

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

**OFFICIAL REPORT**

**Tuesday, 3<sup>rd</sup> October, 2023**

The House met at 3.05 p.m.

*[The Speaker (Hon. (Mrs.) Kiusya) in the Chair]*

**PRAYERS**

**PAPER LAID**

ANNUAL DEVELOPMENT PLAN (ADP) 2024/2025

**Hon. Speaker:** May I invite Hon. Nicholas Nzioka to come forward and present the Papers.

**Hon. Nicholas Nzioka** (Machakos Central, WDM-K): Thank you, Madam Speaker. Hon. Speaker, I wish to lay the following Paper on the Table of the Assembly today Tuesday, 3<sup>rd</sup> October, 202; the Annual Development Plan (ADP) for the FY 2024/2025. Thank you, Madam Speaker.

*(The Paper was laid on the Table)*

**Hon. Speaker:** Thank you, Hon. Member. That Paper is committed to the Trade, Economic Planning and Industrialization Committee. Thank you very much. Next Order.

**NOTICE OF MOTION**

LEGAL FRAMEWORK ON COLLABORATION  
BETWEEN THE COUNTY GOVERNMENT AND PRIVATE  
ORGANIZED GROUPS ON MANAGEMENT OF SOLID WASTE

**Hon. Speaker:** May I invite Hon. Jeremiah Kaloi Member of County Assembly (MCA) Athi-River Ward to come forward and give a notice. Mheshimiwa Kaloi where are you? Anybody holding brief for Mheshimiwa?

**Hon. Nicholas Nzioka** (Machakos Central, WDM-K): Thank you, Madam Speaker. I will hold brief for Mheshimiwa Jeremiah Kaloi, MCA, Athi River Ward.

Hon. Speaker, that aware that Article 42 of the Constitution provides that every person has the right to a clean and healthy environment;

Aware that the functions and powers of the Counties as provided for in the Fourth Schedule Part 2(2)(g) of the Constitution include refuse removal, refuse dumps and solid waste disposal;

Aware that, Section 4 of the Machakos County Environmental Management Act, 2022 provides that the County Government shall take legislative, policy, administrative and other measures to ensure the full realization of the right to a clean environment as guaranteed by the Constitution;

Further aware that Section 9 of the same Act provides that a County Government shall cooperate with other actors who are involved in solid waste and management including generators of solid waste, owners and occupiers of premises and contracted services providers to ensure proper management of solid waste;

Noting that major urban areas like Machakos, Kangundo, Matuu, Joska, Tala and majorly Athi-River and Mlolongo are not free of refuse, garbage and solid waste due to the rapid growth in population and inadequate County waste management personnel and equipment in the County;

Cognizant that solid waste can be recycled by private firms and refuse collection can offer employment opportunities through collection, sorting and transportation of recyclable garbage;

Informed that many urban cities across the world deploy private refuse collection firms through agreements to keep the environment free of refuse, garbage and solid waste and further offer employment;

Hon. Speaker, I wish to give notice of the motion that this House approves the motion that the County collaborates with other actors such as private organized groups to assist in garbage collection and solid waste management as provided by Section 9 Machakos County Environmental Management Act, 2022 and further develop a legal framework to facilitate these collaboration.

Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Nzioka for holding brief for your brother. Thank you so much Next Order.

### MOTION

#### ANNUAL OPERATIONS REPORT OF THE COUNTY ASSEMBLY SERVICE BOARD OF MACHAKOS FOR THE YEAR ENDED 30<sup>TH</sup> JUNE, 2023

**Hon. Speaker:** May I call upon Hon. Felix Ngui, Vice Chairperson County Assembly Service Board (CASB) to come forward and move the Motion. Hon. Johana you are still holding brief. Proceed.

**Hon. Johana Munyao** (Mutituni/Ngelani, MCCC): Thank you, Madam Speaker. I am a member of County Assembly Service Board holding brief for Hon. Felix Ngui. On behalf of the Chair.

Hon. Speaker, that aware that the County Assembly Service Board is established under Section 12 of the County Governments Act, 2012 as read together with section 8 of the County Assemblies Service Act, 2017;

Aware that Section 36 of the County Assembly Services Act, 2017 requires the County Assembly Service Board to prepare and submit a report, on its

operations and activities, to the County Assembly at the end of each financial year. Further aware that Section 36 (2) of the Act stipulates that, the annual report shall in respect of the year to which it relates, contain:

- a) The activities the Board has undertaken;
- b) An evaluation on the extent to which the values and principles referred to in Articles 10 and 232 of the Constitution are complied with in the public service;
- c) Information relating to performance of the Service and attendant challenges;
- d) Any other information that the Board may consider relevant.

Hon. Speaker, acknowledging that during the financial year 2022/2023, the County Assembly was allocated a total of Ksh. 1,488,346,181 from the exchequer which comprised of a Recurrent budget of Ksh. 865,126,181, Development Ksh. 318,500,000 and other recurrent transfers (loans) Budget Estimates of Ksh. 304,720,000;

Hon. Speaker, I wish to move the motion that this House discusses and approves the report of the County Assembly Service Board of Machakos on Operations for FY 2022/2023.

I call upon Hon. Nzioka to second the Motion.

**Hon. Speaker:** Thank you, Hon. Johana. Hon. Nzioka.

**Hon. Nicholas Nzioka** (Machakos Central, WDM-K) seconded.

*(Question proposed)*

I now invite Hon. Johana once more to come and highlight the report and then from there--

**Hon. Brian Kisila** (Makutano/Mwala): Thank you, Madam Speaker. The seconder is the Majority Leader; is he a member of CASB because as per the Standing Order, the Member seconding a Motion should be a member of the Committee. I just want your clarity.

**Hon. Speaker:** It is true the Majority Leader may not be a member of the Board but in his position as the Majority Leader he can be allowed to proceed and do that. Thank you, proceed.

**Hon. Johana Munyao** (Mutituni/Ngelani, MCCC): Thank you, Madam Speaker. Again on behalf of Hon. Felix Ngui I want to read the annual report for the County Assembly Service Board for the financial year 2022/2023.

**Hon. Speaker:** Let us agree you take us through the executive summary; we may not complete this report. Yes Mheshimiwa Brian.

**Hon. Brian Kisila** (Makutano/Mwala, MCCC): I am Standing on Point of Order 32 which---

**Hon. Speaker:** For what? For a matter that I have already ruled on?

**Hon. Brian Kisila** (Makutano/Mwala, MCCC): No.

**Hon. Speaker:** Something else?

**Hon. Brian Kisila** (Makutano/Mwala, MCCC): Quorum in the House; Madam Speaker, I want to bring to your attention that we do not have quorum to discuss such an important report which affects this Assembly.

**Hon. Speaker:** There is adequate quorum; let us proceed.

**Hon. Johana Munyao** (Mutituni/Ngelani, MCCC): Thank you, Madam Speaker. This report is prepared in accordance with the provisions of Section 36 of the County Assembly Services Act, 2017, which requires the County Assembly Service Board to prepare and submit a report on its operations and activities to the County Assembly at the end of each financial year. The report outlines the performance of the Board on its mandate from 1<sup>st</sup> July, 2022 to 30<sup>th</sup> June, 2023.

During the financial year 2022/2023, the County Assembly was allocated a total of Ksh. 1,488,346,181 from the Exchequer which comprised of recurrent budget of Ksh. 865,126,181 for Development Ksh. 318,500,000, other recurrent transfers (loans) budget estimates of Ksh. 304,720,000. The recurrent Budget Estimates covered Personnel Emoluments of Ksh. 468,919,609 and Operations and Maintenance of Ksh. 396,206,572.

During this period, absorption rate was 100 per cent for the recurrent budget while under the development budget only Ksh. 22,470,208 was received from the County Treasury translating to an absorption level of 7.1 per cent. Under other recurrent transfers, Ksh. 158,000,000 was released to the Assembly translating to absorption level of 91.86 per cent. There was a budgetary allocation of Ksh. 132,720,000 meant for Motor Vehicle Reimbursement and a total of Ksh. 86,244,000 was released to the Assembly translating to absorption level of 65 per cent. Overall, the Assembly total budget estimates were Ksh. 1,488,346,181 and Ksh. 1,132,140,391 was released resulting to absorption level of 76.1 per cent.

A conducive work environment and employee welfare programs are prerequisite for enhanced organizational and individual performance and productivity. The County Assembly has put in place the provision of adequate office space through construction of the new office block, provision of both medical and general insurance, ensuring engagement of the Assembly in the CASA games, provision of the cafeteria services and ensuring all staff proceed on their annual leave and are paid their leave allowance.

In line with reporting on the extent to which the values and principles of public service have been adhered to, the CASB developed 10 thematic areas to enable adequate reporting. Interventions towards ensuring higher levels of compliance with the values and principles of public service include promoting high standards of professionalism, ensuring efficiency and effectiveness in service delivery and extending good governance practices among other initiatives.

In the discharge of its mandate, the Board faced a number of challenges key among them being delays in exchequer releases, inadequate funding occasioned by the County Executive not

honouring cash flow releases, lack of a staff scheme of service as no approval of the proposed County's schemes of service has been granted by SRC among others. It is important to note that that affects all other Counties.

To enhance productivity in the County Assembly Service, the Board will pay attention on the following key interventions so as to improve on its mandate:

- a) Review the organogram of the County Assembly to ensure it is aligned to Board's mandate and guarantee that the Service is optimally staffed for effective service delivery.
- b) Human Resource Management policies and guidelines will be consolidated and aligned to the Constitution and other legislative frameworks and impact assessment on policies and guidelines issued to the County Assembly Service will also be done.
- c) To provide feedback on the implementation of the Board's function in the County Assembly, an elaborate monitoring and evaluation framework will be implemented while strategies to ensure the County Assembly Service reviews and complies with the County Assembly Citizen Delivery Service Charter will be carried out.
- d) In order to promote and comply with values and principles in Articles 10 and 232, capacity building on the same will be undertaken.

To meet the expectations of stakeholders and address emerging issues, the Board will continue to work closely with Members, staff and other key stakeholders of the County Assembly.

#### *Membership of the Board*

Hon. Speaker, the County Assembly Service Board comprised the following Members during the period under review:

1. Hon. Anne M. Kiusya - Speaker (Chairperson)
2. Hon. Felix M. Ngui - Vice Chairperson/ Majority Party Representative
3. Hon. Johanna Munyao - Minority Party Representative
4. Hon. Alex N. Kitili - Member
5. Hon. Janet M. Kimeu - Member
6. Mr. Joseph Mutisya - Secretary

#### *Acknowledgement*

Hon. Speaker, I take this opportunity to thank all the Members of the Board for their dedication, undivided attention and contributions during the entire report writing exercise. The Board also appreciates the Office of the Hon. Speaker and that of the Clerk to the County Assembly for the administrative support accorded to it during the exercise.

On behalf of the Board and pursuant to the provision of Section 36 of the County Assembly Services Act, it is my pleasure and duty to present to this Hon. House the County Assembly Service Board Report on County Assembly's annual report for the Financial Year 2022/23. Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you, Hon. Johana. I now invite Members to debate this matter, the floor is yours Members. Mheshimiwa Maitha, Mheshimiwa Brian in that order.

**Hon. Dominic Maitha** (Muthwani, WDM-P): Thank you Madam Speaker, I would not even wish to dwell much on this report but I just wish to say that the power, the functions of the County Assembly Service Board is facilitation. It is to ensure smooth running of the Assembly and for the past one-year Hon. Members can attest despite hiccups here and there the County Assembly Service Board in its initial year of the Third Assembly has done quite a good job. It has been a challenge and the challenges have been outlined as per the report that has been table by Hon. Johana who is a member of the board and I believe Madam Speaker it is on that note that we need now to pick the few challenges that we faced last year and make them as our stepping stones to enhance the welfare of Hon. Members.

Several times we have sat down discussing about welfare issues and in most cases they have not ended good and it all intended to ensure that Hon. Members enjoy the best in this Assembly. So Madam Speaker, because the report has already outlined the challenges that you faced, I want now to send a challenge back to your committee, that now you pick from those challenges and work more strong on them so that Hon. Members can now enjoy the full benefits that the board is supposed to offer.

For example, now Hon. Speaker, out of may be lack of knowledge, Hon. Members have not been able to utilize their local travel for may be a reason that came to be realized by Hon. Members at a later date where the Board ought to have advised Members so that we may not repeat on that. I am very sure that come next financial year the same will not be repeated. So I want just to through a challenge to the board that just pick the challenges that you went through, improve on that and make sure that we get the best out of them so that these Hon. Members can have a smooth running and enjoy the services of the board in all their affairs that they are doing.

Hon. Speaker, it will be very difficult for us as Hon. Members to juggle between having smooth running of the Assembly and the tough terrain back where we come from especially the elected. So make our work as simple as possible, pursue those challenges and ensure that Members enjoy the best so that we might also be able to concentrate back at home. Mheshimiwa Kisila will bear me witness that he will not be able to concentrate with the electorate back there if he remembers there are some allowances that have not being paid for like one or two months.

When he is sure that some allowances have landed in his account, he can even go and talk to his electorate in a manner to suggest that at the end of the session, he is going to do something good to them because he is assured that there is something in his pocket. Pick and take those few challenges you have faced and ensure that come next year a time like this when this report will be presented in this House Members can sit and say the five or six challenges were faced by the County Assembly Service Board for the first one year have now been perfected and narrowed down to one. I second the report. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you very much, Mheshimiwa, for those very important highlights. We will pick up the challenges and implement them better this time. Mheshimiwa Brian, proceed.

**Hon. Brian Kisila** (Makutano/Mwala, M CCP): Than you, Madam Speaker. I just want to echo what Mheshimiwa is saying. We are going through a very tough time as Members and in fact I was drawing to your attention the fact that we need a quorum and most of these sittings obviously will have less quorum because the cost of living has gone up. The cost of fuel has

gone up but our allowances still remain not as per the expectations. We want the board to start looking and thinking outside the box to see how they can take care of our welfare.

Let that come out clearly; how we can make sure that Members are comfortable. An MCA is an endangered species. He does not have any fund, he only relies on these allowances for survival and I think Madam Speaker, you bear me witness that these tough times we continue being faced with the same challenges, same level of allowances, fuel has gone up by almost 100 percent and wananchi on the ground still continues to demand so much from us. It is something we need to think about.

But Madam Speaker, I did not hear from the report a statement on any pending bills which we are having. As an Assembly, maybe a clarity do we have any pending bills? Because we do not want to be faced with an embarrassing situation whereby you find the Speaker's vehicle has been impounded by auctioneers for not paying pending bills. I was in the Finance Committee in the last Assembly and we were faced with a very high pending bills list. Has it been resolved?

Thirdly, Madam Speaker, one of the pending bills list were members of staff. We have a very high pending bill for members of staff who have not being paid their allowances. As we talk about our own allowances, we should also talk about staff allowances. So maybe clarity from Commissioner Johanna on that issue. Madam Speaker, you assured us that you would take care of us. You are taking care of us and we urge you to up the game a bit so that we do not continue feeling the pinch of the economy. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, very much Mheshimiwa. I am very impressed by what you have said. I have given before and I want to give another personal commitment to the welfare of Members through CASB of course not through me as a person and therefore I have heard, I am listening and I have taken some strides even when Mheshimiwa Johanna will stand up to comment on the issue of allowances and maybe the issue of welfare, he will mention some of the things I have done as the chairperson to the board. Let us proceed with the debate. Mheshimiwa Helen Ndeti and Mheshimiwa Katiti.

**Hon. Helen Ndeti** (Nominated, WDM-K): Thank you, Mr. Speaker. I stand here to put forward my comments on the report. I have listened and I have heard that we were able to spend 100 percent on the recurrent expenditure but on the development we only spent 7 per cent. This was due to late releases of funds from the Treasury. I am just praying that in the future this should not be repeated because as an Assembly we also need to do some development and leave a mark as the third Assembly in the County.

The other thing I would propose is just a comment on what Hon. Brian Kisila has just said that Members are really suffering. They are getting a lot reverse calls requiring them to send money or assist here and there. Maybe what as an Assembly we need to do is request CASB to write to SRC so that our ceiling can be increased to accommodate some of these requirements of money that we need? Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Helen Ndeti. As you comment respond on that Mheshimiwa, you should be able to tell the Members what we have done with CRA so far. Thank you. Mheshimiwa Katiti proceed.

**Hon. Boniface Katiti** (Muthetheni, UDA): Thank you, Madam Speaker. I stand to support the motion but I want to say this Madam Speaker; as the Chair of CASB you are the holder of the serving plate and the serving spoon. So make sure that the welfare of Members is catered for. The Hon. Members together with the members of staff because when your members of staff are going hungry even we are starving the work we should be doing in this Assembly and that is why you see most of the Members the majority are not here.

Those members of staff even they cannot tell you what they are going through. So it is important that as CASB from today, you take care of us, you champion the rights of your people and your followers; the people that you represent as the Members of Assembly and members of staff. I support the motion. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you very much, Hon. Katiti. Members, you know your pain is my pain. I feel what you are saying and for sure going forward and even before there is a lot that has been happening maybe behind scenes towards achieving the welfare of Members. Thank you. Mheshimiwa Dee your hand is up.

**Hon. Mutisya Kivuva** (Nominated, WDM-K): It was up but it is still up. Thank you, Madam Speaker. Madam Speaker, this is also an area I have passion. CASB is the equivalent of Parliamentary Service Commission which looks after the welfare of Members. At the apex of CASB we have you, Madam Speaker. I can tell you for free one year later the morale of this House is at its lowest. I can tell you for free it cannot go any lower because there will be some casualties including ourselves. I want you Madam Speaker, from your own mouth please inspire hope.

I know you are doing so much behind the scenes but bring what you are doing behind the scenes to this Hon. Members so that they can.....there was this man who was travelling to Mombasa those long times when we were going for exchange program. The Kamba community was taking our carvings then we come back with salt. We came back with salt and other things but some of our community members when they were going down, you can imagine from Wamunyu to Mombasa is more than 500 km but the leader of that trip used to speak good words to the travelers on the good things they will find in Mombasa.

When they are tiring we could tell them *kwi syindu nzeo Mombasa ndukanoe*. So that person will get extra energy so that he will not think about the wild animals on the way and the *njaa* and they would still reach Mombasa. Madam Speaker, I beseech you and I know you are up to the task; inspire us, talk to us about good things which are on the way do not keep them to yourselves. I know you mean well but at times call us for a Kamukunji or not a Kamukunji because it is becoming a very bad name---

**Hon. Speaker:** A cup of tea.

**Hon. Mutisya Kivuva** (Nominated, WDM-K): Yes, a cup of tea. I remember in Mombasa we tossed that glass; do it in Machakos. Get suggestions, have a suggestion box of CASB for these Members and they will tell you where we are going wrong and they will tell you what your people will not tell you. Have a suggestion box, put it in a place somewhere and let Members---

**Hon. Speaker:** And go with the key!

**Hon. Mutisya Kivuva** (Nominated, WDM-K): Go away with the key yourself. When you open, out of 10 you will get two things which you will do it right for these Members to move forward. I also want to thank the mover, the person who has stood for the person who was to move the motion; he has been trickling information down to us. In fact, he is the only CASB member who has been talking to us.

Sometimes he withstands the stones we throw but eventually he delivers what is happening. Madam Speaker, I support the motion and I do not whether we will finish it today but it is good if you can give us some time we digest and come next week. Do not rush it because it is our monies, it is our welfare and we will give you suggestions. We will *kosoa* you in some places and we mean well from our hearts. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, very much Mheshimiwa Dee. That is really well said; it cannot be said better than that. Thank you. Do we have more contributors or do we call Hon. Johana to respond? Proceed.

**Hon. Dominic Maitha** (Muthwani, WDM-K): The Standing Orders are very clear that without your leave, I cannot contribute twice to a motion---

**Hon. Speaker:** Sure.

**Hon. Dominic Maitha** (Muthwani, WDM-K): I want to go to bullet 2.2.8 of the report. "The CASB enhanced the wellbeing of Members and staff of the County Assembly by providing them with tea and snacks free of charge and providing lunch at a subsidized rate." I just want to dwell on that. Madam Speaker, we have eaten bread for the last one year at tea break and these Members can attest. I want to be very honest, Madam Speaker; majority of the Members at the age they are in today, bread is not the best thing to give them on a daily basis.

**Hon. Speaker:** True.

**Hon. Dominic Maitha** (Muthwani, WDM-K): I get surprised when I visit the senior officers in their offices in the Assembly; you will find them with very well packed tea snacks. We have sweet potatoes, arrow roots, some grapes packed by the side. Madam Speaker, if the CASB cannot cater for the welfare of its Members and I need this noted somewhere. The existence of this Assembly can only be there if there are Hon. Members. If this Assembly does not have Hon. Members, then this institution is dead. So, let Hon. Members be accorded at least that opportunity to enjoy what the other senior officers are enjoying.

Madam Speaker, you cannot be issuing Hon. Members with bread daily; brown bread white bread, brown bread white bread, brown bread white bread then you only substitute it with *mandazi*. I do not think it is right.

**Hon. Speaker:** Bread was for high school.

**Hon. Dominic Maitha** (Muthwani, WDM-K): Yes, it is for high school students, Madam Speaker. Thank you, Madam Speaker for noting that. In fact, health-wise, bread is not is good for majority of the Hon. Members especially with the ageing times we are in. So, kindly let the

cafeteria department change. Lunch we do not have much complaints but the tea session is not a good one.

Kindly, let them change to something good and I am surprised on days when Hon. Members are not present, even some snacks like sausages are provided. Why would you provide them when Members are not present and when they are in the precincts of the Assembly, they do not get such kind of things. It is unfair, Madam Speaker.

**Hon. Speaker:** It is.

**Hon. Dominic Maitha** (Muthwani, WDM-K): In, fact on Fridays, I have information *chapati* is prepared. Why are they not prepared when Hon. Members are present? Madam Speaker, the welfare of Hon. Members in this Assembly should be first and top priority. I submit my case.

**Hon. Speaker:** Thank you very much, Mheshimiwa. Very important points coming out. Mheshimiwa Wanjiru then Mheshimiwa Lucky.

**Hon. Ruth Kamau** (Nominated, CCU): Thank you, Madam Speaker. I feel compelled to also add onto what the Members are saying. The Board is supposed to look into our matters but I can tell you without fear of contradiction that the Members are not okay. We are not okay; inside the precincts we are not okay. We are going through a lot outside the Assembly and apart from a lot of demands from the citizens, who are also going through a rough time, we are also going through a lot of bad-mouthing and I know you have seen it in the newspapers.

So, it is pain outside and therefore I request it is not going to be the same here when we come. Let this be like a place of comfort for the Members for the few years that we have remaining and also, I pray that the issue of welfare will be looked into with immediate effect because I have personally talked to our colleagues. Some of them would want to attend these sittings but they categorically said they cannot afford fuel because their pockets are running dry. So, Madam Speaker, I want to emphasize that we are not well and we are looking unto you. Thank you.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Ruth Wanjiru. The Speaker is listening and I will implement. Trust my word. Hon. Lucky.

**Hon. Lucky Nzau** (Matungulu West, WDM-K): Thank you, Madam Speaker. Even though I was asking for a point of correction, I will make the point of correction to Hon. Dominic because he came in the first point and gave very good remarks to the Board and came the second time and gave another contradicting report. So, I was correcting that, he gives us his stand on whether he is supporting what the Board has been doing or he is now on the other side.

Madam Speaker, a coin has two sides and we have good for the Board and we also have the misdoings for the Board again because as we speak today it has been a while now, the live streaming of the sittings here in the House has not been done for a while which is something we do not expect to have taken two or three days without being fixed. And to mention further,

something I mentioned in our committee which we were seated and you were there with the Clerk is that when we enter into the precincts of the Assembly we get into a dark room from the outside.

We do not know what is happening outside, we have screens all over but they are all non-functional for the last one year. I believe it is good for us to be informed of what is happening outside the gates of the Assembly. I am just saying the screens alone because there is more. So, I would say the Board when you are giving it a scorecard I can give them around 55 and I would like them to look for the other 45 out of 100. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you very much, Hon. Lucky. Those are good points and I am sure Hon. Johana is listening and he is taking note where we need to improve but I give a personal commitment to make sure whatever we have said and is in the report is properly implemented. May I now invite Hon. Johana to come and reply?

**Hon. Johana Munyao** (Mutituni/Ngelani, MCCP): Thank you, Madam Speaker. First, I would like to thank the Members for supporting the report and also posing a challenge to the Board as well. Madam Speaker, the issue of pending bills has been mentioned and I would like to draw the attention of Members to page 22 of the report where we have indicated the pending bills amounting to Ksh. 103,132,177.30. That is the pending bill as at the preparation of this report and we additionally have pending staff allowances also which stand at Ksh. 40,457,032. So that is the position in terms of pending bills.

It is also important for the House to note that through the chairmanship of our Chair our able Speaker, plans have been worked out on how we are going to reduce the pending bills because I want to believe that in order to cure some illness, it is important that on one end, you look at the prevention bit of it, while on the other hand, you now go to the treatment part. So, we are trying to minimize the ways in which we incur the pending bills and at the same time factoring the same in our budgets so, that we can be able to clear.

Members, you will agree with us that at the moment we are having a challenge even procuring some of these conference facilities; the reason is none other than the issue of pending bills. We have come to a situation where we are forced to now engage use other relationships to negotiate and see even when we return the conference monies to the budget, at least we have made a name so that we cannot have the money for conferences and at the same time, we are denied the facilities because of such a challenge.

So, somebody has mentioned welfare and it is true that we are supposed to facilitate members. Hon. Speaker, It is also important for members to note that we work on some ceilings; we have appreciated and picked the challenge right from the last Assemblies and it is important for me to report that we sat as a board worked out the challenges which come with the low ceilings which we are using at the moment. We have composed all the areas we felt inadequately funded, and through our able Chair, Madam Speaker, we wrote to CRA and she went further she went further to do personal engagement with the leadership of CRA.

So I am sure whatever is possible she is more than willing to pursue it and have Members enjoy whatever privileges and rights they have as members of this Hon. House.

*(Applause)*

The other thing somebody mentioned about suggestion box---

*(Hon. Maitha spoke off record)*

**Hon. Speaker:** Okay.

**Hon. Dominic Maitha** (Muthwani-WDM-K): Hon. Speaker, is it in order for the Hon Member to say somebody in this Hon. House?

**Hon. Speaker:** It is not in order. Withdraw that statement of 'somebody.'

**Hon. Johana Munyao** (Mutituni/Ngelani, MCCC): Statement withdrawn. One of the Hon. Members, Madam Speaker---

*(Laughter)*

One of the Hon. Members, Madam Speaker, has suggested that we do a suggestion box and it is a very noble idea. My suggestion as we pick that would be we also try to differentiate between a complaint box and a suggestion box. Madam Speaker, the Board is not 100 per cent in possession of all knowledge. That is why you are considered Hon. Members are considered as part of the stakeholders whenever we want to execute any operations or any decision and therefore it is always important whether we change the names from *Kamukunji* to either suggestion box or whatever, we all the time package, whatever we want to raise in terms of providing wisdom because I challenge comes to us all because whatever little wisdom you offer, whatever little wisdom I offer, together, we are likely to get away through whatever challenges we are facing. So, Madam Speaker, we pick all those challenges and through---

**Hon. Speaker:** Yes Mheshimiwa.

**Hon. Brian Kisila** (Makutano/Mwala, MCCC): I am sorry I contributed but Madam Speaker, I am not answered the pending bills; this is a very serious issue. What I was expecting from Commissioner Johana is for him to first table the pending bills in the Assembly and also for him to tell us the plans the CASB is putting in place to ensure we get out of his pending bills. Has CASB audited these pending bills? Are they genuine? Did we talk to the Governor so that he can assist us in one way or another?

Madam Speaker, I am privy to information that one of the creditors of this Assembly is planning to embarrass us very much because he has not been paid. So what plans are we putting in place to ensure that and they are targeting, Madam Speaker, impounding our vehicles? It will be very embarrassing for us to hear our Speakers' vehicle has been impounded. So what plans is the board putting in place? Tabling Ksh. 100 million is one thing; what plans are you putting in place as a Board?

**Hon. Speaker:** Let me answer that question. There is no other way of dealing with pending bills, of course, these pending bills, we found here mostly; they are not our bills, we just found them but we cannot run away from them or do anything other than just looking for a way of reducing or even completely doing away with them by clearing them. What we did as a Board, and I think Mheshimiwa Johanna has alluded to that very deeply, is that we only turn to CRA

that is the body that allocates funds. We turned to CRA, we had a personal engagement, me and the CEO and he was very positive.

In fact, he just said, put down all the issues that you want us to address on personal level and one of them was the pending bills. Others were promotions, establishment, more members of the Board, Members of the Assembly like than previous years. So there are several issues I cannot itemize all of them from here.

We are at a very advanced stage so that that ceiling goes up; there is no other place we can get money. We have engaged the Governor and also she said she has no money. So we thought that is the only way we can turn to. Therefore today this morning when I left plenary, I received a letter from CRA. They are saying they have given us a date to go and engage officially and we are doing very well.

*(Applause)*

It is a matter that I have taken to my personal heart. I am taking it personally because until we clear those bills, we will never have peace in this place. So, Members, we are doing a lot behind the scenes. That is why I did not want to put it on board. Proceed Mheshimiwa.

**Hon. Johana Munyao** (Mutituni/Ngelani, MCCC): Thank you for also offering that additional information. I had also indicated that we have factored also, in our budget, an element of the pending bills. As in every vote, if it is conferencing, as we budget for what to consume in the future, we also factored to pay part of what had been used as pending bill and that applied in quite a number of other sectors.

Thank you, Madam Speaker. I wish to end there and again, thank Members for supporting our report. We have taken all the issues and we commit to run with them and make sure that whatever is possible, we can be able to address and have Members enjoy their stay in the Third Assembly of Machakos County. Thank you.

*(Applause)*

**Hon. Speaker:** Thank you very much. We do not shy away from suggestions. So you're invited to bring your suggestions to make this place better than we found it. Thank you, Members.

*(Question put and agreed to)*

**Hon. Speaker:** Hon. Mutie, I have not heard your voice today. Are you okay?

**Hon. Vincent Mutie** (Upper Kaewa/Iveti, WDM-K): Sorry, Hon. Speaker. I am very much okay; in fact, I wanted to suggest to you just in case you might need someone to accompany you to present the plight of the Assembly before the CRA, then Vincent Mutie will offer his services for free.

**Hon. Speaker:** I will definitely call; I need company. I need people who can put these matters across *isikike vizuri*. Thank you, Members.

**ADJOURNMENT**

**Hon. Speaker:** The House adjourns to Wednesday, October, 2023 at 10.00 a.m. in the morning. Thank you.

The House rose at 4.02 p.m.