

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF MACHAKOS

OFFICIAL REPORT

Tuesday, 16th April, 2024

The House met at 2.59 p.m.

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

PRAYERS

PAPER LAID

SECOND SUPPLEMENTARY BUDGET ESTIMATES FOR 2023/2024

Hon. Speaker: May I at this point invite Hon. Ndambuki to come forward and lay the Paper.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Thank you, Hon. Speaker. Hon. Speaker, I wish to lay the following Paper on the table of the Assembly today, Tuesday 16th April, 2024; the report of the Budget and Appropriations Committee on the Second Supplementary Budget Estimates for the FY 2023/2024. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Member.

(The Paper was laid on the Table)

NOTICE OF MOTION

SECOND SUPPLEMENTARY BUDGET ESTIMATES FOR 2023/2024

Hon. Speaker: May I, at this point invite Hon. Ndambuki, Chairperson, Budget and Appropriations Committee to come forward and give that Notice.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Thank you, Hon. Speaker, once again. Pursuant to Standing Order 208, I wish to give notice of motion THAT this Assembly Adopts the report of the Budget and Appropriations Committee on the Second Supplementary Budget Estimates for the County Government and the Assembly for the FY 2023/2024 laid in the Assembly on 16th April, 2024. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Member.

STATEMENT

BUSINESS FOR HOUSE FROM 16TH TO 23RD APRIL, 2024

Hon. Speaker: May I at this point invite Hon. Nicholas Nzioka, Majority Leader, to come forward and make his Statement.

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Thank you, Madam Speaker. Hon. Speaker, the House Business Committee met today 16th April, 2024 to prioritize business for the House as forwarded by Committees and Hon. Members pursuant to the provisions of the Standing Order 151(6)(d). The Committee balloted business as follows:

Tuesday, 16th April, 2024

Afternoon at 2.30 p.m.

- (a) Statement on What the County Government is doing on floods affected areas in Kinanie Ward by Hon. Francis Kavyu, MCA Kinanie Ward.
- (b) The Machakos County Supplementary Appropriation (No. 2) Bill, 2024; *First Reading* by Hon. Dominic Ndambuki, Chairperson, Budget and Appropriations Committee.
- (c) Consideration of Report of the Second Supplementary Budget for the FY 2023/2024 by Hon. Dominic Ndambuki, Chairperson, Budget and Appropriations Committee.
- (d) The Machakos County Supplementary Appropriation (No. 2) Bill, 2024; *Second Reading* by Hon. Dominic Ndambuki, Chairperson, Budget and Appropriations Committee.
- (e) The Machakos County Supplementary Appropriation (No. 2) Bill, 2024; *Committee of the Whole House* by Hon. Dominic Ndambuki, Chairperson, Budget and Appropriations Committee.
- (f) The Machakos County Supplementary Appropriation (No. 2) Bill, 2024 – *Third Reading* by Hon. Dominic Ndambuki, Chairperson, Budget and Appropriations Committee.

Wednesday, 17th April, 2024

Morning at 10.00 a. m

- (a) Statement on Status of Machakos People's Park by Hon. Brian Kisila, MCA Makutano Mwala Ward.
- (b) Statement on Status of Iiani Dispensary in Kivaa Ward by Hon. Aliphonce Mutinda, MCA Kivaa Ward.
- (c) Report on Assumption of Office of the Second Governor of Machakos County by Hon. Phoebe Koki, Chairperson, Devolution and Intergovernmental Relations Committee. *Continuation of Debate*

Afternoon at 2.30 p.m.

- (a) Statement on Status of Implementation of Projects in the ADP 2023/2024 for Masinga Central Ward by Hon. Joshua Mwonga, MCA Masinga Ward.
- (b) Statement on status of County Machinery by Hon. Brian Kisila, MCA Makutano/Mwala Ward.
- (c) Motion on Establishment of Youth and Sports Incubation Centers by Hon. Annastacia Mutevu, Special Elect MCA.

Tuesday, 23rd April, 2024

Morning at 10.00a.m

- (a) Response to a statement sought on beneficiaries of distribution of seeds to farmers in Masinga Central Ward by Hon. Charles Mbuva, Chairperson, Agriculture Committee.
- (b) Motion on Establishment of Youth and Sports Incubation Centers by Hon. Annastacia Mutevu, Special Elect MCA. *Continuation of Debate*

Thank you, Madam Speaker.

Hon. Speaker: Thank you very much, Hon. Member.

STATEMENT SOUGHT

COUNTY GOVERNMENT MITIGATION ON FLOODS IN KINANIE WARD

Hon. Speaker: May I at this point invite Hon. Francis Kavyu, MCA, Kinanie Ward to come forward and make his Statement. Hon. Kavyu.

Hon. Francis Kavyu (Kinanie, MCCC): Thank you, Madam Speaker.

Hon. Speaker, pursuant to Part 2 of the Fourth Schedule of the Constitution of Kenya, 2010, the County Government is mandated to deal with implementation of specific national government policies on natural resources and environmental conservation, including soil and water conservation, storm water management systems in built-up areas and water and sanitation services;

Hon. Speaker, Aware that the country has recently experienced heavy rains leading excessive flooding in many parts causing drowning and destruction of infrastructure; aware that in Kiasa village in Kinanie Ward, a resident of the village has constructed a dam which is currently full and the spillway is now emitting a lot of its excess water through the nearby roads and the adjacent homesteads leading to flooding and displacement of the residents;

Further aware that in Itimboni village in the same ward, another resident has constructed a long perimeter wall across a water way thereby diverting the flow of water to the nearby homesteads;

Informed that the same ward at Samora village, the residents have done excavation of murrum creating gullies and open excavations which upon filling with water poses a lot of risks to the residents in the area at this time the country is experiencing a lot of rains;

Hon. Speaker, I wish to seek a statement from the Chairperson, Environment and Natural Resources Committee on the short term and long term measures the County Government is undertaking to:

- (a) Ease mobility in the affected area given that the soil in stated areas is black cotton soil which at this time is water logged and movement in the area has been very difficult.
- (b) Prevent excess storm water from flooding into the roads and villages and their related risks.
- (c) Ensure that the structures constructed within the area have undergone due process of approval.
- (d) Ensure individuals and companies undertake backfilling of any excavation done after excavating murrum or building stones.

Thank you.

Hon. Speaker: Thank you very much, Hon. Kavyu. That Statement is committed to Environment and Natural Resources Committee to report on or before 23rd April, 2024. So we have a very short period of time so please make sure you work very fast and give us the response.

BILL

(First Reading)

MACHAKOS COUNTY SUPPLEMENTARY APPROPRIATION (NO. 2) BILL, 2024-
KENYA, GAZETTE SUPPLEMENT NO. 1 (MACHAKOS COUNTY BILLS NO.1)

*(Order for First Reading read - Read the First Time - Ordered
to be read the Second Time today)*

MOTION

SECOND SUPPLEMENTARY BUDGET ESTIMATES FOR 2023/2024

Hon. Speaker: May I at this point invite Hon. Ndambuki, Chairperson, Budget and Appropriations Committee to come forward and take us through that Motion.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Thank you, Hon. Speaker.

Pursuant to Standing Order 208, I wish to move the Motion THAT this Assembly Adopts the report of the Budget and Appropriations Committee on the Second Supplementary Budget Estimates for the County Government and the Assembly for the FY 2023/2024 tabled in the Assembly on 16th April, 2024.

Hon. Speaker, I wish to call upon Hon. Justus Mutuku to second.

Hon. Speaker: Thank you very much, Hon. Member. Hon. Justus Mutuku.

Hon. Justus Mutuku (Wamunyu, PTP) seconded.

(Question proposed)

Hon. Speaker: Before I call upon Members to debate this Motion, I will invite the mover to come forward and give highlights of this report. Hon. Ndambuki.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Thank you, Hon. Speaker. I am going to table before the House the report written by the Budget and Appropriations Committee which is the sixth report on supplementary budget Estimates No. 2 for the fiscal year 2023/24.

OVERVIEW

Hon. Speaker, the FY 2023/24 2nd Supplementary Budget was tabled before the House on 20th February, 2024 and committed to the Budget and Appropriations Committee. Further, the CECM Finance submitted an addendum to the Supplementary budget on 21st March, 2024 and additional notes on 8th and 9th April, 2024 for consideration.

The Supplementary Budget is prepared in accordance with Section 135(2) of the Public Finance Management Act, 2012 which stipulates that a County Government shall submit a Supplementary Budget in support of the additional expenditure to seek authority for spending, through the County Assembly. The law provides that an Appropriation Act can only be amended through a supplementary budget.

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The Machakos County 2nd supplementary budget for FY 2023/24 seeks to amend the FY 2023/24 Appropriation Act to accommodate internal vote re-alignments and reduction in conditional grants.

Key proposed changes

The key proposed changes in the 2nd supplementary budget are:

- a) Increase the recurrent budget from Ksh. 10,666,596,067.00 to Ksh. 10,761,527,647.00.
- b) Decrease the development expenditure from Ksh. 5,908,680,845.00 to Ksh. 5,688,167,708.00.

Under the recurrent budget the major changes are coming from the following:

- a) Office of the Governor reallocations of Ksh. 16,250,000.00.
- b) Department of Roads, Transport and Public Works - increase by Ksh. 982,989.00
- c) Department of Health, increase by Ksh.75M.
- d) Department of Agriculture, Food Security and Cooperative Development – increase by Ksh. 5,650,000.00.
- e) Department of Finance, Economic Planning and Revenue Management – increase by Ksh. 18,416,041.00.
- f) Department of Gender, Youth, Sports and Social Welfare – decrease by Ksh. 5,617,398.00.
- g) Department of Trade, Industry, Tourism and Innovation reallocations of Ksh. 2,976,406.00.

Under the development budget, the major changes are coming from the following Departments:

- a) Department of Roads, Transport and Public Works – decrease by Ksh. 71M.
- b) Department of Agriculture, Food Security and Cooperative Development – decrease by Ksh. 78,171,930.00.
- c) Department of Health – decrease by Ksh. 130,442,227.00.
- d) Department of Water, Irrigation, Environment and Climate Change reallocations of Ksh. 93,350,000.00.
- e) Finance, Economic Planning and Revenue Management – decrease by Ksh. 99,898,980.00.
- f) Gender, Youth, Sports and Social Welfare – decrease by Ksh. 21M.
- g) Department of Trade, Industry, Tourism and Innovation – increase by Ksh. 150M.
- h) Department of Education – increase by Ksh.17.5M.
- i) Department of Devolution – increase by Ksh.12.5M.

Financing the 2nd Supplementary Budget Estimates 2023/2024

Hon. Speaker, in financing the 2nd Supplementary budget the County will utilize the following resource envelope:

- a) Own source Revenue - The County Government has retained its own source revenue at Ksh. 2,998,879,462.00.
- b) Equitable share -Pursuant to Article 202 (1) of the Constitution, the equitable share allocated to the County Government of Machakos in the FY 2023/2024 based on the revenue raised nationally is Ksh. 11,003,296,347.00.
- c) Conditional Grants - A reduction in the conditional grants to Ksh. 1,326,596,199.00
- d) Hospital Revenues - The County Government has retained the Hospital Revenues at Ksh. 1,008,000,000.00

- e) Equalization Fund - The County Government has factored in an equalization fund share of Ksh. 12,923,347.00
- f) Asset Disposal - The County Government has provided for Ksh. 100M from disposal of assets.

Expenditure

Hon, Speaker, the proposed expenditure for the County Government of Machakos will be reduced from Ksh. 16,575,276,912.00 to Ksh. 16,499,695,355.00 consisting of:

- a) Recurrent expenditure of Ksh.10,761,527,647.00 to cater for personnel emoluments of Ksh. 6,722,620,150.00, operations and maintenance expenses of Ksh. 3,922,421,450.00 and current transfers of Ksh. 115,986,047.00. The resultant effect is an increase by Ksh. 94,931,580.00 from the approved budget for the FY 2023/2024.
- b) Development expenditure of Ksh. 5,688,167,708.00 constituting capital transfers/grants of Ksh. 1,223,533,500.00 and acquisition of assets amounting to Ksh. 4,464,634,208.00, the effect being a decrease of Ksh. 220,513,137.00 from the approved Budget Estimates for FY 2023/2024. This translates to a development ratio of 35 per cent while the personnel emolument ratio stands at 41 per cent. The development ratio complies with fiscal responsibility principle which requires the same to be at least 30 per cent while the ratio on personnel emoluments is more than the set threshold of 35 per cent of the total revenue.

COMMITTEE BUDGET HIGHLIGHTS AND RECOMMENDATIONS

Hon. Speaker, after considering the supplementary budget proposals, the addendum, the additional notes submitted on 8th and 9th April, 2024, submissions from the CECM Finance, submission from the County Assembly's Head of Finance and the recently enacted County Governments Additional Allocations Act, 2024 the Committee recommends the following resource envelope to finance the 2nd supplementary budget for the FY 2023/2024:

No	Revenue Source	Amount (Ksh)
1.	Equitable Share	11,003,296,347.00
2.	Equalization Fund	12,923,347.00
3.	Unconditional Grants	14,536,040.00
4.	Conditional Grants	1,345,412,427.00
5.	Own Source Revenue	2,998,879,462.00
6.	Hospital Revenues	1,008,000,000.00
7.	Asset Disposal	100,000,000.00
Total		16,483,047,623.00

Hon, Speaker, further the committee highlights the 2nd Supplementary Budget proposals per each department and recommends as follows:

Office of the Governor

The Office of the Governor has an approved budget of Ksh. 610,452,324.00 which constitutes of Ksh. 19,578,170.00 for development and Ksh. 590,874,154.00 for recurrent. The County Treasury proposes to retain the recurrent budget at Ksh. 590,874,154.00 but with reallocations within the office. Further, the County Treasury proposes to retain the Development Budget at Ksh. 19,578,170.00.

The CRA Recurrent budget ceilings for the county executive (Office of the Governor and County Public Service Board is Ksh. 618,887,863.00). This allocation is above the set CARA allocation by Ksh. 10M.

The committee recommends that the office of the Governor be allocated Ksh. 19,578,170.00 for development and Ksh. 590,874,154.00 for recurrent expenditure respectively.

Office of the County Attorney

The approved budget for the Office of the County Attorney is Ksh. 92,864,716.00 which constitutes of Ksh. 9.3M for development and Ksh. 83,564,716.00 for recurrent. The County Treasury proposes to retain both the recurrent and development budgets.

The Committee recommends that the recurrent expenditure be set at Ksh. 83,564,716.00 and Ksh. 9.3M for development expenditure as per the County Treasury's proposal.

Department of Trade, Industry, Tourism and Innovation

The Department of Trade, Industry, Tourism and Innovation has an approved budget of Ksh. 696,762,847.00 which constitutes of Ksh. 498,778,732 for development and Ksh. 197,984,115.00 for recurrent. The County Treasury proposes to retain the recurrent budget but with reallocations and increase the development budget to Ksh. 648,778,732.00.

The committee recommends that recurrent expenditure in the department be retained at Ksh. 197,984,115.00 and increase the development expenditure to Ksh. 648,778,732.00 as per the County Treasury's proposal.

Department of Finance, Economic Planning and Revenue Management

In the department of Finance, Economic Planning and Revenue Management the approved budget is Ksh. 2,171,767,901.00 constituting of Ksh. 849,703,533.00 for development and Ksh. 1,322,064,366.00 for recurrent.

The County Treasury proposes to increase the total recurrent budget estimates for the department by Ksh. 18,416,041.00 from Ksh. 1,322,064,366.00 to Ksh. 1,340,480,407.00 being effect of increases in programs: P01: Revenue management by Ksh.1M, P02 Budget Formulation, Coordination and Implementation by Ksh.1M, P05: Accounting Services by Ksh. 112,572,905.00, P08: Monitoring and Evaluation by Ksh.18M and decreases in programs: P06: Human Resource management and support services by Ksh.97,500,000.00 and P07: Economic Planning and Statistical Services by Ksh. 16,656,864.00.

In the development budget, the County Treasury proposes to decrease the budget by Ksh. 99,898,980.00 from Ksh. 849,703,533.00 to Ksh. 749,804,553.00 being an effect of decrease in programs: P01: Revenue management by Ksh.1M, P02: Budget formulation, coordination and implementation by Ksh. 40M and P04: Accounting Services by Ksh. 58,898,980.00.

The committee recommends that the recurrent budget of the department be increased to Ksh. 1,340,480,407.00 and development budget be reduced to Ksh 729,804,553.00.

Department of Devolution

In the department of Devolution, the approved budget of the department is Ksh. 1,359,541,711.00 constituting of Ksh. 95,857,965.00 for development and Ksh. 1,263,683,746.00 for recurrent. The County Treasury proposes to retain the recurrent budget and increase the development budget by Ksh.12.5M from Ksh. 95,857,965.00 to Ksh. 108,357,965.00 being an increase in P01: Administration and coordination services.

The committee recommends that the recurrent budget of the department be retained at Ksh. 1,263,683,746.00 and development budget be increased to Ksh. 108,357,965.00.

Department of Agriculture, Food Security and Cooperative Development

The department of Agriculture, Food Security and Cooperative Development has an approved budget of Ksh. 1,264,602,954.00 which constitutes of Ksh. 874,530,142.00 for Development and Ksh. 390,072,812.00 for Recurrent.

The County Treasury proposes to increase the recurrent by Ksh. 5,650,000.00 from Ksh. 390,072,812.00 to Ksh. 396,222,812.00 being an increase in program P06: Agricultural Training Centre and decrease the development budget by Ksh. 78,171,930.00 from Ksh. 874,530,142.00 to Ksh. 796,358,212.00 being decreases in programs: P01; General administration and support services by Ksh.142M, P04; Fisheries development by Ksh. 3,139,330.00 and increase in program P06: ATC by Ksh. 66,967,400.00. Following the submission of additional notes from the County Treasury, the recurrent was retained at Ksh. 390,072,812.00 and the development reduced to Ksh. 796,150,814.00

The committee recommends that recurrent expenditure in the department be retained at Ksh. 390,072,812.00 and the development expenditure be reduced to Ksh. 796,150,814.00.

Department of Health

The approved budget for the department of Health is Ksh. 5,372,107,547.00 constituting of development expenditure of Ksh. 1,095,245,036.00 and Ksh. 4,276,862,511 for recurrent.

The County Treasury is proposing to increase the recurrent budget by Ksh. 75M to Ksh. 4,351,862,511.00 being an effect of increases in programmes P01; General administration and support services by Ksh. 29,170,467.00, P02; Machakos Level 5 by Ksh. 62,512,956.00 and decreases in programmes P03; Kangundo Level 4 by Ksh. 2,102,111.00, P04; Matuu Level 4 by Ksh. 1M, P05; Kathiani Level 4 by Ksh. 6,410,845.00, P10; Mutituni Level 4 by Ksh. 1M, P11; Ndithini Level 4 by Ksh. 1M, P12; Kalama Level 4 by Ksh. 1,570,467.00 and P13; Public Health by Ksh. 2.6M. The Treasury further proposes to reduce the development Budget by Ksh. 130,442,227.00 to Ksh. 964,802,809.00 being an effect of a decrease in P01; General Administration by Ksh. 189,442,227.00 and an increase in P13; Public Health by Ksh. 59M. Following submission of additional notes, the County Treasury proposed to reduce the recurrent budget to Ksh 4,345,380,767.00.

The committee recommends that the recurrent and development expenditures of the department be reduced to Ksh. 4,345,380,767.00 and Ksh. 964,802,809.00 respectively.

Department of Roads, Transport and Public Works

The department of Roads, Transport and Public Works has an approved budget of Ksh. 899,738,023.00 which constitutes of Ksh. 649,231,765.00 for Development and Ksh. 250,506,258.00 for recurrent. The County Treasury proposes to increase the recurrent budget estimates by Ksh. 982,939.00 to Ksh. 251,489,197.00 being an effect of decrease in P03; County Government Buildings Services by Ksh. 9,017,061.00 and an increase in P04; County Fleet Management of Ksh. 10M. Under the development budget the County Treasury proposes to reduce the same by Ksh. 71M to Ksh. 578,231,765.00 being an increase in P01; General Administration and Support Services by Ksh. 6M and a decrease in P03; County Government Building Services by Ksh. 77M.

The committee recommends that the recurrent expenditure of the department be increased to Ksh. 251,489,197.00 and that the development expenditure be reduced to Ksh. 578,231,765.00

Department of Education

The Department of Education has an approved budget of Ksh. 735,108,805.00 which constitutes of Ksh. 97,729,112.00 on development and Ksh. 637,379,693.00 for recurrent

expenditure. The County Treasury proposes to retain the recurrent budget and increase the development budget by Ksh. 17.5M to Ksh. 115, 229,112.00 being an increase in P03; Youth Development Services. Following the submission of additional notes, the County Treasury proposed to increase both the recurrent and development budgets to Ksh. 663,861,437.00 and Ksh. 122,729,112.00 respectively.

The committee recommends that recurrent expenditure for the department be increased to Ksh. 663,861,437.00 and further recommends that development expenditure be revised to Ksh. 122,729,112.00.

Department of Lands, Housing, Urban Development and Energy

The department of Lands, Housing, Urban Development and Energy has an approved budget of Ksh. 505,162,073.00 which constitutes of Ksh. 264,395,803.00. for development and Ksh. 240,766,270.00 for recurrent. The County Treasury proposes to retain both the recurrent and development budget estimates for the department.

The committee recommends that both the recurrent and development budgets be retained at Ksh. 240,766,270.00 and Ksh. 264,395,803.00 respectively.

Department of Gender, Youth, Sports and Social Welfare

Hon. Speaker, the department of Gender, Youth, Sports and Social Welfare has an approved budget of Ksh. 557,294,772.00 which constitutes of Ksh. 337,655,003.00 on development and Ksh. 219,639,769.00 on recurrent expenditure.

The County Treasury proposes to reduce the recurrent budget estimates by Ksh. 5,617,398.00 to Ksh. 214,022,371.00 being a decrease in P01; Administrative Services and decrease the development budget by Ksh. 21M to Ksh. 316,655,003.00 being an effect of decreases in programmes P02; Sports management by Ksh. 5M, P03; Youth Empowerment by Ksh. 60M and Increase in P04; Gender and Social Services by Ksh. 44M.

The committee recommends that recurrent expenditure for the department be reduced to Ksh. 212,879,769.00 and further recommends that development expenditure for the department be reduced to Ksh. 316,655,003.00

Department of Water, Irrigation, Environment and Climate Change

The department of Water, Irrigation, Environment and Climate Change has an approved budget of Ksh. 967,863,704.00 which constituted of Ksh. 821,675,584.00 for development and Ksh. 146,188,120.00 for recurrent. The County Treasury proposes that the recurrent and Development budget estimates for the department be retained as proposed but with some reallocations. Following the enactment of County Governments Additional Allocation Act 2024, the County Treasury proposes to increase the development budget to Ksh. 855,027,852.00 being an increase for the FLLoCA grants.

The committee recommends that recurrent expenditure in the department be retained at Ksh. 146,188,120.00 and development expenditure in the department be increased to Ksh. 855,027,852.00.

County Public Service Board

The County Public Service Board, has an approved budget of Ksh 41,013,709.00 which constitutes of Ksh 3M on development and Ksh. 38,013,709.00 on recurrent. The County Treasury proposes that the recurrent and development budget estimates for the Board be retained as proposed.

The Committee recommends that recurrent expenditure of the County Public Service Board be retained at Ksh. 38,013,709.00 and the Development be retained at Ksh.3M.

County Assembly

The County Assembly has an approved budget of Ksh. 1,300,995,826.00 which constitutes of Ksh 292M for development and Ksh 1,008,995,826.00 for recurrent expenditure. The County Treasury proposes to retain both the recurrent and development budgets estimates.

The committee recommends that the County Assembly development budget be retained at Ksh. 292M and the recurrent budget at Ksh. 1,008,995,826.00 but with reallocations.

GENERAL COMMITTEE OBSERVATIONS

In processing the Supplementary budget, the Committee made the following observations:

- a) Provision for other capital grants and transfers (pending bills) under the Department of Finance for Ksh. 94,978,036.00 (partially since the total vote is Ksh. 180Million) has been moved from the development budget to recurrent budget which violates Section 154(b) of the PFM Act, 2012 and PFM (County Governments) Regulations, 2015 Section 47(d).
- b) Provision for compensation of employees exceeds the set legal limit of 35 per cent and stands at 41 per cent.
- c) Reallocations in some departments are more than the stipulated 10 per cent in the Public Finance Management Regulations 39(9) which states that “in approving any estimates, under Section 135 and 154 the County Assembly approval shall not exceed 10 per cent of the approved budget estimates of a program, of a sub vote unless it is for an unforeseen and unavoidable need.” For instance, in the following departments under development; Roads, Transport and Public Works, Agriculture, Food Security and Cooperative Development, Health, Finance, Economic Planning and Revenue Management and Trade, Industry, Tourism and Innovation. Under recurrent expenditure Department of Finance, Economic Planning and Revenue Management; Health and Gender, Youth, Sports and Social Welfare. The law allows the County Assembly to approve a higher percentage in particular on special circumstance as stipulated under section 135(7) of the PFM Act, 2012.
- d) The committee observed a reduction in the overall development budget amounting to Ksh. 220,513,137.00
- e) Reduction of the Emergency Fund budget by Ksh. 40M from Ksh. 70M to Ksh.30M.
- f) Allocation of a recurrent budget in the Office of the Governor and CPSB exceeding the CARA set ceiling by Ksh. 10M.
- g) Major provisions for other current/capital transfers and other operating expenses across all the departments.
- h) The Committee noted introduction of new programs/vote heads which were not in the approved budget.
- i) Provision of Ksh. 26,570,467.00 under the Department of health’s recurrent budget for electricity, water and sewerage bills being reallocations within the departments from NHIF reimbursements across all the hospitals.
- j) A major reduction in conditional grants.
- k) Inclusion of additional Ksh. 150M from the National Government for County Aggregation and Industrial Parks (CAIPs)
- l) Increased funding for the Agriculture Training Centre (ATC) – Recurrent Ksh. 5,650,000.00 and Development Ksh. 66,967,400.00.
- m) Scrapping of the Ksh.10M meant for County buildings insurance and reallocated to motor vehicle insurance.

SUBMISSION FROM CECM FINANCE

Hon. Speaker, the committee invited the CECM Department of Finance, Economic Planning and Revenue Management to respond on concerns raised during the interrogation of the 2nd Supplementary Budget Estimates 2023-2024. The following were the submissions;

- a) On the pending bills under the Department of Finance being moved from the development budget to recurrent budget the CECMF submitted that the approved payment plan was Ksh. 200,000,000.00 (Ksh. 114,978,035.59 as Recurrent and Ksh. 85,021,964.41 as Development). This therefore has necessitated the movement of Ksh. 94,978,036.00 to Recurrent to top up the initial recurrent allocation of Ksh. 20,000,000.00.
- b) On provision for compensation of employees exceeding the set legal limit of 35% and currently at 41 per cent, the CECMF informed the Committee that the high wage bill is occasioned by crucial sectors such as the Health Sector which accounts for 51 per cent of the proposed budget on compensation to employees for Financial Year 2023/2024 (Compensation of employees amounts to Ksh. 6,722,620,150.00 which includes Ksh. 3,436,366,086.00 for the department of health) this has been necessitated by the Health workers CBA not to mention also the current health workers strike which may push the wage bill higher.
- c) On reallocations in some departments being more than the stipulated 10% in Regulation 39(9) of the PFM regulations, 2015 the CECMF informed the Committee that this has been occasioned by inadequacy of budget for health sector for non-discretionary expenditures such as drugs , non -pharms , food , cleaning services and need to enhance budget implementation and service delivery.
- d) Regarding the continued reduction of the Emergency Fund Budget from Ksh. 90M to Ksh. 70M and now to Ksh.30M the committee was informed that the emergency regulation requires the Executive to prepare and submit the County Disaster Management Plan to County Assembly for approval, before utilization of the funds.
- e) On major provisions for other current/capital transfers and other operating expenses across all the departments the committee was informed that all the donor funds, County established funds and county own contribution linked to donor funds are budgeted under capital and current transfers vote lines.
- f) Regarding the introduction of new programmes/vote heads which were not in the approved budget such as purchase of bicycles and motor cycles, distribution of beehives, VTC capital transfers/grants and youth and women empowerment the CECM Finance informed the committee that this was to enhance budget implementation and accessibility of government services.
- g) On major reduction in Conditional grants the CECM Finance submitted that the grants are dependent on the County Governments Additional Allocation Act as approved by the National Assembly/Senate.
- h) On increased funding for the Agriculture Training Centre (ATC) the committee was informed that this was for purpose of enhancing implementation of youth empowerment.
- i) Regarding the scrapping of the Ksh.10M meant for County buildings insurance and reallocated to motor vehicle insurance the committee was informed that the building insurance can only be done after valuation of the government buildings which is scheduled to be done in phases starting from FY 2024/2025. Additionally, the motor vehicle insurance had a deficit of Ksh. 10 million.
- j) On Construction and refurbishment of social hall in the Department of Gender the committee was informed that the allocations are for construction of a new social hall at

Mlolongo Chiefs' Camp and refurbishment of existing social hall at Makadara in Athi River Ward

- k) Regarding the planned rent/leasing of motor vehicles whose amount is being fully re-allocated to other vote lines the CECM submitted that the FY is almost coming to an end and the leasing framework is not yet finalized thus the amount is likely not to be utilized within the financial year hence the reallocation.
- l) On the Funds in the budget such as Wikwatyo, Youth, Table Banking and Women/Youth Empowerment without the attendant regulations the committee was informed that all the regulations were being formulated.

COMMITTEE RECOMMENDATIONS

Hon. Speaker, the committee recommends that:

- a) In future procurement of goods, works and services be initiated in the beginning of the financial year so that payment for the same is done within the financial year thereby reducing the possibility of incurring pending bills. Further strategies be put in place to clear the outstanding pending bills.
- b) The County Treasury needs to come up with strategies of ensuring that the wage bill is within the set limit of 35 per cent of total revenue.
- c) The County Treasury avoids reallocations which are more than 10% of the approved budget and in case of any unavoidable reason, authority be sought from the County Assembly for such movements.
- d) The County Treasury allocates emergency funds as stipulated in the law to ensure that County has enough resources to deal with any eventuality. Further, the county treasury should fully implement the Emergency Fund Regulations as approved by this Honorable House.
- e) The County Executive should ensure that all the conditions set in conditional grants are fully met to avoid withdrawal/reduction of funds by donors.
- f) The County Executive fast tracks the valuation of County buildings for processing of insurance to mitigate any risk exposures.
- g) The County Executive ensures that all the established funds should have the Regulations in place to enable implementation of the funds.
- h) The County Executive should strive to implement the 2nd Supplementary Budget and utilize the funds before the close of the FY 2023/2024.

CONCLUSION

Hon. Speaker, with the approval of the FY 2023/24 2nd Supplementary budget, the County should increase the absorption rate and avoid carrying forward balances that have been witnessed in the previous years.

ACKNOWLEDGEMENT

Hon. Speaker, the Budget and Appropriations Committee acknowledges the Office of the Speaker and the Clerk of the County Assembly for facilitating the Committee to undertake this exercise.

I wish to express my appreciation to the Honorable Members of the Committee who sacrificed their time to participate in the meetings and in preparation of this report. Hon. Speaker, it is therefore my privilege, on behalf of the Budget and Appropriations Committee to table the FY 2023/24 Second Supplementary Budget before this Hon. House for consideration and approval. Thank you, Hon. Speaker.

Hon. Speaker: Thank you very much, Hon. Ndambuki.

(Applause)

Thank you, Members. I invite Members to debate this Motion. Hon. Brian Kisila.

Hon. Brian Kisila (Makutano/Mwala, MCCP): Madam Speaker, I would like to thank the Chair for a very good and well-thought plan which I fully support. I am also very impressed that you did not touch Mwala Level IV hospital. I personally talked to Minority Leader that you were good enough and kind not to touch Mwala Level IV hospital which is very dear to my heart. Since my last convincing touched the Committee---

(Loud consultations)

Hon. Speaker: Serjeant at Arms, please ensure there is silence.

Hon. Brian Kisila (Makutano/Mwala, MCCP): I have seen a lot of improvement. Madam Speaker I must say that Mwala Level IV hospital is benefiting a lot. We now have a new Ward which is being constructed, a new X-ray building which is being constructed and the equipment is coming on board and an ultra-sound for the same facility. There is a lot of good things happening there.

Madam Speaker, I must also note that own source revenue is growing. It is a very commendable achievement and if we are going to achieve Ksh. 2.9 Billion that will be a very good step in the right direction. We can see whatever we have been putting in place for ensuring revenue is well collected has been achieved. Ksh. 2,900,000 is on the lower side we need to push own source revenue to almost Ksh. 3,000,000,000.

Madam Speaker, I have some few concerns which I want to highlight. The emergency fund reduction is not a good thing to do to me. We should not reduce money for emergency fund we should be increasing. I have noted the response from the finance CECM that we are working on a County disaster management plan. We urge him to move very first so that we have that plan in place so that we can allocate that money. Without emergency fund we cannot progress when it comes to disaster.

My other concern is on re-allocations of more than 10 per cent. The CECM has well explained that. I am happy with the explanation although that needs to be approved by this House and I am sure that is why this supplementary budget is here so that we can approve it. My second last point is on disposal of assets we are provided for Ksh. 100,000,000 for disposal of assets. Mr. Chairman, I do not know which assets are these and are there a provision for this Assembly that we approve disposal of almost Ksh. 100,000,000. Which are these assets? You can clarify to us and are they going to be tabled in this Assembly so that we can approve.

Madam Speaker, I am also concerned about the Department of Roads and Public Works. We seem to be taking a lot of money from that Department and we seem to be putting a lot of money in a department called Trade. We do not see traction in the Department of trade and Madam Speaker if there is something which will make us come back here, to be re-elected as MCAs and the Governor is good roads for our County and our Wards. We seem to be all the time moving very fast to take money from roads and taking that to the Trade department.

If you ask me I am not seeing that traction of that Department in our roads. It is the high time, Madam Speaker, we need to start demanding results from these people we are giving money and if they do not deliver in our next budget we are going to be a bit ruthless to them so that can deliver. Otherwise, Madam Speaker, I am impressed by the report and I support. Thank you.

(Applause)

Hon. Speaker: Thank you very much, Hon. Brian. Those are pertinent concerns and the Chair Budget and Appropriations Committee is noting them for the purposes of responding. Hon. Helen Ndeti and then Hon. Ndawa.

Hon. Helen Ndeti (Nominated, WDM-K): Thank you, Madam Speaker. I stand to congratulate the Budget and Appropriations Committee. I listened to the report and I think they have done a very conclusive report. My only area that I would like to raise is the issue of pending bills. As a County we are not doing very well because pending bills have been going up. Mr. Chair, you can confirm with us because coming up to Ksh. 3,000,000,000 we do not seem to be fair. We need to really pay more attention and pay for services delivered to this County. We are only killing our economy because most of the suppliers I am very sure are Machakos residents and they have borrowed money from banks to come and deliver services so they should be paid.

The other thing I have taken note of is conditional grants. They seem to be going down and we need to find out why our development partners are not having that confidence to continue to give us more grants.

The only other point that I would like to talk about is at the Department of Trade and I do not know whether it is a few months ago when we were told that they spent zero per cent on development budget. Now we are allocating them more money and I do not know what that means. Thank you, Madam Speaker.

Hon. Speaker: Thank you very much, Hon. Ndeti. More concerns. Hon. Chair. Hon. Ndawa proceed.

Hon. Mbili Ndawa (Matuu, MCCP): Thank you, Madam Speaker. Hon. Speaker I will start by congratulating our most able Chair together with the Committee members who burnt midnight oil to ensure that the report is ready for tabling today. Hon. Speaker, I strongly support the report because I took part in compiling the same. Since I am a member of the Budget and Appropriations Committee, I will start by clearing some of the issues which have been asked by the previous contributors starting with Hon. Brian Kisila.

Hon. Speaker the issue of moving monies from the Roads and Public Works department amounting to Ksh. 71,000,000 and Hon. Speaker these monies were meant for construction of Governor's and Deputy Governor's residence. Due to issues within the County, the Department saw it wise to defer the issue of the two buildings and that is the Governor's residence and the Deputy Governor's. So that that money can be used to assist the department of Health which is almost exhausting its budget. So, the money was not for grading roads was for construction and remember the department of roads is the one mandated to handle the issues of construction.

Hon. Speaker, the other issue which has been raised by Mheshimiwa Helen Ndeti on the department of trade. The monies we are giving the department is the one we got from the National Government. You remember the National Government was assisting us to construct the County Aggregation Centres and we are not taking money from elsewhere and we hope that we are going to utilize the money for the intended purpose.

Again, because I sat in the committee when we interrogated the CECM and his team, the issue of wage bill which seems to be a thorn in the flesh, one of the reason why we are having a huge wage bill is due to a Collective Bargaining Agreement which was reached by the National Government and the medics and as a County, we were not party to the agreement but since now the medics are working in health which is devolved, that is why we are we are now.

Again, Hon. Speaker, I would request my senior ranking Member because she is a good friend of mine and she understands very well, she allows me to conclude because what I am saying here is a true reflection of what is happening. There is the issue of exceeding 10 per cent and as a committee we were not for approving that but due to the law that has been given, the law allows the County Assembly to approve a higher percentage in particular and special circumstances as stipulated under Section 135 of the PFM Act 2012. So, in case one has an issue with the 10 per cent, kindly consult Section of the PFM Act.

Hon. Speaker: Do you know the special circumstances that were obtaining on this one?

Hon. Mbili Ndawa (Matuu, MCCC): Yes, the department explained very well that especially the issue of recurrent and things that we use or solve that problem but in short time, the problem recurs. As you are aware Hon. Speaker, we are stocking our hospitals and within a short time you hear that we do not have drugs. That is a major cause and reason why a big portion of the money that we reallocated we send it to the department of health and we also are concerned about the ongoing strike which we do not know when we are going to be out of that problem.

The other issue which was raised was the issue of Ksh. 100 million disposal of property which is an issue that has been raised by Mheshimiwa. If I recall very well, the Ksh. 100 million is not going to come after we have disposed the assets because when we were passing the budget, we just gave Ksh. 100 million to facilitate the disposal of assets. So, since we never disposed the assets, that money has not been used and it is the money we are talking about.

Hon. Speaker: Point of information taken.

Hon. Brian Kisila (Makutano/Mwala, MCCC): Madam Speaker, I can see my Minority Leader is struggling to explain the points and I kind of feel he is not privy to them.

Hon. Speaker: He is a medic.

(Laughter)

Hon. Brian Kisila (Makutano/Mwala, MCCC): If he is not privy to them, he would rather leave them to the Chairman because there are two points he is trying to highlight here. Which Act is he talking about which allows us to go above 20 per cent? Be very specific on the Act.

Secondly, be very specific and do not tell us unforeseen circumstances because if you are going to approve anything above 10 per cent, quote the Act. The Ksh. 100 million is provided for in the disposal of assets. We are disposing assets worth Ksh. 100 million so do not say it was in the budget. Where are these assets? These are questions which we are asking and if he is not very clear on them, let the Chairman explain so that he does not make us start losing our support for what the Chairman has said. Thank you.

Hon. Speaker: Thank you, Hon. Member.

Hon. Mbili Ndawa (Matuu, MCCC): Thank you. Since he is insisting that the issue of the Ksh. 100 million I leave to the Chair, he is present and I am very sure he is going to handle that.

On the issue of the Act, Mheshimiwa you have the report in your gadget and we are talking of Section 135(7) of the PFM Act 2012, that is the law which allows and you can use that. Thank you, Madam Speaker. I support the report.

Hon. Speaker: Thank you very much, Hon. Ndawa. More contributions, Hon. Members. Hon. Aliphonce Mutinda.

Hon. Aliphonce Mutinda (Kivaa, MCCP): Thank you, Madam Speaker. I rise to support the budget because it is my responsibility to do it but I have a concern with the health department. If you see the allocation which has been given to Machakos Level V, it is Ksh. 32 million for development but Matuu hospital which is a Level IV, it has been given a bigger allocation of Ksh. 40 million. I wonder, if Masinga has been given only Ksh. 4 million and it is the hospital where my people from Kivaa will rely on, how come and we are aware all referrals are being taken to Level V hospital.

Hon. Mbili Ndawa (Matuu, MCCP): Point of information, Madam Speaker.

Hon. Aliphonce Mutinda (Kivaa, WDM-K): Kindly, Madam Speaker protect me.

Hon. Mbili Ndawa (Matuu, MCCP): It is very important.

Hon. Aliphonce Mutinda (Kivaa, MCCP): Kindly, Madam Speaker protect me. I want to utilize my five minutes and then I sit down. Kindly.

Hon. Speaker: Allow the Member.

Hon. Speaker: You were concerned about the allocation of Masinga?

Hon. Mbili Ndawa (Matuu, MCCP): Matuu, Yes. Information since I represent that ward if you allow me Hon. Speaker.

Hon. Speaker: I will allow him to proceed.

Hon. Aliphonce Mutinda (Kivaa, MCCP): Thank you, Madam Speaker for that protection. Hon. Members, let us agree, all our referrals from our respective wards are referred to Machakos Level V where it should be given the highest amount in terms of development. I wonder Matuu, being allocated Ksh. 40 million for development and Masinga whereby my people---

Stephen Mwanthi (Ekalakala, WDM-K): Point of information.

Hon. Speaker: Hon. Member your concern is---

Hon. Mbili Ndawa (Matuu, MCCP): Hon. Speaker the Member speaking is misleading the House.

Hon. Speaker: Let me finish.

Hon. Mbili Ndawa (Matuu, MCCP): We just give information before he finishes because if he sits we will not have time to inform him.

Hon. Speaker: Okay, Hon. Ndawa, you can inform the Member.

Hon. Mbili Ndawa (Matuu, MCCP): Thank you, Hon. Speaker. I just want to inform the Hon. Member that Matuu Level IV hospital serves as the referral hospital for that sub-region. Members or patients from within Yatta and Masinga bring their patients to Matuu and that is why we are saying let Matuu Level IV hospital be elevated to Level V hospital so that we can be able to decongest Machakos Level V hospital.

All the trips we are making from Yatta sub-county to Machakos Level V hospital, we are spending a lot of money, time and we are subjecting our patients to unnecessary torture and some other times people or patients die on the way. If we can have Matuu Level IV hospital elevated to Level V and that is what the Governor is intending to do, I think that will have solved the problem. Thank you, Hon. Speaker.

Hon. Speaker: So you are justifying why Matuu Level IV hospital has more allocation compared to Masinga.

Hon. Mbili Ndawa (Matuu, MCCP): Yes, Madam Speaker.

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

Hon. Speaker: Proceed and give additional information.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Thank you. Just to inform Hon. Aliphonce about the Ksh. 40 million, against Ksh. 4 million for Masinga Level III hospital, Ksh. 40 million is to be utilized to purchase of a CT Scan machine and construction of buildings that will cost in particular a morgue in Matuu Level IV hospital, laboratory and CT Scan house and casualty wing. Thank you.

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Additional information, Hon. Speaker.

Hon. Speaker: Yes.

Hon. Nicholas Nzioka (Machakos Central, WDM-K): If you have been following keenly the debates about Machakos Level V hospital, we are in agreement as a House that we must empower Matuu Level IV hospital, Kathiani, Athi River, Kangundo and Mwala Level IV hospitals so that the congestion in Machakos Level V hospital is eased so I support that the hospitals at sub-regional levels, we invest more money there so that we decongest Machakos Level V hospital. Thank you.

Hon. Speaker: Thank you very much. I hope Hon. Aliphonce there is justification why it is like that.

Hon. Aliphonce Mutinda (Kivaa, MCCP): Yes, I totally agree if the idea was to raise the Level IV hospitals to Level V because my people will also be coming to the nearer hospital which is Matuu Level V hospital.

Hon. Speaker: Thank you, and also to decongest Machakos Level V hospital. Thank you.

Hon. Aliphonce Mutinda (Kivaa, MCCC): So I continue supporting the supplementary budget.

(Applause)

Hon. Speaker: Thank you, Hon. Member. That was very important, more contributions. I put the question? I wish to invite the mover to come and reply.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Thank you, Hon. Speaker. I wish to thank Hon. Members of this House for their passionate contribution to the debate and as earlier on alluded by Hon. Ndawa, it is true that Hon. Speaker, much has been done and the second supplementary budget for FY 2023/24 is objective and ensuring that we bring development closer to our people.

Hon. Speaker, as I respond to some of the issues like own source revenue; Hon. Kisila said that Ksh. 2.9 billion is a bit on the lower side. I wish to request that it is good but we need to raise it up. Hon. Speaker, through you I wish to request the committee on Finance to ensure that they put the department of finance and revenue management to task to ensure that we increase own source revenue. Now we are also giving some funds to ensure that we come up with a very good system to enhance own source revenue collection. About asset disposal, the Ksh. 100 million allocation is to ensure that that process is undertaken and I am sure that the finance committee from our Assembly will be much involved in the process.

Hon. Speaker: So this is not a source of---

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): It is money in, money out.

Hon. Speaker: Okay. From disposal of assets?

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Yes. We project to get Ksh. 100 million from disposal of assets. We have grounded vehicles which are here; we have furniture that is obsolete that we want to dispose as County government.

Hon. Speaker: What was the criteria used to come up with this figure if you did not know the assets to be disposed?

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Hon. Speaker, I believe that the finance department has already come up with strategies and that is their projection. Just like own source revenue where we put projections.

Hon. Speaker: That is the projection.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Yes, and we aspire to get. Much has been spoken about department of trade gaining money and that is on matching fund where the National Government is giving us money and also as government we are contributing money to add on what we had budgeted for County Aggregated Industrial Parks and I believe that the programme is up and running. The Chair of Trade Committee can attest that the programme is ongoing.

About the allocation on Machakos Level V hospital and other facilities, that debate that was lively I think Hon. Speaker we have come to agreement that we need to allocate more funds to Machakos Level V hospital to ensure that we reduce congestion. Additional point on Machakos

Level V hospital why we are giving it more money than the other facilities that is Ksh. 32 two million and big chunk of the money that is Ksh. 23 million will be going towards purchase of dental, renal and cancer equipment. Then the rest of the money will be distributed in refurbishment of existing buildings within the facility. I call upon Hon. Members to support the report. Thank you, Hon. Speaker.

Hon. Speaker: Thank you very much, Hon. Ndambuki.

(Question put and agreed to)

(Applause)

BILL

(Second Reading)

MACHAKOS COUNTY SUPPLEMENTARY APPROPRIATION (NO. 2) BILL, 2024-
KENYA, GAZETTE SUPPLEMENT NO. 1 (MACHAKOS COUNTY BILLS NO.1)

Hon. Speaker: May I at this point invite Hon. Ndambuki, Chairperson, Budget and Appropriations Committee to come forward and take us through the second reading.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Thank you, Hon. Speaker. Hon. Speaker, pursuant to Standing Order 121(1), I wish to move the motion that the Machakos County Supplementary Appropriation (No.2) Bill, 2024 (Machakos County Bills No.1) be now read a second time. I wish to call upon Hon. Nicholas Nzioka to second.

Hon. Speaker: Thank you, Hon. Member. Hon. Nzioka.

Hon. Nicholas Nzioka (Machakos Central Ward) seconded.

Hon. Speaker: Thank you, Hon. Member.

(Question proposed)

I now invite Members to debate the Bill. I invite the mover to come and reply.

(Question put and agreed to)

*(The Bill was read a Second Time and committed
to a Committee of the whole House today)*

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

[Hon. Speaker left the Chair]

IN THE COMMITTEE

[Hon. Chairperson (Hon. Stephen Mwanthi) took the Chair]

MACHAKOS COUNTY SUPPLEMENTARY APPROPRIATION (NO. 2) BILL, 2024-
KENYA, GAZETTE SUPPLEMENT NO. 1 (MACHAKOS COUNTY BILLS NO.1)

Hon. Chairperson: Thank you, Members and welcome to the Committee of the Whole House. I hope we would not take long.

(Clause 2 agreed to)

FIRST SCHEDULE

Recurrent Expenditure

Vote R0001

Hon. Chairperson: I propose that Vote R0001 be part of the Bill.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Mr. Chairman, I beg to move R0001 as relates to Office of the Governor Recurrent Portfolio be amended:-

- i. In “P01 Office of the Governor – Headquarters Co-ordination and Supervisory Services” by deleting the figure “(8,000,000)” substituting therefor the figure “3,000,000” as relates to the increase/decrease in Ksh;
- ii. In “P01 Office of the Governor – Headquarters Co-ordination and Supervisory Services” by deleting the figure “306,336,718” and substituting therefor the figure “317,336,718” as relates to the Revised Budget 2 in Ksh;
- iii. In “P03 Human Resource and Administration Services” by inserting the figure “(11,000,000)” as relates to the increase/decrease in Ksh;
- iv. In “P03 Human Resource and Administration Services” by deleting the figure “55,250,000” and substituting therefor the figure “44,250,000” as relates to the Revised Budget 2 in Ksh;

(Question of amendment proposed)

(Question, that the Vote R0001 be amended as proposed, put and agreed to)

(Vote R0001 as amended agreed to)

(Votes R0002, R0003, R0004 and R0005 agreed to)

Vote R0006

Hon. Chairperson: I propose that Vote R0006 be part of the Bill.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Mr. Chairman, I beg to move R0006 as relates to Agriculture, Food Security and Co-operative Development Recurrent Portfolio be amended:-

- i. By deleting the figure “390,072,812” relating to “recurrent expenses of Agriculture, Food Security and Co-operative Development portfolio and substituting therefor the figure “390,572,812” as relates to the Revised Budget 1 in Ksh;;

- ii. By deleting the figure “5,650,000” relating to “recurrent expenses of Agriculture, Food Security and Co-operative Development portfolio and substituting therefor the figure “(500,000)” as relates to the increase/decrease in Ksh;
- iii. By deleting the figure “396,222,812” relating to “recurrent expenses of Agriculture, Food Security and Co-operative Development portfolio and substituting therefor the figure “390,072,812” as relates to the Revised Budget 2 in Ksh;;
- iv. In “P06 Agriculture Training Centre” by deleting the figure “3,439,704” substituting therefor the figure “3,939,704” as relates Revised Budget 1 in Ksh;
- v. In “P06 Agriculture Training Centre” by deleting the figure “5,650,000” substituting therefor the figure “(500,000)” as relates to the increase/decrease in Ksh;
- vi. In “P06 Agriculture Training Centre” by deleting the figure “9,589,704” and substituting therefor the figure “3,439,704” as relates to the Revised Budget 2 in Ksh;

(Question of amendment proposed)

(Question, that the Vote R0006 be amended as proposed, put and agreed to)

(Vote R0006 as amended agreed to)

Vote R0007

Hon. Chairperson: I propose that Vote R0007 be part of the Bill.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Mr. Chairman, I beg to move R0007 as relates to Health Recurrent Portfolio be amended:-

- i. By deleting the figure “75,000,000” relating to “recurrent expenses of Health Portfolio and substituting therefor the figure “68,518,256” as relates to the increase/decrease in Ksh;
- ii. By deleting the figure “4,351,862,511” relating to “recurrent expenses of Health portfolio and substituting therefor the figure “4,345,380,767” as relates to Revised Budget 2 in Ksh;
- iii. In “P02 Machakos Level 5” by deleting the figure “62,512,956” and substituting therefor the figure “56,031,212” as relates to the increase/decrease in Ksh;
- iv. In “P02 Machakos Level 5” by deleting the figure “240,442,544” and substituting therefor the figure “233,960,800” as relates to the Revised Budget 2 in Ksh;

(Question of amendment proposed)

(Question, that the Vote R0007 be amended as proposed, put and agreed to)

(Vote R0007 as amended agreed to)

(Votes R0008 agreed to)

Vote R0009

Hon. Chairperson: I propose that Vote R0009 be part of the Bill.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Mr. Chairman, I beg to move R0009 as relates to Education Recurrent Portfolio be amended:-

- i. By inserting the figure “26,481,744” relating to “recurrent expenses of Education portfolio” as relates to the increase/decrease in Ksh;
- ii. By deleting the figure “637,379,693” relating to “recurrent expenses of Education portfolio and substituting therefor the figure “663,861,437” as relates to the Revised Budget 2 in Ksh;
- iii. In “P01 General Administration, Planning and Support Services” by inserting the figure “26,481,744” as relates to the increase/decrease in Ksh;
- iv. In “P01 General Administration, Planning and Support Services” by deleting the figure “613,929,693” and substituting therefor the figure “640,411,437” as relates to the Revised Budget 2 in Ksh;

(Question of amendment proposed)

(Question, that the Vote R0009 be amended as proposed, put and agreed to)

(Vote R0009 as amended agreed to)

Vote R0010

Hon. Chairperson: I propose that Vote R0010 be part of the Bill.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Mr. Chairman, I beg to move R0010 as relates to Lands, Housing, Urban Development and Energy Recurrent Portfolio be amended:-

- i. In “P04 Machakos Municipality” by deleting the figure “19,000,000” and substituting therefor the figure “17,000,000” as relates Revised Budget 1 in Ksh;
- ii. In “P04 Machakos Municipality” by deleting the figure “19,000,000” and substituting therefor the figure “17,000,000” as relates to the Revised Budget 2 in Ksh;
- iii. In “P05 Mavoko Municipality” by deleting the figure “17,000,000” and substituting therefor the figure “19,000,000” as relates Revised Budget 1 in Ksh; in “P04 Mavoko Municipality” by deleting the figure “17,000,000” and substituting therefor the figure “19,000,000” as relates to the Revised Budget 2 in Ksh

(Question of amendment proposed)

(Question, that the Vote R0010 be amended as proposed, put and agreed to)

(Vote R0010 as amended agreed to)

Vote R0011

Hon. Chairperson: I propose that Vote R0011 be part of the Bill.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Mr. Chairman, I beg to move R0011 as relates to Gender, Youth, Sports and Social Welfare Recurrent Portfolio be amended:-

- i. By deleting the figure “(5,617,398)” relating to “recurrent expenses of Gender, Youth, Sports and Social Welfare portfolio” and substituting therefor the figure “(6,760,000)” as relates to the increase/decrease in Ksh;
- ii. By deleting the figure “214,022,371” relating to “recurrent expenses of Gender, Youth, Sports and Social Welfare portfolio and substituting therefor the figure “212,879,769” as relates to the Revised Budget 2 in Ksh;
- iii. In “P01 Youth and Sports - Administrative Services” by deleting the figure “(5,617,398)” and substituting therefor the figure “(6,760,000)” as relates to the increase/decrease in Ksh;
- iv. In “P01 Youth and Sports - Administrative Services” by deleting the figure “135,678,984” and substituting therefor the figure “134,536,382” as relates to the Revised Budget 2 in Ksh;

(Question of amendment proposed)

(Question, that the Vote R0011 be amended as proposed, put and agreed to)

(Vote R0011 as amended agreed to)

(Votes R0012 and R0013 agreed to)

Vote R0014

Hon. Chairperson: I propose that Vote R0014 be part of the Bill.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Mr. Chairman, I beg to move R0014 as relates to County Assembly Recurrent Expenses Portfolio be amended:-

- i. In “P01 HR, Administration and Coordination Services” by inserting the figure “(526,00)” as relates to the increase/decrease in Ksh;
- ii. In “P01 HR, Administration and Coordination Services” by deleting the figure “299,958,359” and substituting therefor the figure “299,432,359” as relates to Revised Budget 2 in Ksh;
- iii. In “P02 Financial Management Services” by inserting the figure “730,000” as relates to the increase/decrease in Ksh;
- iv. In “P02 Financial Management Services” by deleting the figure “42,240,300” and substituting therefor the figure “42,970,300” as relates to Revised Budget 2 in Ksh;
- v. In “P04 County Assembly Service Board Services” by inserting the figure “1,100,000” as relates to the increase/decrease in Ksh;
- vi. In “P04 County Assembly Services Board Services” by deleting the figure “36,752,000” and substituting therefor the figure “37,852,000” as relates to Revised Budget 2 in Ksh;
- vii. In “P06 Procedure and Committee Services” by inserting the figure “(244,000)” as relates to the increase/decrease in Ksh;
- viii. In “P06 Procedure and Committee Services” by deleting the figure “148,500,000” and substituting therefor the figure “148,256,000” as relates to Revised Budget 2 in Ksh;
- ix. In “P08 Audit Committee Services” by inserting the figure “(900,000)” as relates to the increase/decrease in Ksh;
- x. In “P08 Audit Committee Services” by deleting the figure “3,700,000” and substituting therefor the figure “2,800,000” as relates to Revised Budget 2 in Ksh;

- xi. In “P09 Ward Office Services” by inserting the figure “(160,000)” as relates to the increase/decrease in Ksh;
- xii. In “P09 Ward Office Services” by deleting the figure “81,628,124” and substituting therefor the figure “81,468,124” as relates to Revised Budget 2 in Ksh;

(Question of amendment proposed)

(Question, that the Vote R0014 be amended as proposed, put and agreed to)

(Vote R0014 as amended agreed to)

Class-Subtotal

Hon. Chairperson: I propose that Vote R0014 be part of the Bill.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Mr. Chairman, I beg to move Class-Subtotal be amended:-

- i. By deleting the figure “94,931,580” relating to the recurrent expenditure for The Class- Sub total portfolio and substituting therefor the figure “107,138,980” as relates to the increase/decrease in Ksh ;
- ii. By deleting the figure “10,761,527,647” relating to the recurrent expenditure for The Class-Sub total portfolio and substituting therefor the figure “10,774,235,645 ” as relates to Revised Budget 2 in Ksh ;

(Question of amendment proposed)

(Question, that the Class-Subtotal be amended as proposed, put and agreed to)

(Class-Subtotal as amended agreed to)

SECOND SCHEDULE

Development Expenditure

(Votes D0001, D0002 and D0003 agreed to)

Vote D0004

Hon. Chairperson: I propose that Vote D0004 be part of the Bill.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Mr. Chairman, I beg to move D0004 as relates to Finance, Economic Planning and Revenue Management Recurrent Portfolio be amended:-

- i. By deleting the figure “(99,898,980)” relating to “recurrent expenses of Finance, Economic Planning and Revenue Management portfolio and substituting therefor the figure “(119,898,980)” as relates to the increase/decrease in Ksh;
- ii. By deleting the figure “749,804,553” relating to “recurrent expenses of Finance, Economic Planning and Revenue Management portfolio and substituting therefor the figure “729,804,553” as relates to the Revised Budget 2 in Ksh;

- iii. In “P02 Budget Formulation, Co-ordination and Implementation” by deleting the figure “(40,000,000)” substituting therefor the figure “(60,000,000)” as relates to the increase/decrease in Ksh;
- iv. In “P02 Budget Formulation, Co-ordination and Implementation” by deleting the figure “32,059,500” substituting therefor the figure “12,059,500” as relates to the Revised Budget 2;

(Question of amendment proposed)

(Question, that the Vote D0004 be amended as proposed, put and agreed to)

(Vote D0004 as amended agreed to)

(Votes D0005 agreed to)

Vote D0006

Hon. Chairperson: I propose that Vote D0006 be part of the Bill.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Mr. Chairman, I beg to move D0006 as relates to Agriculture, Food Security and Co-operative Development Portfolio be amended:-

- i. By deleting the figure “(78,171,930)” relating to “development expenses of Agriculture, Food Security and Co-operative Development portfolio and substituting therefor the figure “(78,379,328)” as relates to the increase/decrease in Ksh;
- ii. By deleting the figure “796,358,212” relating to “Development expenses of Agriculture, Food Security and Co-operative Development portfolio and substituting therefor the figure “796,150,814” as relates to the Revised Budget 2 in Ksh;;
- iii. In “P06 Agriculture Training Centre” by deleting the figure “(66,967,400)” substituting therefor the figure “(66,760,000)” as relates to the increase/decrease in Ksh;
- iv. In “P06 Agriculture Training Centre” by deleting the figure “92,467,400” and substituting therefor the figure “92,260,000” as relates to the Revised Budget 2 in Ksh;
- v. In “P09 Promotion and Growth of Co-operative Societies” by inserting the figure “2” as relates to the increase/decrease in Ksh;
- vi. In “P09 Promotion and Growth of Co-operative Societies” by deleting the figure “2,425,498” and substituting therefor the figure “2,425,500” as relates to the Revised Budget 2 in Ksh;

(Question of amendment proposed)

(Question, that the Vote D0006 be amended as proposed, put and agreed to)

(Vote D0006 as amended agreed to)

(Votes D0007 and D0008 agreed to)

Vote D0009

Hon. Chairperson: I propose that Vote D0009 be part of the Bill.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Mr. Chairman, I beg to move D0009 as relates to Education Development Portfolio be amended:-

- i. By deleting the figure “17,500,000” relating to “development expenses of Education portfolio” and substituting therefor the figure “25,000,000” as relates to the increase/decrease in Ksh;
- ii. By deleting the figure “115,229,112” relating to “development expenses of Education portfolio and substituting therefor the figure “122,729,112” as relates to the Revised Budget 2 in Ksh;
- iii. In “P03 Youth Development Services” by deleting the figure “17,500,000” and substituting therefor the figure “25,000,000” as relates to the increase/decrease in Ksh;
- iv. In “P03 Youth Development Services” by deleting the figure “65,229,112” and substituting therefor the figure “72,729,112” as relates to the Revised Budget 2 in Ksh;

(Question of amendment proposed)

(Question, that the Vote D0009 be amended as proposed, put and agreed to)

(Vote D0009 as amended agreed to)

(Votes D0010 and D0011 agreed to)

Vote D0012

Hon. Chairperson: I propose that Vote D0012 be part of the Bill.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Mr. Chairman, I beg to move D0012 as relates to Water, Irrigation, Environment and Climate Change Development Portfolio be amended:-

- i. By inserting the figure “33,352,268” relating to “development expenses of Water, Irrigation, Environment and Climate Change portfolio” as relates to the increase/decrease in Ksh;
- ii. By deleting the figure “821,675,584” relating to “development expenses of Water, Irrigation, Environment and Climate Change portfolio and substituting therefor the figure “855,027,852” as relates to the Revised Budget 2 in Ksh;
- iii. In “P05 Climate Change” by inserting the figure “33,352,268” as relates to the increase/decrease in Ksh;
- iv. In “P05 Climate Change” by deleting the figure “348,213,860” and substituting therefor the figure “381,566,128” as relates to the Revised Budget 2 in Ksh;

(Question of amendment proposed)

(Question, that the Vote D0012 be amended as proposed, put and agreed to)

*(Votes D0013 agreed to)**Vote D0014***Hon. Chairperson:** I propose that Vote D0014 be part of the Bill.**Hon. Dominic Ndambuki** (Kathiani Central, WDM-K): Mr. Chairman, I beg to move D0014 as relates to County Assembly Development Portfolio be amended:-

- i. In “P01 HR, Administration and Coordination Services” by inserting the figure “2,000,000” as relates to the increase/decrease in Ksh;
- ii. In “P01 HR, Administration and Coordination Services” by deleting the figure “14,500,000” and substituting therefor the figure “16,500,000” as relates to the Revised Budget 2 in Ksh;
- iii. In “P02 Legislative Services” by inserting the figure “(2,000,000)” as relates to the increase/decrease in Ksh;
- iv. In “P02 Legislative Services” by deleting the figure “277,500,000” and substituting therefor the figure “275,500,000” as relates to the Revised Budget 2 in Ksh;

*(Question of amendment proposed)**(Question, that the Vote D0014 be amended as proposed, put and agreed to)**(Vote D0014 as amended agreed to)**Class-Subtotal***Hon. Chairperson:** I propose that Class-Subtotal be part of the Bill.**Hon. Dominic Ndambuki** (Kathiani Central, WDM-K): Mr. Chairman, I beg to move Class-Subtotal be amended:-

- i. By deleting the figure “(220,513,137)” relating to the Development Expenditure for The Class Sub-total and substituting therefor the figure “(199,868,267)” as relates to the increase/decrease in Ksh ;
- ii. By deleting the figure “5,688,167,708” relating to the Development Expenditure for The Class Sub-total and substituting therefor the figure “5,708,812,578 ” as relates to Revised Budget 2 in Ksh ;

*(Question of amendment proposed)**(Question, that the Class-Subtotal be amended as proposed, put and agreed to)**(Class-Subtotal as amended agreed to)**Grand Total***Hon. Chairperson:** I propose that Grand Total be part of the Bill.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Mr. Chairman, I beg to move Grand Total be amended:-

- i. By deleting the figure “(125,581,557)” relating to the Grand Total and substituting therefor the figure “(92,729,287)” as relates to the increase/decrease in Ksh ;
- ii. By deleting the figure “16,449,695,355” relating to the Grand Total and substituting therefor the figure “16,483,047,623 ” as relates to Revised Budget 2 in Ksh ;

(Question of amendment proposed)

(Question, that the Grand Total be amended as proposed, put and agreed to)

(Grand Total as amended agreed to)

(Clause 2 agreed to)

(Long Title agreed to)

(Clause 1 agreed to)

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Mr. Chairman, I wish to move that the Committee do report its consideration of that the Machakos County Supplementary Appropriation (No.2) Bill, 2024 (Machakos County Bills No.1) and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

Hon. Chairperson: Thank you, Hon. Members. We are now through with the Committee of the Whole House so Serjeant at Arms, you can call the Hon. Speaker.

(The House resumed)

[Hon. Speaker in the Chair]

REPORT AND THIRD READING

MACHAKOS COUNTY SUPPLEMENTARY APPROPRIATION (NO. 2) BILL, 2024-
KENYA, GAZETTE SUPPLEMENT NO. 1 (MACHAKOS COUNTY BILLS NO.1)

Hon. Speaker: May I invite the Chair of Chairs to come forward and continue.

Hon. Stephen Mwanthi (Ekalakala, WDM-K): Hon. Speaker, I wish to report that a Committee of the Whole House has considered the Machakos County Supplementary Appropriation (No.2) Bill, 2024 (Machakos County Bills No.1) and approved the same with amendments. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Deputy Speaker. May I now invite the mover Hon. Ndambuki to come forward and proceed.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Hon. Speaker, I beg to move that the House do agree with the Committee in the said Report. Hon. Speaker, I wish to invite the House to recall in the report about one item that as a County we are gaining for the first time Equalization Fund. In particular, two wards are benefitting and that is Kivaa and Muthesya wards and that is a plus for the County. I believe the two wards have already identified their priority projects. Kivaa are constructing a health facility and Muthesya they are doing a water project. Madam Speaker, that is part of the reasons why we are supporting this supplementary budget. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Member. May be you call a seconder.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Hon. Speaker. I forgot. I call upon Hon. Ndawa to second.

Hon. Speaker: Thank you, Hon. Member. Hon. Ndawa.

Hon. Mbili Ndawa (Matuu, MCCC): Thank you, Hon. Speaker. The reason why I second is because in absence of this supplementary budget, the County will not be able to move forward. So once we approve, I am sure we will move in the right direction. Thank you, Hon. Speaker.

(Applause)

Hon. Speaker: Thank you very much.

(Question proposed)

(Question put and agreed to)

(Applause)

May I invite Hon. Daniel Ndambuki, Chairperson Budget and Appropriations Committee to come forward and proceed with the Third Reading of the Bill.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Hon. Speaker, pursuant to Standing Order 131(2), I wish to move that the Machakos County Supplementary Appropriation (No.2) Bill, 2024 (Machakos County Bills No.1) be now read the Third Time. Thank you, Hon. Speaker. This Bill contains expenditure of the County Government of Machakos on both recurrent and development. Thank you, Hon. Speaker. I wish to call upon Hon. Justus Mutuku to second.

Hon. Speaker: Thank you, Hon. Member. Hon. Justus Mutuku.

Justus Mutuku (Wamunyu, PTP) seconded.

Hon. Speaker:

(Question proposed)

I invite Members to comment on the Machakos County Supplementary Appropriation (No.2) Bill, 2024 (Machakos County Bills No.1). Before, I put the Question, I invite the mover to

comment.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Hon. Speaker, I wish to comment the entire House for staying put and supporting the Committee in processing the Bill. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Chair of Budget Committee.

(Question put and agreed to)

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

(Applause)

ADJOURNMENT

Hon. Speaker: Thank you, Hon. Members. The House now adjourns to Wednesday, 17th April, 2024 at 10.00 a.m. See you then Member.

The House rose at 5.08 p.m.