
REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Tuesday, 14th March, 2017

The House met at 2.39 p.m.

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

PRAYERS

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

STATEMENT

BUSINESS FOR THE HOUSE FROM 14TH TO 16TH MARCH, 2017

Majority Leader (Hon. Mwonga): Mr. Speaker, Sir, I stand under Standing Order 41 (2) (a) 'where during the statement hour, a member of the House Business committee designated by the committee for that purpose shall, every Thursday or on the last sitting day, for not more than 10 minutes, present and lay on the Table a statement informing the House of the business coming before the House on the following week.'

Mr. Speaker, Sir, the House Business committee met today, Wednesday 8th March, 2017 and pursuant to the provisions of Standing Order 151, balloted the business for the week starting from 14 to 16th March, 2017 as follows:-

Tuesday afternoon

Machakos County supplementary Bill 2017; second and third reading.

Motion on change of hours of sittings pursuant to Standing Order 27.

Wednesday morning

Report of County Public Accounts and Investments committee on Machakos Water Company 2015 and Machakos Municipal council 2013.

Wednesday afternoon

Report of budget and appropriation committee on County Fiscal Strategy Paper for 2017/18 financial year.

Thursday afternoon

Report of Liaison committee on committee progress reports from January to June 2016;
Motion of adjournment from 20th to 24th March, 2017 for the Legislative Summit.

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

BILL

Second Reading

MACHAKOS COUNTY SUPPLEMENTARY BILL, 2017

Hon. Kasimu: Mr. Speaker, Sir, the Machakos County Supplementary Bill 2017 was presented in this Hon. Assembly on 1st March, 2017 and raised issues that prompted the committee to retreat and summon the executive committee member of finance and the Chief Officer to support the Budget and Appropriation Committee to streamline and respond to issues raised by the honorable members.

Mr. Speaker, the office of the Clerk also went ahead to request for documents and support information necessary to finalize the Machakos county supplementary bill 2017. The information requested required the executive committee member of Finance to furnish the committee with the following;

- a) The objective of the supplementary budget 2017.
- b) The details of the source of funding; the re-allocations from various votes and the departments.
- c) The performance of the financial year 2016/17 budget. Detailed Schedules showing project name, ward location, completion status, funding requirement, and allocation in the supplementary. The executive committee member was required to provide such details on the stalled, ongoing and new projects and on the pending bills amounting to the supplementary reallocations.
- d) Explain the variance of re-allocations in excess of 10 per cent against the PFM Act section 154 (2) (c).

Mr. Speaker, Sir, the committee consulted with the Executive Committee Member of Finance on the above and established the Executive Committee Member for Finance requires a total of Ksh. 1.99 billion, to be sourced from the recurrent of Ksh.400.2 million and development of Ksh. 1.59 billion to finance the following;

- a) Short fall in salaries and allowances for the health workers triggered by promotions after the 2016 doctors strike in the County, understating of salaries by some departments and to pay the project coordinators deployed across the county.
- b) Transfer of bursaries amounting to Ksh.161 million resulting from a motion passed by this Honorable assembly.
- c) Payment of the pending bills.
- d) Finance and finalize stalled community hospitals, market sheds, *Mulika Mwizi* (Floodlight) projects and road projects.

Mr. Speaker, the funding of the supplementary budget will be realized through a 75 per cent cut on all uncommitted recurrent expenditure except utilities and salaries and 100 per cent cut

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on all uncommitted development expenditure from the departments. The re-allocations of the funds were done to and from various vote lines.

Mr. Speaker, the re-allocations are in contravention of PFM Act Section 154 (2) (c) which states that the total of all re-allocations made to or from a program or sub vote does not exceed 10 per cent of the total expenditure approved for that program or sub vote for that year.

Mr. Speaker, Sir, the reason for exceeding the 10 per cent requirement of the Public Finance Management (PFM) Act is to complete some of the incomplete projects to ensure the cost of completion does not keep on increasing and that wananchi enjoy the benefits. Some key development projects are also highly underfunded.

Mr. Speaker, Sir, there has been a general underperformance of the budget. Specifically, by November, 2016, the commitments for the projects had not been done and are not likely to be started due to the nature of the public procurement process. The approved projects which were budgeted for will not be undertaken because the allocated funds have been reallocated to finance stalled projects, deficit in salaries and pending bills.

It is important to mention at this point that the Executive committee member for finance had given notice to all departments that unabsorbed funds pending by the end of February, 2017 would be reallocated to the needy projects since the departments would not be in a position to commit the funds within the remaining period.

Mr. Speaker, Sir, the Ward Development Fund had a total budget allocation of Ksh. 805 Million. Out of this, 5 per cent translating to Ksh. 40.25 million was allocated to administration expenses and transferred to recurrent expenditure leaving a balance of Ksh. 764.75 million. A total of Ksh. 161 million has been transferred to the department of Education to fund the bursaries leaving a vote balance of Ksh. 603.75 million.

To date, nothing has been spent and is not likely to be spent before the end of the fiscal year. Thus the balance of Ksh. 603.75 million has been re-distributed to the 40 wards to finance flood lights (*Mulika Mwizi*), market sheds and access roads.

Mr. Speaker, the committee observed that the County Assembly re-allocations are to enhance the insurance vote, domestic allowances vote for the honorable members and the exhausted domestic allowances for staff. The County Assembly released Ksh. 13 million from other transfers, car loans and mortgages, which the County Assembly will not utilize during the period and is outside the Commission on Revenue Allocation (CRA) ceilings. This amount will not affect the CRA ceilings on the County Assembly recurrent budget.

Mr. Speaker, Sir, the committee observed that there was need for the County Assembly to re-allocate an amount of Ksh. 20 million from the recurrent expenditure for capital expenditure.

Mr. Speaker, the committee observed that in the 2016/17 financial year County budget, the County government had absorbed 52 per cent of the allocated funds. The details on how the funds were spent in the various votes have been shown though the specific details of the location of the projects are lacking.

Mr. Speaker, the committee observed that under the development vote, the active spending agencies during the 2016/17 financial year were the department of agriculture, the department of decentralized units, in particular water and irrigation and the department of transport, roads and public works. The County Assembly stands out as the most active in development.

Mr. Speaker, the committee observed that most of the community hospitals had stalled though started, the County government intends to activate and complete all the projects initiated for development. The 2016/17 financial year had appropriated development funds to the health department to finalize the community hospitals.

However, the funds were spent to pay pending bills but the construction of the community hospitals was suspended. The health department requires Ksh. 290 million but has been allocated Ksh. 88 million to pay and complete the community hospitals.

Mr. Speaker, Sir, the committee observed that the market sheds were over-quoted above the allocated budget and the Kenya National Audit Office recommended for a quantity surveyor to ascertain the costing.

Mr. Speaker, the committee observed that some of the projects in the department of Transport, Roads, Public Works and Housing were underprovided. This specifically affected the Kathiani-Kakuyuni-Kangundo road which is complete and the ongoing Kivandini-Masinga road. The roads require additional Ksh. 250 million although this could not be raised in the supplementary budget which had reallocated Ksh. 110 million for the two major road projects. The tarmacking of market roads was underprovided in the 2016/17 budget. The projects need to be completed by re-allocating more funds.

Mr. Speaker, the department of trade requires Ksh. 81 million to cater for new electrification, power bills, *Mulika Mwizi* installations, maintenance of street lights across the County, construction of a secure store for materials and fencing of the premises.

Mr. Speaker, the department of education requires Ksh. 41 million to pay pending bills for the completed projects.

Mr. Speaker, the committee observed that the procurement of the jaw crusher had been underprovided in the 2016/17 budget at Ksh. 30 million yet the lowest quote was Ksh. 35million. The procurement of the jaw crusher is at an advanced stage and requires additional Ksh. 5million to the allocated budget.

Mr. Speaker, Sir, the committee observed that the County had no outstanding Loans which would be referred as public borrowings (publics borrowing include loans from banks, Treasury bills and government Bonds). However, the County government had accumulated unpaid contractors and suppliers debts, which the executive committee member for Finance did not disclose the overall accumulated balance; payments of contractors is an active reducing activity.

The pending bills will be cleared by considering the age of the debts, size of the business suppliers, with consideration given to special interest groups (people with disability, women and youth).

Mr. Speaker, Sir, the committee observed that funds meant for various programs and projects in 2016/17 development budget were diverted by most departments to other programs to pay pending contractors and suppliers debts.

Mr. Speaker, the Committee observed that Ksh. 74 million re-allocated to the legal fees vote is to pay court awards to winners of court cases against the defunct Local Authorities' amounting to Ksh. 50 million, and the balance is legal fees for various other cases. The committee learned of a case at Muumandu market where the former defunct council staff destroyed private

property and the court awarded Ksh. 500,000 to the party. This amount was never paid and has accrued with huge interests.

Mr. Speaker, the committee recommends that this House approves an amount of Ksh. 1.99 billion which includes Ksh. 400.2 million for recurrent expenditure and Ksh. 1.59 billion for the development expenditure. The recurrent re-allocations will finance shortfall in salaries, bursaries and general understated votes. The development re-allocations will finance all stalled projects including community hospitals, market sheds, floodlights, pending bills and road projects. (see annexures)

Mr. Speaker, the committee recommends that out the Ksh 1.59 billion re-allocated for development, the Ward Development Fund vote, Ksh. 603.75 million has been re-allocated amongst the 40 wards to finance the stalled market sheds, floodlights and access roads.

Mr. Speaker, the committee recommends that an amount of Ksh. 20 million be re-allocated from the County Assembly recurrent expenditure (other transfers- car loans and Mortgages) for capital expenditure.

Mr. Speaker, the committee recommends that the executive implements the Machakos county supplementary bill 2017 as adopted by this honorable house and with the proposed amendments.

Mr. Speaker, this supplementary report on the Machakos supplementary budget 2017 was discussed by the committee members and three invited members of this honorable house as drawn below;

1. Hon. Wilson Kasimu.
2. Hon. (Ms.) Ruth Ndumi.
3. Hon. Charles Mutisya.
4. Hon. Sammy Nduva.
5. Hon. Renson Muthiani
6. Hon. (Ms.) Jacqueline Nziva.
7. Hon. John Sila.
8. Hon. Peter Nzioki.
9. Hon. Isaac Muinde.
10. Hon. (Ms.) Christine Mutune.

Mr. Speaker, Sir, it is therefore my pleasant duty and privilege, on behalf of the budget and appropriation committee to table this report on the County Supplementary budget for the 2017 financial year to this Hon. House for consideration and approval. Thank you, Mr. Speaker.

(Applause)

Hon. Members, you will amend the dates to read 14th April, 2017.

Hon. Ndeto: Point of order.

Hon. Speaker: Yes.

Hon. Ndeto: Thank you, Mr. Speaker, for this opportunity. I would like the Speaker to tell us if the Chairperson was in order to present a document to this Hon. House which bear content that is illegal. When you move to page 2, 1.1.3 on variance, the Chairperson has just given us clear information and I read;

‘Mr. Speaker, the re-allocations are in contravention of PFM Act, Section 154 (2) (c) which states that the total of all re-allocations made to or from a program or sub vote does not exceed 10 per cent of the total expenditure approved for that program or sub vote for that year. Mr. Speaker, Sir, the reason for exceeding the 10 per cent requirement of the Public Finance Management (PFM) Act is to complete some of the incomplete projects.’

Is the Chairperson in order to present a document that is contravening a law recognized by the nation of Kenya?

Hon. Speaker: Hon. Ndeto you said under paragraph 1.1?

Hon. Ndeto: 1.1.3.

Hon. Speaker: Yes, Hon. Chairperson. Do I give directions we hear you? Hon. Ndeto have you gone through section 135 of PFM Act that in some exceptional circumstances, you can exceed the 10 per cent?

Hon. Ndeto: Right now, I do not have a copy of the same.

Hon. Speaker: Let us proceed.

Hon. Maitha: Mr. Speaker, I want to just tackle that issue of variance. I wish the former Hon. Chairperson of budget committee Hon. Muinde, if he was here. He is here, Mr. Speaker. Thank you. I be to apologize for that. He is her and I am used to sitting on the other side.

Mr. Speaker according to PFM (Amendment) Act 2015, that I was sponsored with the Hon. Chairman of budget committee to go and attend at Pride Inn Nairobi, the law is very clear that you cannot amend more than 10 per cent. Very clear Mr. Speaker. There is no way, under whatever circumstances you can say under certain conditions.

I want to give a practicable example, Mr. Speaker. Today, if this assembly had powers that supersede that national law governing.....(*inaudible*) in this House, Mr. Speaker, we can say under certain circumstances, members should be paid the eight months they lost. So, if we say in certain circumstances we can say ‘on certain circumstances, let us supersede the national law that says that our term ends in July or August and then we pay ourselves the extra.’

If this House had powers under exceptional circumstances, we would say ‘let us increase our allowances from this figure to another figure,’ but because there is a constitutional body that has the mandate to put those services, it is the same constitution that applies here and it is the PFM (Amendment) Act 2015 and it clears says that you cannot amend the budget at more than 10 per cent.

It is just like amendment---

Hon. Speaker: Order, Hon. Ndeto! Let me read for you section 135 (7); 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, approved a higher percentage.’ You hear that ‘in special circumstances. It is upon you because you will be here in the committee of the Whole House and you will deliberate on that question.

Hon. Maitha: Mr. Speaker, what I was saying is this---

Hon. Speaker: I have made a ruling on that matter and I have read for you the law. That matter is settled. Let us proceed with debate. Yes, Hon. Member for Ndalani.

Hon. Muthuka: Mr. Speaker, I wish to point out to the committee that it is an improvement from the report that they tabled. Mr. Speaker, going through the report, like I said last time, we need some standards of report-writing because being supplied with pieces of paper with stories some times, is quite hurting because we were categorical on what we needed when we requested for the committee to retreat twice and bring a substantive report on the supplementary budget.

Mr. Speaker, if you go through this report, first when you look at the objective...that is page 1, 1.1.1; ‘Mr. Speaker, Sir, the Executive Committee Member for Finance requires a total of Kshs. 1.99 billion, to be sourced from the recurrent (Ksh. 400.2 million) and development (Ksh. 1.59 billion) to finance (a) short fall in salaries and allowances.’

Mr. Speaker, we would ask ourselves a question; did we have additional or did we employ in this 2016/17 financial year? If we employed, how many people did we employ and in what departments are this new employees?

Mr. Speaker, also there is the issue of staff, county workers whereby there are some promotions or increments and it was prudent for the committee to bring us the list of health workers who have been promoted, jobs they have changed to and the amounts that we are increasing per individual because promotions is not a blanket. Promotions come within a given time and it is not done across the board. Each practitioner or health worker has his or her own day for promotion. We would like to know what is that deficit that we are about to re-finance in this supplementary budget. Mr. Speaker?

There is also the issue of understating of salaries by some departments and to pay the project coordinators deployed across the county. Mr. Speaker, are these new employees? In the County Governments Act, do we have these project coordinators and what is their work?

(Applause)

Then, is it a new department that we have created mid-financial year 2016/17 or how are we increasing their salaries? Is it a promotion or what is it? Mr. Speaker, if you go to C, on payment of pending bills, Mr. Speaker it will be laughable if we allocate an amount we do not know. Since

inception of this County Assembly Mr. Speaker, we have been requesting for the Debt Management Strategy Paper. Mr. Speaker, I thought today we will be supplied with all those details - the Debt Management Strategy Paper - so that we can be able to understand how much we owe, how much are we able to pay or to refinance within this financial year through this supplementary budget and the rest of the money, for how long or what strategy does the government have so that we can clear that debt?

Mr. Speaker, (b) finance and finalize stalled community hospitals, market sheds, *mulika mwizi* projects and road projects. Mr. Speaker, it is a pity. Last time I asked the same question from this Hon. House; I want to get to know the projects which have been initiated this financial year because it seems we have gone more than half the year but we have not been able to spend because in Ndalani, this financial year there is no road which has been graded, no water project Mr. Speaker, no ECD classes.

Mr. Speaker on agriculture, even the tractor was not seen, so Mr. Speaker, if I sit down here to support a document that does not help the people that I represent, who am I working for? Mr. Speaker if we go further to variance, although variance you have ruled about it, I will skip---

Hon. Speaker: Hon. Muthuka I want to offer you some guidance. The matter before us is the Supplementary Budget. You have talked about issues you have concerns about on funds that have been allocated. You have an obligation in the Committee of the Whole to say the funds that have been allocated to this particular project should be deviated to this other one and that is basically the purpose of a supplementary budget. If you find it untenable, say so and push for an amendments. Just proceed.

Hon. Muthuka: Thank you Mr. Speaker, for your guidance. Mr. Speaker, I appreciate your concern and also your guidance but Mr. Speaker, we have been receiving the same document for Supplementary Budget and the same song has been going on for the three years Mr. Speaker. If you look at the Ward Development Fund Mr. Speaker, the committee has presented reports saying that Kshs. 603.75 Million has been redistributed among the 40 wards, Mr. Speaker. Sometimes I fail to understand why we had the Ward Development Fund. This is the second year running following the Ward Development Fund and now Mr. Speaker, the committee had the guts to tell us there is likelihood that this amount will not be used under Ward Development Fund.

Mr. Speaker, this Assembly has a standing committee on Ward Development Fund and then we are saying that vote is not going to be used yet we have a Standing committee in this House that has reports on the Ward Development Fund and that sitting committee has been funded by the Assembly to bring reports on the development of these funds. Mr. Speaker, we are saying now is the high time this money is distributed. We want to know also Mr. Speaker, what criteria, how much each ward is going to get. How much is going to the *mulika mwizi*, Mr. Speaker?

Hon. Speaker: Again, Hon. Muthuka, that is a very good point you are making about the Ward Development Fund and that there is a standing committee on that particular point and at the appropriate time that money can be reserved and that committee can deliberate and file a report on how that money ought to be distributed. Let us proceed.

Hon. Muthuka: Thank you Mr. Speaker for your guidance but your guidance is contradicting what we have on the paper because already, the committee has ruled that there is likelihood that this amount will not be used for that particular vote, so saying that the committee will sit down at some other time and then deliberate on it Mr. Speaker, we are going round in circles.

In annexures Mr. Speaker, I would like to request the department to go sit down, have a list of the projects, their status, amount that has been paid Mr. Speaker, whatever I have I do not have the annexures he is talking about. Then finally Mr. Speaker---

Hon. Speaker: Order! Order! Let Hon. Muthuka conclude.

Hon. Muthuka: Then finally, Mr. Speaker, we would like a document that can be traced even in future when we are not in this Assembly Mr. Speaker. We do not want to do things because we are here to do them at this particular time; there will be some other years. The County Government of Machakos is not collapsing today. It is here to stay, dead or alive Mr. Speaker, so we want a clear document, we want clear explanations, so that Mr. Speaker, as I go back to give my people the report of what we have been doing today, their interests will be catered for; not just a blanket that we are going to put a *mulika mwizi*.

Four years down the line Ndalani has never even received a pole for *mulika mwizi* and then we come here to reallocate some money and then say that we are going to finish that project. Mr. Speaker, I will be lying to myself, I will be lying to God and I will be lying to my people, so with all due respect Mr. Speaker, and honesty, I reject this document. Thank you, Mr. Speaker.

Hon. Speaker: Let me hear Hon. Kathinzi.

Hon. Kathinzi: Thank you Mr. Speaker for catching my eye. I would like to be very particular on issues and I would like you to give me time to articulate seven important issues in this particular document, Mr. Speaker. To start with, you go on page 2, item 1.15 under Ward Development Fund, Mr. Speaker, you realize that we are a worried lot, that is the members who are elected, because this is the second year running allocating Kshs. 805 million to cater for the needs of our people whereby the Hon. elected member, who is the MCA, has the say and can work with immediate effect to rescue that particular scenario, Mr. Speaker, but you find that as it has been, the last financial year, that money was reallocated to other departments.

Those other departments have never given to this Assembly the list of items which were done by the Ward Development Fund which was supposed to be carried by the elected members of this County Assembly and you realize Mr. Speaker, we are given Kshs. 805 Million for that particular job and you go to, I think it is the third sentence, which says a total of Kshs. 161 Million has been transferred to the department of Education to fund the bursaries leaving a vote balance of Kshs. 603.75 Million.

To date, nothing has been spent and it is not likely to be spent before the end of the fiscal year that is the balance of Kshs. 603 Million has been redistributed. Underline the word

redistributed. Hon. Members, I want you to highlight this, the other time we were told the amount was redistributed to other departments now this time round we are told the amount is redistributed to the 40 wards to finance floodlights, *mulika mwizi*, market sheds and other items, Mr. Speaker.

I would not like to continue debating on that particular matter because it is something we know all of us and the Assembly is just taken for a ride to know that this money has been moved to that other side. There is a point I have seen for issues of *mulika mwizi*, which is on page 5 in relation to page 2 where I have just read, just go to page 5 at the top. It says Mr. Speaker, the committee recommends that out of the 1.59 reallocated to development, the Ward Development Fund vote, Kshs. 603.75 Million, has been reallocated amongst the 40 wards to finance the stalled market sheds, floodlights and access roads. This committee is taking us round and round.

There is also another place where they have said the issues of market sheds have been overestimated. Go to page 3 Mr. Speaker, under 1.22 on market sheds, Mr. Speaker, Sir, the committee observed that - now that is the committee which is chaired by the chair, budget - the committee observed that the market sheds were over-quoted. That particular committee has identified that Mr. Speaker, these market sheds were over quoted. We are not talking about somebody's money, we are talking about the money of the people of Machakos County and when they identify that particular issue, they say "...above the allocated budget and the Kenya National Audit Office recommended a quantity surveyor to ascertain the cost."

Mr. Speaker, I sat in one of the committees where this particular issue of market sheds was raised and it is pathetic to understand some of the figures which were mentioned. Go to item number 2 which is on page 3, these Hon. Members including myself are a worried lot to realize that the committee observed that there was a need for the County Assembly to reallocate an amount of Kshs. 20 Million for the recurrent expenditure (other transfers, car loans and mortgages) for capital expenditure. Mr. Speaker, this is the money we put in the last financial year, the current running financial year to cater for these issues, so why reallocate? Where did this other money go to?

Item number 3 Mr. Speaker, you go to item number 1.2 on page 3 under programs. Mr. Speaker, you realize that under the second sentence I will read the whole paragraph which says Mr. Speaker, "the committee observed that in the financial year 2016/2017 county budget, the County Government had absorbed 52 percent of the allocated funds.

The details of how the funds were spent in various votes has been shown through the specified details but the location of the projects are lacking. Mr. Speaker, what kind of a report is this? The details of how the funds were spent in various votes have been shown though the specific details of the location of the projects are lacking.

Mr. Speaker, we go to item number 1.21 under community hospitals of which I believe this is the community hospital which was given funding in the financial year 2013/2014 especially Kithyoko Community Hospital which was given Ksh. 9.4 Million, Mr. Speaker. Those times I was the chair of the committee when things used to go smoothly and this money has been redistributed over and over again.

For now this is the fourth running year budget and we are still talking about the stalled projects of the community hospitals, Mr. Speaker. This is pathetic; it is worrying, Mr. Speaker. The financial year 2016/ 2017 had appropriated development funds to the health department to

finalize the community hospitals; just the same song we have been singing here for the last three financial years. However, the funds were spent to pay pending bills and the construction of the community hospitals was suspended. Now we bring to this Assembly issues of bills which this county government has not been able to pay.

The leadership of the Assembly and the County Executive say there are no pending bills for any contractor. Now they bring this particular issue again when they want money again to go and spend wherever they have been spending. Mr. Speaker, this is another worrying bit. The health department requires Kshs. 290 million but has been reallocated Kshs. 88 million to pay and complete the community hospitals.

This is a white lie. White lie in a white day, Mr. Speaker. It is not possible to complete these particular hospitals with this particular kind of money because most of these projects were stalled and now they are crumbling down because they have overstayed there for more than 3 years without any attention to anything.

The last item, Mr. Speaker, I think when I was highlighting item number 1.22 on market sheds, under this discussion we would also like to officially know how much is allocated to one particular market shed because we are a worried lot in this Assembly. For those people who care about the people of Machakos County, money has been misused and for this particular case, last time when we were seated here Mr. Speaker, I believe you will also give me a chance to contribute and I said for the benefit of doubt, let us give the Executive to continue using this money the way they have been using it.

That particular scenario I was ambiguous; nobody knew whether I was supporting or declining but I want to categorically say a big no to this particular report because of those particular issues where history will be read on the wall and it is now very clear, our money, the money of the people of Machakos County, has just being misused.

As I rest my case Mr. Speaker, I would like to urge all Hon. Members to decline to support this particular document because it is not proper, Mr. Speaker, and whoever wishes to support, it is well and good. When we will be called ancestors of this land, people will be reading our names like the way we are reading the names of those warriors outside. Thank you Mr. Speaker.

Hon. Speaker: Hon. Kathinzi the point that you need to get clear is that if you find that there is no use in allocating funds to stalled projects and community hospitals, you just need to say so and that opportunity will come in the committee of the Whole---

Hon. Kathinzi: Mr. Speaker, if you allow me to comment on that---

Hon. Speaker: Let me hear Hon. Ngui.

Hon. Ngui: Mr. Speaker, I want to give my contribution to the matter at hand, that is the supplementary budget and first I want to congratulate the chair, budget because this time round he has brought us a better document that is presentable to this House. Mr. Speaker, the Machakos County Assembly passed a budget last year for 2016/2017 and what members need to understand

today is that we are supplementing a budget that we passed in this Assembly for monies that were not used to get used for people of Machakos County and we cannot stand here---

(Consultations)

Hon. Ngui: Protect me, Mr. Speaker.

Hon. Speaker: Proceed.

Hon. Ngui: Mr. Speaker, members have questioned why this time we have supplementary budget for employees or for recurrent expenditure. These members need to know that most of the questions they are asking here are supposed to be questions at the committee level. Mr. Speaker, members of the health committee know that we have employees, nurses, more than 400 employees who were employed by this county and members who attend the health committee and the other committees know that we have new employees in the ministry of health and we need money to pay those workers. Mr. Speaker, we cannot hold the government hostage for our political interests.

Mr. Speaker, we have employees; new engineers in the department of Roads who need to be paid. Mr. Speaker, the committee report from the chairman is in black and white. It is very clear; it shows very well that this money has been reallocated from this vote to this other vote. For example, it is very clear here I have seen there is a jaw crusher that was budgeted Kshs. 30 million and an additional Kshs. 5 million is required for this jaw crusher which, fortunately, is supposed to be installed at Katangi ward and we are supposed to crush ballast that is used to tarmac roads across the county of Machakos. Mr. Speaker---

Hon. Speaker: Please allow---

Hon. Ngui: Mr. Speaker, it is very clear that the county government of Machakos, and I want to correct Hon. Kathinzi because he has just mentioned that the minister has been claiming that there are no pending bills, the report is very clear. It shows that there are pending bills but the amount has not been mentioned. We know that there are pending bills and these contractors need to be paid so that this community hospitals can be completed.

Mr. Speaker, as I wind up---

Hon. Speaker: Allow him to conclude.

Hon. Ngui: Mr. Speaker, as I wind up, I would urge this Hon. House to support this supplementary budget for the projects that have not been completed to be completed and remember this is your last financial year and you are going down there to ask for votes. Any uncompleted project is going to out you.

(Applause)

Mr. Speaker, I support with a very big yes. I support. Thank you.

Hon. Speaker: Let us hear the mover.

Hon. Kasimu: Mr. Speaker, this supplementary budget contains the interests of both the Assembly and the Executive. That is what I want the Hon. Members to know and that it is a process. We have worked tirelessly to come up with this document after members raised issues that we go and amend. We have met the Executive member of Finance and the County Assembly Clerk and we have come up with this report after members raised on 1st March this year.

I would urge members to come up with amendments that they think are important and can save this County Government of Machakos that we can move forward. It is true that we have pending bills---

Hon. Speaker: Order! Hon. Members.

Hon. Kasimu: We need our children to go back to school because of the bursaries. Mr. Speaker, that is the truth that the members of this House must know that we budgeted for Kshs. 161 Million for bursaries and most of you have also issued bursaries and we need to go to the next level of issuing the balance after we pass this document. That is the reality of you as a Member of the County Assembly representing your area must sink in our hearts and minds that we need this supplementary budget to finance the bursaries and pay pending bills---

Hon. Speaker: Order, Hon. Members! We must hear the proposers too.

Hon. Kasimu: ---and that is the truth of the matter. Thank you Mr. Speaker.

Hon. Speaker: I want to hear another proposer. Yes, Hon. Kasoa.

Minority Leader (Hon. Kasoa): Mr. Speaker, I stand to support this supplementary budget. Mr. Speaker, a week ago, I personally talked to the Governor and he assured me that he is going to complete all pending projects before we go to election. Mr. Speaker, if you happen to go to my ward in Mbiuni market, there is a road in Mbiuni market which is waiting for tarmacking. There is also a community hospital which Mr. Speaker, I need as the MCA of the area, for it to be completed.

Mr. Speaker, I am urging these Hon. Members to set aside their partisan politics and support this, bearing in mind we have only three months to go and Mr. Speaker, I can tell you some of these members who are opposing this, are not contesting in the forthcoming elections.

(Applause)

So Mr. Speaker---

Hon. Speaker: Allow Hon. Kasoa to proceed.

Minority Leader (Hon. Kasoa): Mr. Speaker, they should not hold those of us who are willing to come back to this Assembly hostage. Mr. Speaker, I stand to support it in full. Thank you.

Hon. Speaker: I want to hear another proposer. Let me hear the leader of government business.

Majority Leader (Hon. Mwonga): Mr. Speaker, first and foremost I want to make a clarification on the allegations that have been raised by the Hon. Member for Kivaa ward, that is Hon. Kathinzi. Mr. Speaker, there is no one time that the leadership, and when we talk of the leadership Mr. Speaker, it is the Leader of Majority, I am not in record Mr. Speaker as saying that this county government has no pending bills. Mr. Speaker, that is a clarification first I wanted to make.

Mr. Speaker, the other thing, I want to draw the attention of this Hon. House to the PFM Act, Section 131. Mr. Speaker, we are debating as if we are supposed to throw this document out of the window. No Mr. Speaker. What we are supposed to do as a House is to make recommendations to the document which is before this House, Mr. Speaker. I wonder why members are debating as if it is a document which has to be thrown out. No way, Mr. Speaker, and that is against Section 131.

I also want to echo the sentiments of the Leader of Minority, Mr. Speaker. Let us put our political differences aside Mr. Speaker, and look at the wider figure or picture, Mr. Speaker because we are debating about the people of Machakos County, the residents of Machakos County; we are not debating about the Governor of Machakos County neither are we debating about the Senator of Machakos County. Mr. Speaker, we are the people entitled to make the legislation in this House. Let us forget what we talk outside there, Mr. Speaker. We should unite and pass this important document, Mr. Speaker.

On another issue Mr. Speaker which had been raised by Hon. Muthuka about lists of projects which had not been done, I wonder how many documents he is having, Mr. Speaker. I have a document which outlines the uncompleted projects and the complete projects, Mr. Speaker, running from the markets with unlit *mulika mwizis*, market sheds and community hospitals. You know it is very bad Mr. Speaker to just argue so that you can fulfill the wish of your master who is not in this House, Mr. Speaker.

(Applause)

Mr. Speaker, I 100 percent support this document and since these members have time at the committee of the whole house Mr. Speaker, that is where they can bring the amendments, Mr. Speaker. If you do not want bursary in your ward, say we amend this and this bursary we give to Hon. Mwonga, that is Masinga Central. If you do not want your bursary Mr. Speaker, that is the

way to go. Let us not keep on arguing as if it is a document to be thrown out. No, Mr. Speaker. I support 100 percent.

Hon. Speaker: Hon. Members, at the gallery we have members of the Ward Development Fund committee for Ikombe. I give the Chair of Chairs one minute to appreciate them, not to contribute; just to appreciate them.

Hon. Nganga: Thank you Mr. Speaker for that good moment Mr. Speaker, with us are members of the public who serve in different capacities across Ikombe ward. They took their good time to come around and see how we transact our business in this House and how we play our role as enshrined in the Constitution and the County Governments Act.

Mr. Speaker, I thank you for giving me that opportunity and I welcome them to learn a few things so that they can be inspired in the future to be in the race representing the people or encourage their sons and daughters to participate in service to people. Thank you. However I still request to speak afterwards. Thank you Mr. Speaker, Sir.

Hon. Speaker: What is the point of information? Let us hear it.

Hon. Maitha: Mr. Speaker, I stand on a point of information. I wish to inform the previous speakers including the Majority Leader, the Chairman, Budget that we are not here to serve any interests of any masters as they purport. Mr. Speaker, we are undertaking our constitutional legislative mandate. We are not here to serve the interests of anybody other than the interests of our people, Mr. Speaker.

Hon. Speaker: Order! Order! Hon---

Hon. Maitha: So, Mr. Speaker, we should not be manipulated. We should not be told that we are serving the interests of any master.

Hon. Speaker: Order! I have said you are out of order. Let me hear Hon. Nduva.

Hon. Nduva: Thank you, Mr. Speaker---

Hon. Speaker: ---and Members, we are not competing here; we are handling a very important document. Proceed.

Hon. Nduva: Mr. Speaker, I thank you for giving me this opportunity to discuss this noble document for the people of Machakos in this Hon. House. Mr. Speaker, I want to stand to support the document with reasons, Mr. Speaker. As a member of this committee Mr. Speaker, I think you have gone round and round to see to it that what deserves this Hon. House is represented. I have met the CEC member for finance several times, Mr. Speaker, in a need to get the full and right details of the questions which were raised by this Hon. House.

Mr. Speaker, I want to put it here that supplementing monies by a government is not an offence because in this document, the CEC member has said that she had instructed all the departments that have monies that are not spent, because there is no time according to the period that is remaining, that they can't put up new projects so that the monies can be supplemented to the pending projects or the projects that have not been completed.

Mr. Speaker, on concern with the Ward Development Fund, Mr. Speaker, you know it is as reason of the Controller of the Budget not to have approved the fund that the money has not been used. Mr. Speaker, I want to say clear here, the money belongs to the people of Machakos. The money belongs to the electorates of Machakos. If we do not supplement the money today, the government will not use this money and the money will be returned to the treasury while Mr. Speaker this Hon. House has the mandate to make recommendations and amendments as, Mr. Speaker, we have said, if they see what is put here needs to be amended, Mr. Speaker, this Hon. House has a mandate to do that.

If you look at the document now, the bursaries, the issue of the nurses and the doctors, Mr. Speaker, when we are talking of the salaries, we are talking of our employees in the department of water who have completed their one year contract, Mr. Speaker, and they have the information they will be paid when the Supplementary budget would be passed because the money that they should be paid is contained in this document.

When will they be paid if now we don't pass the document and those people are waiting outside there to get their salaries? Mr. Speaker, I want to urge this Hon. House; let us sit down, look what needs to be amended but not to talk evil about the whole document. Mr. Speaker, I support this document because the public outside there, not looking at a different tribe or community or region of this county, they are waiting to hear what this House will pass today. Thank you, Mr. Speaker, I stand to support.

(Applause)

Hon. Speaker: Let me hear Hon. Isaac.

Hon. Muinde: Mr. Speaker, as I contribute, I urge both sides of the House to exercise tolerance and have time to hear each other. Mr. Speaker, it is important that the House understands that a supplementary budget is not entirely a budget. We passed a budget of around Ksh. 10.8 billion into this House in June, last year. Mr. Speaker, a budget is simply a planning tool and while preparing the budget, you are looking forward for twelve months to come.

So by the time we are preparing the budget, you are at term zero but there is twelve months to come meaning, you may make errors while trying to plan and therefore the need in terms of budgeting need here or any time that the executive committee member of Finance feels fit can come up with a supplementary budget to ensure that a real plan is made so that things that were not seen at the time of planning, at the time of making the first budget, can now be incorporated.

The amount of the Ksh. 10.8 billion is not changing. The bottom figure still remains the same with or without this supplementary budget, Mr. Speaker. So this Supplementary budget, Mr.

Speaker, is simply realignment to cater for situations that were not seen at the time of passing the budget, Mr. Speaker.

The House does not make a budget. The House only approves the budget as made by the CEC member of Finance and approved by the cabinet, it is brought to this House, to be approved with or without amendments.

(Applause)

In trying to approve with amendments, Mr. Speaker, members of the assembly can now recommend to the committee on budget that amount set aside for a certain project be varied and, of course, within the requirement of the PFM Act, Mr. Speaker.

The House may not act as the office of the Auditor General and approving a supplementary budget, Mr. Speaker, at this level, we are not auditing the executive but it is for us to approve a budget and then follow the executive, through our committees, to ask them how they have performed in various departments and where money has been misused, Mr. Speaker, we have oversight committees in the House and we have other oversight authorities outside the county including the office of the Controller of Budget, the Auditor General, the EACC and any other office that may check the executive, Mr. Speaker.

It is also important to note that over the years, since 2013, this House has had a budget that has never been fulfilled simply because we have always overstated our local sources meaning projects that have been earmarked to be done in a year may never be implemented because there would be no money because at the end of a financial year, what we plan to collect, may never be collected.

(Applause)

We may have budgeted Ksh. 2.3 billion or Ksh. 2.8 billion, but in reality the actual collection may amount to Ksh. 1.5 billion. Therefore, issues of pending bills has always been following us, Mr. Speaker.

Mr. Speaker, there are projects that within this year because I participated in drafting this last report, Mr. Speaker, having been invited by the committee in Naivasha that the Kathiani-Kakuyuni road is one major project that may have spent more than what was budgeted at the beginning of the year, together with the Kivandini-Masinga road and it does not make any sense that we over-absorb money in one department while there are other departments that have not spent money and the departments that have over-absorbed require more.

If we do not pass a supplementary budget, Mr. Speaker, it therefore means that at the end of a financial year, the county may cross over with monies unspent in some in some votes while others have exhausted their votes and yet required more. So, Mr. Speaker, it is not evil to re-allocate what has not been spent to units that have overspent so that at the end, an year's zero balance can be reported although that is hypothetical figures because in budgeting, it is very hard to get a zero. You will always find that you have overspent and sometimes underspent. Mr. Speaker.

So, Mr. Speaker, the issue of the mortgage, Hon. Muthuka has mentioned and I felt there is need to clarify that because the issue that was raised in Naivasha. This is mortgage and car loan for staff not the members of the county assembly. They may not be able to apply for all this money this financial year while there is need to use this money elsewhere. We may not have to keep money in a bank account while the assembly that is to be convened hear in August will also have an opportunity to allocate more money or even in this House before we leave, we are going to have another budget. That money can still be budgeted for.

So, Mr. Speaker, it is not bad to re-allocate this money and the other thing is the Ward Development Fund, Mr. Speaker. This fund has never been okayed by the Controller of the Budget and we had allocated Ksh. 161 million among the Ksh. 805 million being amount for bursaries and until we move that money out of that vote, it will remain unspent. It is our people who will not get the money. The money is not meant to benefit the members of the county assemblies but the needy students in our wards who have been waiting. We have been promising them that to give us time, we need to pass a supplementary budget and this money will be coming to use.

(Applause)

I had the opportunity, Mr. Speaker, to ask the CEC Finance about the coordinators at the ward level and we were informed that these are already existing workers. The county government did not employ the ward administrators but in the meantime, to check the ballooning wage bill, they just moved the existing workers to various stations within our ward but these workers, however much they are already in the payroll, need some allowances to move around. They need to move from one station to another, they need allowances when they are moving from their duty stations, Mr. Speaker.

Therefore, the need to reallocate money to cater for this extra allowance when they are moving around in their wards, Mr. Speaker. Therefore, Mr. Speaker, with those few remarks, I want to urge the House to pass this report and if there is need, at the Committee of the Whole House, members can propose to vary the amounts but not entirely to reject a budget because the House does not exist here to compete with the executive on who is stronger.

We are here to approve the budget for them but still after approving the budget for them, we have the duty to follow what they have been able to spend the money on because that is why we are here and that is why we are paid. Mr. Speaker, with those few remarks, I stand to support.

(Applause)

Hon. Speaker: Let us hear, Hon. Mueni.

Hon. (Ms.) Mueni: Mine is to ask if we change the places which members are complaining about, we try to work to every member who is elected here so that they can be comfortable because if we pass the budget and some of the members here, Mr. Speaker Sir, their places are not worked on and they all elected the Governor. Those people they need the work to be done in their places. Thank you.

(Applause)

Hon. Speaker: Yes, Hon. Deputy Speaker.

Hon. Nganga: Mr. Speaker, I have had very interesting moments in this House, Mr. Speaker. Mr. Speaker this House is full of very interesting moments, Mr. Speaker. I will start by saying it is very important that we exhibit our fidelity to the constitution of this country and the laws of this land, Mr. Speaker. When our fate moves out of the toe, then we will lose conscience and we will lose direction. Mr. Speaker, I want to go through the document and highlight a few issues of concern that I have been able to come across.

Mr. Speaker in page two in 1.1.2 on the sources of funding. Mr. Speaker, it says that the supplementary budget will be realized through a 75 per cent cut on all uncommitted current expenditure except utilities and salaries and 100 per cent of all uncommitted funds. Mr. Speaker, if you look down there in 1.1.3 and in what they say is the variance, they are saying that this supplementary budget is not allowed by law to exceed 10 per cent of the actual expenditure in line with article 154 (2) (c).

Majority Leader (Hon. Mwonga): Point of information Mr. Speaker.

Hon. Nganga: Mr. Speaker, I seek your protection. I am quoting the document.

Hon. Speaker: I had ruled on that matter. Proceed.

Hon. Nganga: Mr. Speaker, I take your ruling. Mr. Speaker, I am only citing that in line with what the committee report says, that we are exceeding that vote and with the changes that have had to be done, it is a clear show that our department of trade and economic planning has failed in offering oversight and directing the way the budget of this county should be done, Mr. Speaker.

Those are some of the corrections that we need to make so that we do not have to do as many supplementary budgets as we have been doing each year in year out, Mr. Speaker. Mr. Speaker, down there is an issue---

Hon. Speaker: Order, Hon. Chair of chairs!

Hon. Nganga: Thank you, Mr. Speaker.

Hon. Speaker: You will have an opportunity to make rules and amendments in the Committee of the Whole House.

Hon. Nganga: I am guided and I am only raising my concern on behalf of the---

Hon. Speaker: Let us hear Hon. Muinde.

Hon. Nganga: Thank you, Mr. Speaker.

Hon. Muinde: Mr. Speaker, the Hon. Member for Ikombe, my friend and the man who I respect so much has alluded that we have been making many supplementary budgets in this assembly. I have been the Chairman of budget committee for the last three years and as far as I remember, we at least have one supplementary budget, at most two supplementary budgets in 2013/14. Is he trying to demean the ability of the former chairman and if so, Mr. Speaker, I think the Hon. Deputy Speaker, the member of Ikombe is committing an act of war. Thank you.

Hon. Nganga: Thank you, Mr. Speaker, I---

Hon. Speaker: Hon. Chairman, maybe perhaps you can tell the people of Ikombe, who happen to be here, the truth.

(Laughter)

Hon. Nganga: With all the due respect to my good friend and the learned member for Ekalakala. Mr. Speaker, of course when I say many, many is plural and anything more than one is many, Mr. Speaker adding all those years, Mr. Speaker we have always been doing a supplementary budget. Mr. Speaker, I am talking about all supplementary budgets combined because we have not had a proper guidance from the department of economic planning, Mr. Speaker, because these issues that are rising up after we make a budget is because this county does not have a strong department to look at the data or the revenue that we are collecting, Mr. Speaker.

The revenue that we are losing, Mr. Speaker, and that is why we have a budget, Mr. Speaker. I can be quoted as having stood in this House, in the last budget of last financial year and the other 2014/15 saying that, and the Chair can confirm, that we needed to reduce the amount of money that we are targeting to collect the local revenue because we have never come close to the amount that we always budget, Mr. Speaker.

The records are there to prove that myself, I stood here, very serious and say that we must bring down this commitment that we always give to our local revenue because we always raise approximately half or less than half of the targeted revenue, Mr. Speaker. However, moving forward, I will say that on the performance of the budget, the issue is, if we do not have proper information, statistical data from the department of economic planning to guide the department of finance, then we will have to always every time and again to have to come and do a supplementary budget whose aim is to balance the books of accounts Mr. Speaker and that way we will have same issues year in year out, Mr. Speaker.

(Applause)

That is why I am saying we already have a weak department of economic planning, Mr. Speaker, in this county and that is also coupled by overpromising, Mr. Speaker, because every other time, the leader of this county government is overpromising that the people of Ikombe have been waiting for a tarmac road. I have seen the report on page three about roads that are going to be done. Mr. Speaker, the road for Katangi-Ikombe-Matuu began ahead of the road for Kivandini-Masinga but because the member is seen not to sing and salute the song of the government, the road for Ikombe has been abandoned and the people have moved towards a new road for the people that salute the government every other day, Mr. Speaker.

(Applause)

Mr. Speaker, all these people fall up for the government of the day and that is why I am saying that we need to make sure that each and every person, each and every ward, gets its due share because all of us are paying taxes of this country, Mr. Speaker. It is not anybody's money that is being used to do this development. It is money---

Majority Leader (Hon. Mwonga): Point of information, Mr. Speaker.

Hon. Speaker: Hon. Chairman, let me hear the Majority Leader.

Hon. Nganga: Alright.

Majority Leader (Hon. Mwonga): Mr. Speaker, roads aside, Mr. Speaker, roads aside. I also want to inform the Hon. Member that the people of Ikombe need bursaries and his bursary for the last financial year is lying at the department. Why has he not gone for the cheques so that he can have something negative to say about the Governor?

Hon. Speaker: Order!

Majority Leader (Hon. Mwonga): Thank you, Mr. Speaker.

Hon. Speaker: Hon. Majority Leader, you need to address the Chair.

(Laughter)

Majority Leader (Hon. Mwonga): Mr. Speaker, I think I have been addressing the Chair. I have said, Mr. Speaker---

Hon. Speaker: I have listened you very carefully that you said you addressed his person.

Majority Leader (Hon. Mwonga): No, Mr. Speaker, I said point of information to the Hon. Deputy Speaker. It was a point of information, Mr. Speaker, that the people of Ikombe need

bursaries and he has not gone to collect his cheques for the last financial year. That is what I wanted to inform him, Mr. Speaker. Maybe he is forgetting.

Hon. Speaker: Let me hear.

Hon. Nganga: Mr. Speaker, I will not conclude the lines. Thank you, Mr. Speaker. It was a good interlude, Mr. Speaker. We understand him.

(Laughter)

Mr. Speaker, I want to say this, we understand him. Mr. Speaker, the people of Ikombe, the bursaries that were supposed to be given, it was.....Hon. Nganga was labeled that he should not be given bursaries to take to the people of Ikombe because he is not singing the song of the government and the cheques that were there after now the government allowed---

Hon. Speaker: Hon. Chairman, conclude.

Hon. Nganga: Alright, Mr. Speaker, as I wind up.

Hon. Speaker: Did you raise that matter in this House any one time?

Hon. Nganga: Mr. Speaker, I am responding to the matter that has been raised by the Hon. Member for Masinga Central.

Hon. Speaker: You need to respond to the matter that the Chair has raised.

Hon. Nganga: Mr. Speaker, the bursaries for people of Ikombe are already with the people of Ikombe. I gave them their cheques, Mr. Speaker, and tomorrow, I am starting again picking new names for the bursaries that are being tried to be provided, Mr. Speaker.

Hon. Speaker: That was the thing. Proceed and conclude.

Hon. Nganga: So the Member is misguided, misinformed and he is only trying to do personal attacks.

(Applause)

Mr. Speaker, I want to say this; that in page two, 1.1.5 under Ward Development Fund, I want to confirm that even when we have funds to assist to pay in our budgets we did five percent of expenses to even assist our chairpersons of Ward Development Fund committee and the committees that participate in collecting names and making minutes for the people that benefit with those bursaries, for those years that they have been doing this exercise, this money has never

been spent and these people have never been paid for the job that they do across the data Mr. Speaker. It is a matter that I think the Chairman can respond to while doing that.

Mr. Speaker, also in the matter of saying that the Ward Development Fund money needs to be moved out, we know what happened to sabotage the Ward Development Fund arrangement and the matter of the Controller of Budget, we know very well what happened and it is not that the ward.....in this country, we have been to counties where Ward Development Fund is working Mr. Speaker.

(Applause)

What lacks in Machakos is not the Controller of Budget. It is lack of the political will of the current regime to have this money go to the people of Machakos because it is felt that if this money is there, the area members of county assembly will get a little bit more powerful and possibly be listened to by wananchi Mr. Speaker---

Hon. Speaker: Order! Hon. Chair. I have been personally following the matter of the Ward Development Fund and I know the legal hitches and I have shared this severally with you Hon. Chair.

Hon. Nganga: I appreciate this, Mr. Speaker. I move to the final the last two issues, Mr. Speaker. On the matter of county assembly, I support, that amendment but there was the matter for community hospitals. We have passed supplementary budgets every year with this rider. The rider that this money will assist in doing the community hospitals. Since 2013, the community hospital in Ikombe ward has never gone any higher from the foundation and the report is the, which says its only materials that are on site.

Mr. Speaker, much needs to be done for the people of this county to benefit with what is due for them. Mr. Speaker, recently, two weeks ago, I got a phone call from one of my markets called Kikesa market. What happened, people thought that *Al-Shabaab* had come around because one of the *mulika mwizi* which were erected two to three years ago and were never lit happened to fall down and you know they are very tall and there are very many bulbs. So when they fell down, everybody in the market ran back in their shops thinking that a bomb has been detonated in the market because these *Mulika Mwizis* have been there in Ikombe and they have never been lit.

Two of them have already fallen, actually in three markets and in every financial year, we allocate budgets and they say 'we don't want to go and work for the people of Ikombe because the Hon. Nganga does not salute the regime.' It is not me who is the problem. It is the people of Ikombe that deserve to be served, Mr. Speaker.

Hon. Speaker: Hon. Chair, I know your members are here.

(Laughter)

Make use of the opportunity to make sure that those floodlights can work because funds have been allocated to *mulika mwizi* now.

(Applause)

Hon. Nganga: Mr. Speaker, I am saying we have already provided these monies year in, year out. Mr. Speaker, much has never been achieved. We have the chair promising us a miracle this time?

Hon. Speaker: Can we hear the chairman on the matter of *mulika mwizis*

Hon. Nganga: And as I wind up on the---

Hon. Speaker: Order, Hon. Nganga!

Hon. Nganga: On the ECDE, it would be good that on the ECDE and the jaw crusher.

Hon. Speaker: Who said you don't hear as we speak?

Hon. Nganga: Mr. Speaker, I hear you. One final one then I sit.

Hon. Speaker: I will allow you to rise up again.

Hon. Nganga: Thank you, Mr. Speaker.

Hon. Speaker: Addressing on the matter of the *mulika mwizis*.

Hon. Kasimu: Mr. Speaker, to all the members of this assembly have some documents that show that there are areas of representation that have *mulika mwizis* while others do not. I will put my area, Matungulu East ward. I am pushing this because I want my area to get *mulika mwizis*. I thank God because at least Ikombe ward has *mulika mwizis* that are not lit but we are promising that we want *mulika mwizis* in all wards that have no *mulika mwizi* and that is why we have put money there to work on that for this supplementary budget since in the next two months Mr. Speaker, Sir, things will be moving in every ward. Thank you, Mr. Speaker.

Hon. Speaker: Let us hear Hon. Chair, finally. Just finally. Just conclude.

Hon. Nganga: Mr. Speaker, on the issue of ECDE, we request that even without a supplementary, the challenge we have is we are required to pass this supplementary budget but there is no procuring framework that is in place for the relevant contractors to go and complete this project.

For instance, Mr. Speaker, on the ECDE projects, none has ever begun in my ward Mr. Speaker and the contractors who were awarded in 2013, their contracts award have never been revoked to date and even if we pass this supplementary budget today, tomorrow they cannot go on site because their one document is also now expired because they have not done the job that they were required to do in the last three years, Mr. Speaker.

On the matter of the jaw crusher, again this House and you guided myself and the members of this House to approve on Ikombe ward having a jaw crusher for them to crush the very many stones that are roads and in our farms. In this report, it was said last year that once we make the budget of last year, Ikombe will have its jaw crusher procured. Now, today it is very evident that the people of Ikombe again willingly by design and with all the will and were we told that there has been good plans to make sure that the people of Ikombe who could not get a jaw crusher because in this supplementary budget, it is only one jaw crusher that has been budgeted for, Mr. Speaker.

Mr. Speaker we asking for two more for Katangi and Ikombe and we moved a motion in this House and it was approved. What has the chairman done to address that impropriety, Mr. Speaker, because it shows that after you are elected, you must salute somebody for---

Hon. Speaker: Order, Hon. Chair! You need to address the Chair and then you will have the opportunity to propose the amendments in the Committee of the Whole House.

Hon. Nganga: Mr. Speaker, I would request him to explain.

Hon. Speaker: In line you have exhausted your argument.

Hon. Nganga: Thank you, Mr. Speaker.

Hon. Speaker: We can hear. Let us hear Hon. Rachael.

Hon. (Ms.) R. Nduku: Mr. Speaker I want to applaud the committee on budget and their report but I want to remind the chair that when they were meeting upstairs, I passed by the committee and I reminded the chairman that it will be good because the facts we are raising here, if the chairman would have listened to me, then this supplementary budget, personally, I would not have any problem with it.

I have gone through the two papers here, Mr. Speaker, and as a representative of Mlolongo/Syokimau ward, I have a lot of questions in my mind particularly on issues concerning my people because 40 of us elected members of this House, every member has questions to answer in his or her ward.

Mr. Speaker if I could just speak a little bit on page 2 on performance of 2016/ 2017 budget, putting all political aspirations aside and it is my wish as a representative for Mlolongo to leave a legacy behind Mr. Speaker, I have to speak my heart. When the Chairman said that there has been a general under-performance of the budget specifically by November 2016, the commitment of the

project had not been done and it is not likely to be started due to the nature of the public procurement process.

Mr. Speaker, I wish you could have read that paragraph twice then you understand what we mean because as for me, I do not want to speak as if I am purporting to serve anybody but I serve my people in Mlolongo/Syokimau. The chairman and the committee continued to say, the approved projects which were budgeted for will not be undertaken because the allocated funds have been re-allocated to finance stalled projects. I will not continue Mr. Speaker but what I told Chairman, Budget and he listened to me because I respect him and he respects me, I told him, if at all you go to Mlolongo and as they have given us the record of the projects in different categories of departments, Mr. Speaker I would wish if the committee would have told me, if Mlolongo market shed has been stalled and the certificate which was raised and the money which was paid to the contractor and the remaining balance is here, and the committee of Trade is going to be given such and such amount for that market shed in Mlolongo to be completed, then Mr. Speaker, I will be okay.

I told the Chairman, if you go to another document here, the Chairman and the committee is telling me that in Mlolongo there is tarmacking of market roads and in Mlolongo Market, Kshs. 14,984,000 has been used in Mlolongo. Mr. Speaker, I am perturbed because when I stand before the people of Mlolongo to convince them to re-elect me, they ask a lot of questions and if today this document is approved, I will go and bring the people of Mlolongo together and show them the document because they know I am not the implementer, I only approve the budget.

Mr. Speaker, how am I going to approve the budget when I can see my people are suffering? There is nothing in Mlolongo; I have been raising and issuing statements here in this House, Mr. Speaker you have been directing my statements to different committees and as we are speaking today, you have said and even the former Chairman of Budget has said, the committees will do their work of oversight. We have been doing that since. If this Mr. Speaker is a formality, we are going to let it go but our people will remain crying but myself I will stand firm and convince my people that I approved and the implementer should implement what is supposed to implement.

Mr. Speaker, I want to rest my case and urge the committee just to give us the budget concerning our stalled and terminated projects in our wards. There is nothing else we want; all we want is our Executive to work, we do not want a lot of arguments. Thank you Mr. Speaker.

Hon. Speaker: Thank you. Let me hear Hon. Kitheka.

Hon. Kitheka: Mr. Speaker, I do not have any reason whatsoever to make this document move a step ahead. Reasons, one, because on the issue of the stalled projects on markets, Machakos Central Ward does not reflect anywhere; it is evident in the document. Mr. Speaker, on the issue of hospitals, even a mere indication that there is a stalled project of a hospital in Kusyomuomo which is stalled---

Hon. Speaker: Order, Hon. Kitheka! I am directing Hon. Katela to give you peace.

Hon. Kitheka: Thank you. Mr. Katela you have been directed now.

(Laughter)

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

Hon. Kitheka: Mr. Speaker, protect me.

Hon. Speaker: Hon. Katela, I will rule you in disorder and I will kick you out of the chamber.

Hon. Kitheka: Mr. Speaker, on the issue of hospitals, that is why I am very genuine telling you that I may not let this document go because there is no indication showing that there is Kusyomuomo Hospital.

Hon. Speaker: Order, Hon. Kitheka! We have said this since the beginning that the much we can do to this document is to amend it. So, you need to look at that particular item and pose and amendment. Just proceed.

Hon. Kitheka: Mr. Speaker, I am pointing out my dissatisfaction because even a mere indication that there is a stalled project of a hospital in Kusyomuomo is not even reflecting in the books. Seriously, even a market shed, there is nothing! Mr. Speaker, if you go to the issue of the ECDE schools, they have not been started and even the one which is quoted here was not given anywhere in the priorities. So, Mr. Speaker, I tend not to understand why we are discussing such a document when it has a lot of ambiguity and a lot of problems.

Mr. Speaker, when you look in this document on the issue of re-issuing classes to contractors, you will find that there is a lot of unfairness. You look on this document, you will find Muthetheni Ward that is why Hon. Katela is talking, Mheshimiwa; you will find it is given five ECDE classes given to the same contractor and this shows a lot of conspiracy in the entire issue and when we are talking about just one ECDE school in my ward, it is nowhere in the document. Mr. Speaker---

Hon. Speaker: I will take it that Hon. Kitheka I know you come from Machakos, Hon. Katela comes from Muthetheni and maybe the needs are different on that particular point.

Hon. Kitheka: Mr. Speaker, we had given priorities of two ECDE schools each ward; we had not given five, and I do not understand why he is having five; Mr. Speaker, that is an integrity issue. On the issue of salaries for project coordinator, we had a meeting---

Hon. Speaker: When you say it is an integrity issue, what do you mean?

Hon. Kitheka: Katela should be probed as to why these five schools are appearing and Kitheka's is appearing one. He should be probed---

Hon. Speaker: Hon. Kitheka you are out of order and I order you resume your seat.

Hon. Kitheka: Thank you.

Hon. Speaker: Maybe, Hon. Nduva, you can put clarity on some issues raised?

Hon. Nduva: Mr. Speaker, I want to put it clear to this Hon. House and Hon. Members that as a committee, we have tried to question the Minister for Finance whether the information they have given here that these projects will be completed within the remaining period is true, and my fellow Members can affirm that the Minister has acknowledged it is only the projects that were ongoing that can be done during the remaining period. She assured the committee that these projects will be completed, Mr. Speaker.

If you go to page 2, 1.14, first paragraph, they have said....let me read the whole paragraph, 'Mr. Speaker, Sir, there has been a general under-performance of the budget specifically. By November 2016, the commitments of the projects had not been done and are not likely to be started due to the nature of the public procurement process.

The approved projects which were budgeted for will be undertaken because the allocated funds have been re-allocated to Finance to settle projects deficits in salaries and pending bills. It is important to mention that at this point, the Executive Committee Member for Finance had given notice to all departments that an absorbed pending funds, pending by the end of February 2017, would be re-allocated to needy projects since the department will not be in a position to commit the funds within the remaining period.

Mr. Speaker, this indicates the monies will be moved to the ongoing projects so that they can be completed. So, with this, I want to assure this Hon. House that we have put our concern to the Minister for Finance and I want to urge these Hon. Members that we do our part; the implementation remains on the other hand of the Executive. If we say here today that we will not approve this because it will not be done, we will have failed as a House because ours is to approve then watch them perform. Thank you Mr. Speaker.

Hon. Speaker: Thank you.

(Applause)

Yes Hon. Matheka.

Hon. Matheka: Mr. Speaker, Sir, I have some two or three issues to raise and I will start with page 1, that is 1.11 on the objectives and Mr. Speaker, Sir, they are well articulated by the budget Chairman and his committee. My issue here is very simple; to me the word 'objective' is being specific on the goal you want to achieve when doing something and when the Chairman was putting down his objectives, he should have been very specific on some issues.

Mr. Speaker, Sir, on C, we are paying the pending bills. Yes, they are supposed to be paid because the debtors or the creditors are sons and daughters of Machakos County but the simple question is, who is being paid what? Mutua is being paid Kshs. 10,000, Muli is being paid Kshs. 100 Million. Why are we not putting that? How can we give them a blank cheque, go and pay the pending bills and that has been the story year in year out. Mr. Speaker, Sir, if only the Chairman can go back and give us the specifics, we will not have any problem with him.

Mr. Speaker, Sir, on the issue of the community hospitals, he wants an addition of Kshs. 290 Million and Mr. Speaker, Sir, in the audit of 2014/2015, there was an audit query in the same things; Kshs. 294 Million was being queried by the Auditor General, where the money went. Now, we come back here and contradict ourselves by giving them back the same money, Kshs. 290 Million---

Hon. Speaker: Hon. Matheka do you have that report?

Hon. Matheka: It is in the audit report of 2014/2015; it is there. Kshs. 294 Million is being questioned. Mr. Speaker, Sir, we cannot give back the same money; we will be committing suicide as a House.

Mr. Speaker, Sir, on the issue of the market sheds, if I be specific on my ward, my shed was supposed to be done in Kawooni and I sit in the committee of Planning where we deal with those market sheds and there are three market sheds which never started: Kangundo North, Tala Ward and another one I think in Kibauni, Ikalaasa; they never started, but what is written here is quite different. Mr. Speaker, Sir, I think we have been too lenient with these people. Well, you are saying we are going to amendments but we have been doing the same amendments year in year out; what has been happening? Nothing.

Mr. Speaker, Sir, we need to be told exactly what is happening on the issue of bursaries. Everybody wants bursaries, yes we need them. Our kids are waiting for the bursaries and Mr. Speaker, Sir, there is something else which happens when we go for the bursaries. One, we give out Kshs. 40 Million here as expenses then we go there to get our bursaries and they deduct another Kshs. 50 Million which they say it is an expense to the bank. What are we doing? We give them Kshs. 50 Million and they deduct another Kshs. 50,000 (???). Mr. Speaker, Sir, that one I think is wrong and it is outright theft. Our people should be given value for their money; that is what happens.

Mr. Speaker, Sir, we also brought to the attention of this House that some wards got their bursaries less Kshs. 1 Million. Where did the Kshs. 1 Million go and we approved Kshs. 161 Million for the bursaries? Mr. Speaker, Sir, we need to be serious with our people and we need to be serious with everything, not a question of coming here to say I support so and so.

We did not come here to support anybody; we came here to support our people because they are the people who elected us in this House and those are the people we should pay allegiance to, not anybody else. So, Mr. Speaker, Sir, my point is, if only the Chairman, Budget can give us the specific objectives of this paper, we can be very happy. 'I am paying so and so, such and such hospital is being done this and this,' Mr. Speaker, we will be very much okay.

For the community hospitals, as indicated here in this schedule, most of them are indicated as in the rental stage and I stand here to say NO! Mine is in the foundation stage and I know for Kangundo East never started; I know for Kangundo Central is not in the rental stage. So, this whole document is a fallacy, Mr. Speaker, Sir, and we need to be told the truth and our people need to know the truth. We should tell our people the truth because that is why we came here; to tell them the truth but not fallacies. Thank you Mr. Speaker, Sir.

Hon. Speaker: Yes, Hon. Member for Ndithini.

Hon. Muli: Mr. Speaker, Sir---

Hon. Speaker: ---and maybe before you proceed you realize that you need to address on items; we don't need you to just make general statements

Hon. Muli: Mr. Speaker, mine is to appreciate the Chairman and the committee for Budget with the backup of Hon. Muinde, Hon. Christine and Hon. Nzioki, who they are experts in finance, Mr. Speaker and Mr. Speaker, I would like to quote that this document has already been strategized as per our request, Mr. Speaker.

Last time when we were on this floor of the House, these are the things which we questioned and I support the document because I am convinced fully that things have already been analyzed and what is there, I would like to request the Hon. Members to put political issues aside and issues of personal development according to the wards and follow the law and let us amend or adjust our issues in the committee of this House, Mr. Speaker, because the things have already been indicated very well and every Member here, I believe, is convinced fully that the things which have already been indicated in this paper are the ones which are required and are prioritized to be completed, Mr. Speaker.

I would like only to inform the Chairman, Budget that the concern of these Members need safe landing and they are serious and they need these issues to be implemented well. Thank you Mr. Speaker.

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

Hon. Kamitu: Mr. Speaker, Sir, this afternoon I was just sitting down and really listening to this very important debate where Members have really exhausted the report that was given by the budget committee and Mr. Speaker, you remember I said that experience is the best teacher and Mr. Speaker, Sir, I am standing here to bring some guidance on this issue. You are very much aware that the purpose of a supplementary budget is to cater for shortfall.

For example, we have been given the objective of the supplementary and it is very clear; it is well documented by our Chairman that, we have some shortfalls in salaries and allowances for the workers, transfer of bursaries amounting to Kshs. 161 million, payment of pending bills to finance and finalize the stalled community hospitals, the market sheds, the *mulika mwizis* projects; all these have been mentioned by the Hon. Members and why am saying that sometimes experience

is the best teacher is that, I am telling the Hon. Members that we are only debating and we have debated, but we should ask ourselves, what was and what is the purpose of the supplementary budget?

It is to cater for the shortfalls in salaries that has been given in the objective by the Chairman and his committee. So, what are we talking about? It is important, yes. We have discussed this and because everything has been documented, I would kindly request the Hon. Members that we should follow procedures and in this regard Mr. Speaker, Sir, the procedures are that because this report has been brought to the Members in this House, if there is any document that is supposed to amended, procedurally Mr. Speaker, Sir, it is during the whole House where we are supposed to do the amendments.

It is important that we have been guided by the committee of Budget so when the time comes for the amendments in the Whole House, this is the time now that we are supposed to streamline and question issues where there is doubt. In this regard Mr. Speaker, Sir, I stand to support so that we may go ahead and do the re-allocations for the benefit of our electorate down in the wards. Thank you Mr. Speaker, Sir.

Hon. Speaker: Hon. Members, we have reached a point that I am satisfied that issues have been ventilated. The only purpose of the House is to approve the supplementary budget with or without amendments. There is no provision for dismissal according to the PFM Act and the Standing Orders. I therefore proceed to put the question.

(Question put and agreed to)

(Several Members stood in their places)

Hon. Members, be seated. Let me hear Hon. Muinde. Kindly guide because we do not have a provision for dismissal; we must proceed.

Hon. Muinde: Mr. Speaker, this being a money bill and being that after this we are supposed to go the committee of the Whole House, Mr. Speaker, the House may lose the opportunity to propose amendments. We have debated, but those against may have missed the opportunity to point out areas where money needs to be varied.

Procedurally, we are supposed to go to the committee of the Whole House where the Supplementary Bill is now put forward and where amounts, the question here is the amounts, whether we are approving the amounts as given by the CEC, Finance or we are recommending amendments, Mr. Speaker. The question is not to vote because we are neither rejecting nor accepting in totality. We are going to the committee of the Whole House, Mr. Speaker. Thank you.

Hon. Speaker: Order! Hon. Members, the additional directions I give is that this House will proceed to a committee of the Whole and the vote that was requested is denied. Then the House will adjourn to a committee of the Whole.

(Then)

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

[Mr. Speaker left the Chair]

IN THE COMMITTEE

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

MACHAKOS COUNTY SUPPLEMENTARY BILL, 2017

(Loud Consultations)

Hon. Chairman: Order! Members, let us be seated.

(Loud Consultations)

Order Members! Order Hon. Nzoka. We are already in a committee so the rules of the House apply, only in a relaxed mode, so I beg that we do not lose our decorum. Chairman are you ready?

Hon. Kasimu: Yes, Mr. Speaker.

Hon. Chairman: So, we can begin. We will begin with the clauses without amendments. Have the copies of the Supplementary Bill been supplied to Members? I think it is only good that the Serjeant-at-Arms supplies those copies. Yes, Hon. Kitheka, what is your matter?

Hon. Kitheka: Mr. Chairman, we have been advised that we are coming to this committee to make amendments and we are not coming to this committee to be given amendments which have been pre-determined. So, Mr. Chairman, I think we are misleading ourselves because we were told that we are going to make amendments in the next step. Now here in the next step, we are being guided with pre-determined amendments. Mr. Speaker, we have not been given any chance to make any amendment, Mr. Speaker, and if it was so---

Hon. Chairman: Your matter has been heard, we will give directions. Yes, Hon. Katela.

Hon. Katela: Mr. Chairman, I think the immediate contributor is out of order because where you sit now, you are guided by the rules of the committee and the rules which have been in place for the last four or five years. I think he should not stand up to guide you. He should not guide you; you should be guided by the rules. I think he is---

Hon. Chairman: Thank you Hon. Katela.

Hon. Katela: That is why he can't see a big hospital in his ward and I even have small hospitals in my place. Stupid.

Hon. Chairman: Hon. Katela, can you withdraw.

Hon. Katela: I withdraw.

Hon. Chairman: Please, don't repeat that. Members, I urge that we contain ourselves. The member seeks to be guided on a matter that the Chairman should be able to respond about. Can you respond to the matter raised by Hon. Kitheka?

Hon. Kasimu: Mr. Chairman, I find the member for Machakos Central ward out order. He had a lot of time to bring his amendment in the last---

Hon. Kitheka: Where?

(Applause)

Hon. Kasimu: Mr. Chairman, we have given him an opportunity to bring amendments.

(Loud consultations)

Hon. Chairman: Order, Hon. Kitheka!

Hon. Kasimu: Mr. Chairman, I still find the Hon. Member out of order. We had given him an opportunity in this House when he stood in this House to speak and bring amendments to this document and he never brought any. He cannot now purport to have come here to bring any other amendment. He had that opportunity, Mr. Chairman.

Hon. Chairman: Okay. Thank you chairman. Order, Hon. Members! I want to give some directions. I want to refer you to Standing Order 125 on the procedure in committee of the Whole House on a bill.

1. The Clerk shall call severally each part of the Bill in the sequence specified in Standing Order 123 (Sequence to be observed on a Bill in committee) and if no amendment is proposed or when all proposed amendments have been disposed of, the Chairperson shall propose the question "That, (as amended) stand part of the Bill" and, when Members who wish to speak have spoken, the Chairperson shall put that question to the Committee for decision.

2. No amendment shall be moved to any part of a Bill by any Member, other than the Member in charge of the Bill, unless written notification of the amendment shall have been given to the Clerk twenty-four hours before the commencement of the sitting at which that part of the Bill is considered in Committee.
3. Despite paragraph (2), where an amendment has been moved to any part of a Bill in accordance with this paragraph, any Member may move an amendment to that amendment on delivering to the Chairperson, the terms of his or her amendment in writing.

I hope you have heard about number three.

4. A member moving an amendment or a further amendment to any part of the Bill under paragraphs (2) and (3) shall explain the meaning, purpose and effect of the proposed amendment or further amendment.
5. No amendment shall be permitted to be moved if the amendment deals with a different subject or proposes to unreasonably or unduly expand the subject of the Bill, or is not appropriate or is not in logical sequence to the subject matter of the Bill.
6. No amendment shall be moved which is inconsistent with any part of the Bill---

They are many. They are around 16. I urge members to go through our Standing Orders so that we can be properly in line with the---

(Hon. Kasimu handed a note from Hon. Katela to the Chairman)

Hon. Katela, you are out of order and next time you will be chased out of this House. So, I urge we look at Standing Order 125 so that we follow the law and regulations which are in place. So, I think we are properly guided. Let us move. Clerk, you are set? I can only confine myself to what the law says and I know each part of this House will be at comfort with that.

Clause 3

Hon. Kasimu: The sum granted by section two shall be appropriated for several services and purposes specified in the second column of the First Schedule the amount specified in the third column of that Schedule.

(Question of amendment put and agreed to)

(Applause)

(Several Members stood in their places)

DIVISION

Hon. Chairman: Okay. Alright, we are going for division on that clause. Clerk you need to count the members that are for and against that clause. So the clerks will work on that.

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(Physical count done)

(Question carried by 24 votes to 17)

(Applause)

R001

Hon. Kasimu: I beg to move THAT, the first schedule R001 be amended as follows:-

Code R0001 for Recurrent Expenditure for co-ordination and Supervisory Services of Office of the Governor, Cabinet Office, and Office of the County Secretary and Legal Office is amended by deleting the figure Ksh. 482,170,746.00 and substituting therefor with the figure Ksh. 556,170,746.00.

(Clause R001 as amended agreed to)

R002

Hon. Kasimu: I beg to move THAT, schedule R002 be amended as follows:-

Code R0002 for Recurrent Expenditure for General Administration and Support Services, ICT Infrastructure, Information and Communication Technology, and Human Resource Management and Development of Public Service, Labour and Information Communication and Technology is amended by deleting the figure Ksh. 786,951,338.00 and substituting therefor with the figure Ksh. 712,951,338.00.

(Clause R002 as amended agreed to)

(Clauses R003, 004, 005, 006, 007, 008, 009, 010, 011 and 012 agreed to)

R0013

Hon. Kasimu: I beg to move THAT, the code R003 be amended as follows:-

Code R0013 for Recurrent Expenditure for Legislation and Oversight of County Assembly is amended by deleting the figure Ksh. 934,139,368.00 and substituting therefor with the figure Ksh. 914,139,368.00.

(Clause R0013 as amended agreed to)

(Schedule agreed to)

(Title agreed to)

(Clause 1 agreed to)

Hon. Chairman: Members we are through with the clauses. I call upon the chairman of the committee to move that the committee report back to the House.

Hon. Kasimu: I wish to move that the committee do report its consideration of the Machakos County Supplementary Bill No. 1 of 2017 and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

(The House resumed)

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

REPORT AND THIRD READING

MACHAKOS COUNTY SUPPLEMENTARY BILL, 2017

Hon. Nganga: Thank you, Mr. Speaker, Sir. I wish to report that the committee do report to the House its considerations of the Machakos County Supplementary Bill No. 1 of 2017 and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

Hon. Kasimu: Mr. Speaker, Sir, pursuant to Standing Order 131, I wish to move the motion that the Machakos County Supplementary Bill No. 1 of 2017 be now read a third time. I call upon Hon. Sammy Nduva to second.

Hon. Nduva: Mr. Speaker, I stand to second the Bill to be read for a third time. Thank you.

(Question put and agreed to)

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

Hon. Speaker: I do ask the chairman of the committee to give thanks.

Hon. Kasimu: Mr. Speaker, I wish to thank the Hon. Members of my committee for their support during the process of the supplementary budget-making. I wish also to thank the invited

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members, Hon. Isaac Muinde, Hon. Christine Mutune and Hon. Peter Nzioki. I also wish to thank the Majority Leader and the Minority Leader and the members of their groups and the Minority and Majority Whips for their support.

Mr. Speaker, I wish to thank my clerks and the Clerk of the County Assembly for their support. I also want to thank the members who have supported because the people of Machakos and the electorates can now apply for their bursaries and get them soonest possible and the stalled projects. I am sure the Governor of Machakos will move with speed with the government and implement the stalled projects and work for our people. Thank you, Mr. Speaker and May God bless Machakos and all of us. Thank you.

Hon. Speaker: The Machakos County Supplementary Bill No. 1 of 2017 is now considered to have been passed by this Assembly.

(Applause)

Let us proceed with the next matter.

MOTION CHANGE OF HOURS OF HOUSE SITTINGS

Majority Leader (Hon. Mwonga): Mr. Speaker, Sir;

That aware that the House approved an Assembly calendar pursuant to the provisions of Standing Order 25(1);

Aware that the assembly calendar showed that the House will be sitting on Tuesday at 2.30 p.m. Wednesday 10.00 a.m. and 2.30 p.m. and Thursday at 2.30 p.m. as per Standing Order 27(1);

Further aware that committees have several reports which they need to interrogate and noting that general elections are fast approaching and the assembly should conclude all its business before the *sine die* recess;

Noting that most of the Assembly business is carried out at committee level which then report to the House and aware that committees need more time to interrogate reports and prepare business for the House;

Aware that Standing Order 27(3) (c) provides for the House to resolve to meet on any other day other than those stated under Standing Order 27 (1);

Mr. Speaker, Sir, I wish to move the motion that this House changes hours of meeting under Standing Order 27(1) from Thursday 2.30 p.m. to Tuesday 10.00 a.m. for this session to create a whole day for committees to meet and transact business for reporting in the House.

Thank you, Mr. Speaker, and I call the chairman of budget committee to support the motion.

Hon. Speaker: There is nothing on the floor as yet, Hon. Majority Leader, until it is seconded.

Hon. Kasimu: Thank you, Mr. Speaker, Sir. I second the changes in hours of meeting. I stand to second the motion. Thank you, Mr. Speaker, Sir.

Hon. Speaker: Let us hear the point of order. Yes, Hon. Muinde. At least now we have something before us.

Hon. Muinde: Mr. Speaker, it was not a point of order but I was asking for clarification. Did the Majority Leader suggest that on Thursday we have two sittings? I thought the agreement before was to have on Tuesdays and Wednesdays, we sit in the two days having morning and afternoon session but in his wording, he is like we have two sittings on Thursday. I need to be corrected. I thought it was Tuesdays and Wednesdays, full days. I think he misread or I may have heard wrongly, Mr. Speaker.

Hon. Speaker: The motion is already before the floor. If you look at the last paragraph in the motion it says, 'I wish to move the motion that this House changes hours of meeting under Standing Order 27(1) from Thursday 2.30 p.m. to Tuesday 10.00 a.m. for this session to create a whole day for committees to meet and transact business for reporting in the House.' I think there is some clarity there.

Hon. Muinde: Mr. Speaker, I am now fully guided. Thank you.

Hon. Speaker: I will request the chair of chairs to support this motion.

(Laughter)

Hon Nganga: Mr. Speaker, I thank your invitation to support this motion. This motion was as a result of negotiated democracy due to issues all members of this House are aware of. Mr. Speaker, due to the pertinent period that we are now heading to where members would want enough time to be with the people and talk to them about the development they have been able to do them and to position themselves properly in service to the people.

We also want to free more time to be available for our committees because as it was alluded during the debate of the Bill that has already been passed, our committees have a lot of work to do. They have a lot of investigative duties that they need to undertake immediately after and they need to go out in our wards and bring this reports to this House that confirm the actual situation in which our projects are in, whether they have been done appropriately and if not, the various actions of law that should be taken against the persons responsible be provided for in the reports that they bring.

So, I urge members take heed and make good use of those days so that our committees, because in the new democracy that we have in legislative Houses, committees have a serious duty

of processing whatever products that we want to bring in the House and if our committees are not as active as possible, Mr. Speaker, we will not be able to serve our people in oversight duty as it should be.

Mr. Speaker, I want to urge that we can pass this motion with as minimum debate as possible so that we spare the time and I also use the same opportunity to apply that I always be given such opportunities in all motions.

(Laughter)

Hon. Speaker: Hon. Chair of chairs, do you suggest to your people that this Chair has denied you opportunities?

(Laughter)

Hon. Nganga: Never at all, Mr. Speaker, Sir.

Hon. Speaker: Can you please withdraw that remark.

Hon. Nganga: I withdraw, Mr. Speaker.

Hon. Speaker: In the absence of any member with a contrary view, I proceed to put the question.

(Question put and agreed to)

ADJOURNMENT

Hon. Speaker: Thank you. I think the members of Ikombe ward have understood sometimes we agree. Thank you and have a good afternoon.

(Laughter)

The House rose at 5.06 p.m.