

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF MACHAKOS
OFFICIAL REPORT

Wednesday, 21st February, 2024

The House met at 2.35 p.m.

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

PRAYERS

PAPER LAID

ENQUIRY ON THE STATE OF REVENUE
COLLECTION WITHIN THE COUNTY

Hon. Deputy Speaker: Under this one we have Hon. Francis Kitaka to lay a Paper.

Hon. Francis Kavyu (Kinanie, M CCP): Mr. Speaker, I will do that on behalf of Hon. Kitaka. Hon. Speaker, pursuant to Standing Order 190(5), I beg to lay the following Paper on the floor of the House today Wednesday, 21st February, 2024; the Report of the Finance and Revenue Collection committee on enquiry on the state of revenue collection within the County. Thank you. I lay the Paper.

(The Paper was laid on the Table)

Hon. Deputy Speaker: Thank you, Hon. Francis Kavyu.

MOTIONS

REPORT OF FINANCIAL STATEMENTS ON
RECEIVER OF REVENUE FOR 2021/2022

Hon. Deputy Speaker: Under this one, I call upon Hon. Phillip Ndolo, Chairperson Public Accounts and Investments Committee to come and move this motion.

Hon. Philip Ndolo (Mitaboni, UDA):

Hon. Speaker, that aware that Article 229(5) of the Constitution provides that “the Auditor-General may audit and report on the accounts of any entity that is funded from public funds;

Further aware that, Article 229(7) of the Constitution that states that Audit Reports shall be submitted to Parliament or the relevant County Assembly;

Cognizant that the report of the Auditor-General on Receiver of Revenue financial statements for FY 2021/2022 was received in the Assembly pursuant to Article 229(7) of the Constitution;

Further aware that the report was committed to the of Public Accounts and Investments pursuant to Standing Order 185(2)(b) and (c) that states that “the Public Accounts and Investments Committee shall be responsible for examination of reports, accounts and working of County Public Investments and whether the affairs of the public investments are being managed in accordance with sound financial or business principles and prudent commercial practices:”

Aware that the committee after receipt of the report conducted several meetings with the Accounting Officer pursuant to Article 226(2) of the Constitution that states that the Accounting Officer of County public entity is accountable to the County Assembly for its financial management and consequently compiled a report;

Hon. Speaker, I wish to move that this House discusses and approves the report of the Auditor-General on Receiver of Revenue financial statements for FY 2021/2022.

I would like Hon. Kavyu to second.

Hon. Francis Kavyu (Kinanie, MCCP) seconded.

Hon. Deputy Speaker: Thank you Hon. Kavyu and Hon. Philip.

(Question proposed)

Before I invite Hon. Members to debate let me request the mover to take the House through the highlights of the report.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Point of order, Hon. Speaker.

Hon. Deputy Speaker: Point of order.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): I want to seek the leave of the House that you allow the Members to go and look in the report. Hon. Speaker and then we meet next that the Member can present the Committee observations and recommendations, Hon. Speaker.

Hon. Mbili Ndawa (Matuu, MCCP): Additional information on what he has said.

Hon. Deputy Speaker: Hon. Ndawa proceed.

Hon. Mbili Ndawa (Matuu, MCCP): Thank you, Mr. Speaker for giving me this opportunity. I want to second what my brother is saying. This report has so many figures; I have gone through it. I am very sure the best time to handle figures us the morning sitting.

(Applause)

Hon. Speaker, I beg and I beseech you to invoke Standing Order 1 to allow Members to go and have a look at this and refer the same to the House Business Committee for re-balloting. Thank you, Hon. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Ndawa. That is your feeling. Do we have a Member with a different opinion? So, Clerk at the Table, we are deferring that business back to the House Business Committee for re-balloting.

(Motion deferred)

ALTERATION OF CALENDAR AND ADJOURNMENT OF THE HOUSE

Hon. Deputy Speaker: On this one I call Hon. Majority Leader, Nicholas Nzioka.

Hon. Nicholas Nzioka (Machakos Central WDM-K): Thank you, Mr. Speaker.

Hon. Speaker, that aware that the Assembly commenced its Third Session on 13th February, 2024;

Aware that the House approved an Assembly calendar for the Third Session on 20th February, 2024 pursuant to Standing Order 25(1);

Acknowledging that Standing Order 25(4) provides that the House may by resolution, alter its Calendar or adjournment date; Aware that there is need to have members trained and conduct Committee business in regard to the County Fiscal Paper;

Hon. Speaker, I wish to move the Motion THAT notwithstanding the resolution of the Assembly made on 20th February, 2024 (Approval of Assembly Calendar) and pursuant to Standing Order 25(4), the Assembly resolves that;

- a. The Calendar (Regular Sessions) for the Third Session of the Third Assembly be altered to adjourn today on Wednesday, 21st February, 2024 and resume its regular sittings on Tuesday, 12th March, 2024 and that the Assembly Calendar (Regular Sessions) for the Third Session be altered accordingly.
- b. All documents received by the Assembly during the short recess for tabling in the House be committed to the respective Committees forthwith by the Hon. Speaker and reported to the House on the day the House next sits.

I call upon the Minority Leader to second. Thank you.

Hon. Deputy Speaker: Thank you, Hon. Nicholas.

Hon. Mbili Ndawa (Matuu, MCCC): Thank you, Hon. Speaker. I second the motion that we alter the Calendar of this Assembly so that we can be able to have time to handle very urgent pending matters. Thank you.

Hon. Deputy Speaker: Thank you, Hon. Minority Leader.

(Question proposed)

I now invite Members to debate on this motion. Hon. Francis.

Hon. Francis Kavyu (Kinanie, MCCC): Mr. Speaker, I think the urgency of the matter is very clear with the House and to allow Members to go home early and prepare for the business ahead. And judging from the mood of the House, everybody is in agreement and you can put the question but as I sit I also want to raise an issue; I think the reason we are coming late for the plenary sittings that wall clock has been 9.45 for a while so it needs to be looked at to ensure that it is up to date so that.....I think there is a committee that works on it that is also sleeping. It is not only the Trade committee. Thank you.

(Laughter)

Hon. Deputy Speaker: Thank you, Hon. Francis. I think the Clerks at the Table have noted the issue of that wall clock and I think it should be addressed and placed in a better place. It is too close to the TV screen.

Hon. Ndawa (Matuu, MCCC): Point of information, Hon. Speaker.

Hon. Deputy Speaker: Hon. Ndawa, you want to inform?

Hon. Mbili Ndawa (Matuu, MCCC): Thank you, Mr. Speaker. The matter which has been raised by my dear friend here is not the location of the clock. It has not been functional for the last four months and to procure a battery can cost less than Ksh. 100. As we are trying to ensure that other departments work ours is also failing and you are aware Hon. Speaker, a change needed for the grandson has to start with the grandfather downwards. So let us take action.

Hon. Deputy Speaker: Thank you, Minority Leader. I think I had addressed two issues. First that one of functionality and then its location; there were two issues that I requested them to address. Before closing, I do not know if there is another Member with contribution over this same matter. Hon. Francis, he tried to read your mind then it is like he was correct. I will call upon the mover to come and reply.

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Thank you, Hon. Speaker. Before I reply I want to thank you Mheshimiwa Kavyu for showing me the clock. I have never seen it. Secondly, I think we have a committee that should be dealing with issues of infrastructure. I would beg that it be forwarded to the committee of roads and other infrastructure otherwise Mr. Speaker, I would like to thank the Members for supporting the motion so that we can deal with matters County Fiscal Strategy Paper. Thank you, Members. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Majority Leader.

(Question put and agreed to)

ADJOURNMENT

Hon. Deputy Speaker: Hon. Members the House adjourns to Tuesday 12th March 2024 at 10.00 a.m.

The House rose at 2.41 p.m.