first. Hon. Nduva.

Hon. Nduva: Mr. Speaker, I am a member of this committee---

Hon. Speaker: Yes, proceed.

Hon. Nduva: If the department of water, its allocation was within the department of decentralized units and energy, then the word department of water could be here. When you go back to where Mr. Speaker you have pointed it means or it shows there must be a typing error here, Mr. Speaker. Mr. Speaker, I stand to agree something need to be corrected because when we are talking about this departments we talk a department after another one even if it has been merged with another department. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Members, I have a document that has just been given to me here by the clerk. I don't know whether it is annexure to appear that truly there may be a typo. What is your position, Hon. Chairman?

Hon. Kasimu: Mr. Speaker, Sir, all members of this House have the County Fiscal Strategy Paper that was laid to this House, by the CEC member for Finance and I would ask them, if they have this document with them, to go to page 15, Mr. Speaker. Page 15 of the original document that was submitted to this House on 25th November, 2016. Are you there, Mr. Speaker?

Hon. Speaker: I am there already.

Hon. Kasimu: I will read; that access to clean and save water for all is fundamental for health community and essential required for sustainable development and the county faces challenges in both water quality and quantity, water sources are threatened by pollution, over-consumption and to an extended climate change. This negatively impacts food security, as most residents rely on the substance.'

Mr. Speaker it goes on and on. So, I will say that we have considered water in the paper in the County Fiscal Strategy Paper and I would say like my colleague has said Hon. Sammy Nduva there might be a typing error that if we allow the clerk to consult as we go to any other contribution from any member before we come to the conclusion of this document. I will clarify if water has missed---

Hon. Speaker: Hon. Chair, I thought the Strategy Paper that we received is annexure to your report and your report is basically a summary so you may not have made any mistake. Members ought to have read, gone through the Strategy Paper, isn't it?

Hon. Nduva: Yes.

Hon. Speaker: Let me hear Hon. Muinde. I wish you are thinking with me.

Hon. Muinde: I just want to remind the House that the County Fiscal Strategy Paper is the most important document in the budget-making process.

(Applause)

Any mistake at this stage will affect the entire process and this is a Paper as we pass, we may not leave any hair of doubt. If a member of the budget committee is admitting that there could be a typo of or a commission or an omission, Mr. Speaker, the best practice would be that we still take the more time because if we get it wrong here we will get it wrong all through.

Mr. Speaker, anybody in this country reading the County Fiscal Strategy Paper of Machakos and failing to see water expressly mentioned, will want to imagine that Machakos has moved from the Lower Eastern part of this country because water is so fundamental and looking at the programs of the government for the last four years, water is so key that we cannot assume its existence in the County Fiscal Strategy Paper.

So, Mr. Speaker, it could just be an error of omission but it should be so loud while we pass this document we cannot make just assumptions and the amounts to be allocated because the PFM guidelines states that at the end, as we consider the Budget Estimates, the draft estimates we can only alter only one percent.

So, at this stage, we are actually passing the budget 99 percent so we have to be very clear on what we are passing. So, the fact that water has an issue at this stage, Mr. Speaker, the chairman needs to get his act very right and actually come to the House when we have no doubt on the amounts to be allocated because our role, after this passage is a minus or a plus one percent of the amount allocated. Thank you, Mr. Speaker.

Hon. Maitha: Point of information.

Hon. Speaker: Yes.

Hon. Maitha: Mr. Speaker, to echo the words of the former chairman of the budget committee, we are in no mood to frustrate the chairman of the budget committee but unless he takes this matter seriously, he will understand the essence of our concerns.

I wish to inform the former chairman of the budget committee, Mr. Speaker, once sometimes back, a report was tabled in this House and if you go to the main County Fiscal Strategy Paper that came from the CEC member, if members you can go to the first page, it is not even the CEC member who has signed, it is for and on behalf of her.

Remember, history guiding us, a (*inaudible*) is a document similar to this, which was bringing a report in this House showing about how monies have been spend and projects that have been implemented where a lot of issues raised in by the finance committee. The report was disowned by the Hon. Majority Leader where he said this document did not emanate from the CEC. It was signed by somebody for and on behalf of.

We don't want to make a mistake and assume things, Mr. Speaker. Can the Hon. Chair go and bring us a document signed by the CEC member herself, making commitment and justifying the kind of justification he is trying to give to this House. Otherwise we will go back and he will start telling us 'this document was not even signed by the CEC member, it was signed for and on the behalf of the CEC member.'

We don't want to go back to the same story of that performance report that was brought before this House, Mr. Speaker. Thank you.

Hon. Speaker: On the matter that has been raised by Hon. Maitha, I think what the chairman needs to do is to verify the source of the document that can be done adequately by correspondence because the document was brought in accordance with the law. Yes. Another concern.

Hon. Ngunzi: Mr. Speaker, we want the chairman to be a little bit serious because the department for environment which I chair is under two departments; department of health, environment and there is a whole department of environment sanitation and waste management. So, Mr. Chairman, I think we need a little bit of seriousness. If we pass a document that has environment factored in two departments, sincerely, where do we belong?

Hon. Speaker: Let me get you. Which department?

Hon. Ngunzi: Look at the annexure.

Hon. Speaker: Yes, I am in the annexure now...page?

Hon. Ngunzi: The department of Health, environment---

Hon. Speaker: Page 28.

Hon. Ngunzi: Which page is this?

Hon. Speaker: Page 28, 27, 28?

Hon. Ngunzi: The annexure of the report from the chairman.

Hon. Speaker: I am on page 28.

Hon. Ngunzi: The report that has just been delivered by the chairman, the committee report.

Hon. Speaker: Yes, environment is twice.

Hon. Ngunzi: Environment is twice. So, where in particular, is the department of environment? Again, Mr. Speaker, I again happen to be the chairman of water. Now in the history of this country when there was the ministry of local government, I have never heard once where the ministry of water was under the department of local government. You cannot mix water and decentralized units.

Mr. Speaker, unless we are being misled. These are two different things and the figures and their huge departments again and the figures given here are very little. I wish, Mr. Speaker, because the report is just so mixed-up, I wish to request that we be given time to look at this

document and the bigger document the County Fiscal Strategy Paper that has just been given to us. We go through the documents, come up with a comprehensive report.

You defer the matter so that we come here with comprehensive discussion and deliberation mechanisms and we look at the whole document. Passing this document is detrimental to the whole county, Mr. Speaker. Give us time we look at the document.

Hon. Speaker: Chairman budget, what is your position? Let me just hear the chairman.

Hon. Kasimu: Sorry, Mr. Speaker.

Hon. Speaker: I hope are you finding reason in what members are saying that you need to wash your document?

Hon. Kasimu: Mr. Speaker, yes I find sense in what members are saying.

(Applause)

Hon. Speaker: Therefore you need about how long to come back? I can give you two weeks?

Hon. Kasimu: Mr. Speaker, with your permission, I would request your advice because you know the budget calendar and you know where we are in the budget calendar. So with your wisdom, maybe you make a ruling on the same. The timeframe you are going to give me and the committee we are going to adhere to that same.

Hon. Speaker: I thought chairman, you should be guiding me on the calendar.

(Applause)

I am like the citizen.

Hon. Kitheka: Point of order.

Hon. Speaker: The Speaker cannot be out of order Hon. Kitheka.

Hon. Kasimu: Mr. Speaker then 14 days will be okay with me to come up with a comprehensive document if that is okay with them.

Hon. Speaker: Let me hear the former chairman. The former chair would want to help you.

Hon. Muinde: Thank you, Mr. Speaker, I think it is also important for the members to note that this is not a document that we can throw out. It is only for the House to adopt but the

issue is we adopt it when it is right. When you look at page 9 of the main document, on the policy guidelines, you will find that on point 2.1, the CEC member has highlighted that provision of clean and safe water is a key priority for the government. So, I want to believe it was purely an omission. I don't think that the government was trying to play a game on this kind.

So, Mr. Speaker, we also note that in the recent government reshuffle, His Excellency, the Governor has appointed a CEC member as substantive CEC member for water, Hon. Ruth Mutua while in the decentralized units, there is a substantive CEC member in charge. So, these are two independent departments therefore there must be a clear budget lines for the two departments.

So, now that the chairman has accepted that there was an error of omission that he needs time, I think within the two weeks, that can be sufficient because the CEC finance has already complied with the law. So, even as we debate to approve this we are still within the law. So, Mr. Speaker, I think during this time, we would be able to put everything right so that we do not leave any doubt for the time we are passing the paper, everything is in place.

So I want to support the chairman that the period he has asked can be sufficient to just consider all those concerns that the Hon. House is making. Thank you.

Hon. Speaker: Then the Speaker will agree that further 14 days be granted to the chairman and the House will note that the nature of this document is so essential that this House cannot attempt to dismiss this. It can only adopt it, amend it, rectify, but it is a document that, as a duty consider. That is why the Act says consider. The Chair having given directions then there is no other right of audience. Any other business?

PROGRESS REPORT OF COMMITTEES FOR JANUARY TO JUNE, 2016

Hon. Nzeki: Mr. Speaker, Sir, I ask for leave from your powers that the progress report be brought to this Hon. House next sittings. Thank you, Mr. Speaker, Sir.

Hon. Speaker: Hon. Ngunzi, you are out of order. That is not the manner of address to this House especially at a time when we have serious visitors in the gallery. I will give you a moment to apologize to the House.

(Hon. Ngunzi gestured)

Hon. Ngunzi: I am sorry, Mr. Speaker. I just wondered why he had to introduce himself formally as representing the chairman.

Hon. Speaker: Hon. Nzeki proceed.

Hon. Nzeki: Mr. Speaker, I introduced myself as Hon. Nzeki wa Munyaka. I never introduced myself as the chairman of liaison committee. So, Mr. Speaker, Sir, I was saying that I am seeking leave for the report to be brought in the House the next sitting. Thank you, Mr. Speaker, Sir.

Hon. Speaker: Thank you. The report will be deferred. There being no other business then the House is.....s there any other business? Sorry, Hon. Members, let's hear Hon. Kamitu. Is there any further business?

ADJOURNMENT OF THE ASSEMBLY SITTINGS

Hon. Kamitu: There is another business.

Mr. Speaker, Sir, I stand that that aware that the five session on 14th February, 2017;

Aware that the House approved an Assembly calendar pursuant to Standing Order 25(1);

Further aware that the calendar which guides the House on when to have a break and when to resume sittings;

Aware that the approved Assembly calendar shows that the assembly shall take a short recess from 3rd March, 2017 to 13th March, 2017;

Mr. Speaker, noting that the recess will afford members time to interact with their electorates and time to attend the Devolution Conference scheduled for 6th to 9th March, 2017 in Naivasha;

Further aware that the Assembly resolved to hold a special sitting on Tuesday 7th March, 2017 to discuss the supplementary budget and the date has been gazette;

Mr. Speaker, Sir, I wish to move the motion that this Hon. House adjourns its sittings from today 2nd March, 2017 and resumes sittings on Tuesday, 14th March, 2017 as per the calendar of the Assembly.

Thank you Mr. Speaker, Sir, and it is on this strength that I call upon Hon. Muli to second the motion. Thank you, Mr. Speaker, Sir.

Hon. Muli: Mr. Speaker, I stand to second the motion.

Hon. Speaker: The prayers of the motion will be granted as a form of compliance motion. Any other business?

ADJOURNMENT

Hon. Speaker: The House then adjourns.

The House rose at 3.33 p.m.

