



REPUBLIC OF KENYA

NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly – First Session

Thursday, 22nd August, 2013

The House met at 2.30 p.m

(Mr. Speaker in the Chair)

PRAYERS

PAPERS

The following paper was laid on the table:

The fifth report of the Rules and Procedure Committee on the amendments to the Standing Orders of the Nairobi City County Assembly.

Hon. Chairman of Chairmen (Mr. Kennedy Ng'ondi): Mr. Speaker, I wish to bring to the attention of the Hon. Members that the following paper will be laid on the table of the Assembly today 22nd August 2013; this is the fifth report of the Rules and Procedure Committee on the amendments to the Standing Orders of the Nairobi City County Assembly. Thank you

REQUEST FOR STATEMENTS

STATEMENT ON GHOST WORKERS AT NAIROBI COUNTY, THE LITTERING, TRASHING AND DISPOSAL OF GARBAGE, AND MATATU MENACE

Hon. Member for Eastleigh North Ward (Mr. Osman Adow): Pursuant to the Standing Order 41 (2c), I wish to request a statement from the chairperson of the sectoral committee on Labour, Social Services and Welfare regarding the remarks by the Governor that 500 ghost workers were recently deleted from the City County payroll. The chairperson of the committee on Labour, Social Services and Welfare should enquire into and report to the Assembly on the following:

- (1) The actual number of persons who have been drawing salaries from the City County as ghost workers;
- (2) Whether or not the culprits have since been prosecuted;
- (3) Whether the monies lost so far can be recovered to the County government and the measures put in place to end the practice now and in the future.

The second statement pursuant to the Standing Order 41(2c), I wish to request a statement from the chairperson of the sectoral committee on Agriculture, Environment and Natural Resources regarding littering, trashing and disposal of garbage in the Nairobi City County. The chairperson of the sectoral committee on Agriculture, Environment and Natural Resources should enquire into the issue and report to the Assembly on the following:

- (1) Introduction of a compulsory subject from kindergarten onwards to train the next generation on the need for a clean and safe environment;
- (2) Mandatory entering into a contract by all road-side businesses and companies for garbage collection;
- (3) Designing and implementing regular campaigns on cleaner and safer environment in the neighborhoods;
- (4) Provision of litter bins in public places for example schools, shopping malls, bus stops and parks;
- (5) Targeting of drivers on illegal littering and dumping of waste on roads and parking.

The last one, is a statement pursuant to the Standing Order number 41(2c); I wish to request for a statement from the chairperson of the sectoral committee on Transport and Public works and also the Agriculture, Environment and Natural Resources regarding the matatu menace on the roads, especially where I live, Mr. Speaker, Popo road, Ole Shalala, Muhoho Avenue in South C, and illegal entry into the Central Business District on Kenyatta Avenue at night. The matatus overlap at will driving along pedestrian roads with impunity; play very loud earth shaking music set at maximum high volume in disregard to the neighborhoods; drive and pick passengers in the middle of the road touting loudly and on the wrong lanes especially on Haille Selassie, Uhuru highway round about in the presence of traffic police officers. The chairperson of the sectoral committee on Transport and Public Works and Agriculture, Environment and Natural Resources should enquire into and report to the Nairobi City County Assembly on the following:

- (1) Equipping the officers with the right tools to enable them to enforce traffic rules;
- (2) Production of complaints and customer care booths on all the matatu routes;
- (3) The role played by the directorate of City inspectorate in the control, management and enforcement of traffic rules within the County and its interaction with the police department;

- (4) Whether the governor can liaise with the inspector general of police to ascertain the lapses in the enforcement of the traffic rules and regulations to the satisfaction of Nairobians.

Thank you

Hon. Speaker (Mr. Alex Ole Magelo): Thank you, Hon. Osman Adow. Statement number one, the chairperson of the sectoral committee on Labour and Social Welfare regarding the Governor's statement on 500 ghost workers, when can we have the report tabled in the House? How soon can we have this report available, taking into consideration that this is a very serious matter?

Hon. Member for Karura Ward (Mr. Stephen Kamau Thuo): Thank you Mr. Speaker sir, I would like to give that report on Wednesday next week.

Hon. Speaker: Again I am sorry I was consulting

Hon. Stephen Thuo: Yes, Mr. Speaker sir, I would like to say that I will deliver the report on Wednesday next week. (*Loud consultations*) Can you protect me, Mr. Speaker sir? (*Loud consultations*)

Hon. Speaker: Order Members! Statement number two from the Hon. Osman Adow Ibrahim to the chairperson of the sectoral committee on Agriculture, Environment and Natural Resources regarding littering, trashing and disposal of garbage in Nairobi City County. The chairperson, could we have an undertaking? Yes, please?

Hon. Member for Kilimani Ward (Mr. Moses Ogeto): Thank you, Mr. Speaker sir. I really appreciate the Clerk for supplying us with this guideline of rules and regulations and conduct on the precincts of the County Assembly. Mr. Speaker sir, I can read the interpretations on roman one; appropriate dress. A Hon. Member of the County Assembly or a public dressed in a contemporary business of office attire. Mr. Speaker sir, I would like to know the proper dress code because my friend and fellow Hon. Member seated next to me is dressed in a very slim tie. I want to understand the type of ties and the dress code for this Assembly Mr. Speaker sir. Thank you.

Hon. Speaker: Hon. Members, order! In regard to the issue raised by Hon. Ogeto, the interpretation is as follows: appropriate dress for both genders; so that Hon. Members, you may understand, the business of office attire for both genders is indeed clearly defined and most of you know that we dress in English and it is clear that all of us are appropriately dressed in business or office attire.

You remember the men ought to have a coat and a tie Hon. Members, women are supposed to be in English suits or in a faith, muslim faith outfit. The kanzu with the traditional cap is always in Parliament and it is allowed. For the ladies, you definitely are not going to be allowed in here with swim suits. (*Applause*) Therefore, you will understand; the ladies as I see them now, today, when I look across the House, I have not seen an improperly dressed Member of this House. Therefore Hon. Chairperson for sectoral committee on Environment and Natural Resources- (*Interruption*) -point of order; I will allow only one. Order Members!

Hon. Member for Kayole South Ward (Ms Elizabeth Manyala): I rise on a point of order. Is the Hon. Member in order to mislead the House that the ladies are not appropriately dressed? The Member is just showing what her mama gave her and the Hon. Member who is salivating has even crossed the floor! Can the Hon. Member apologize to this House for misleading the House?

Hon. Speaker: Order Members! (*Loud consultations*) Hon. Members, may I remind you that we are here for the business of the day. We are not in a fashion show; we are in an Assembly and I want to remind you of respect for this House. I mentioned yesterday about imputing improper motive in this House. This will not be allowed, and from now, this is the last warning. When I stand up, I will show you the door. Can we continue with the business of the day? By the close of the day, you can invite the Hon. Members to a designer show. (*Loud consultations*) Order Members! Hon. Chairman of Agriculture and Natural Resources.

Hon. Member for Utalii Ward (Mr. Wilson Ochola): Thank you, Mr. Speaker sir. I will present the answers for the question on the 4th of September next month.

Hon. Speaker: Order chairman! You did; you said when?

Hon. Wilson Ochola: In two weeks time, Mr. Speaker sir. I will present the answer in two weeks time.

Hon. Speaker: In two weeks time; well thank you. On the request by Hon. Osman Adow Ibrahim to the sectoral committee on Transport, Public Works and Agriculture, Environment and Natural Resources; this particular statement; when you look at three and four, three and four will go to the committee on Justice and Legal Affairs, so can I have the chairperson for the sectoral committee on Transport and Public Works and there is Agriculture, Environment and Natural Resources and Justice committee give us an undertaking?

Hon. Member for Kasarani Ward (Mr. Martin Gichohi): Thank you, Mr. Speaker, for giving me this chance. I will present the answer on 4th September 2013; in two weeks time.

Hon. Speaker: Thank you. The role played by the city inspectorate, number three and four; can the chairperson of Justice Committee give an undertaking?

Hon. Member for Parklands Ward (Mr. Jeffer Kassam): Thank you, Mr. Speaker, we will be in a position to answer the same on the 4th of September 2013.

Hon. Speaker: Very well. Next order?

Interim Clerk (Mr. Jacob Ngwele): Order number eight, Committee of the whole Assembly.

Hon. Speaker: Hon. Members, sorry we overlooked statement number three. There are the measures taken by Agriculture, Environment and Natural Resources to enforce and control noise pollution. Can we also have the chairman of the sectoral committee give an undertaking?

Hon. Member: Mr. Speaker sir, thank you. Hon. Members, you will have your answers in two weeks time.

Interim Clerk: Order number eight, Committee of the whole Assembly (*loud consultations*)

Hon. Speaker: Order Members! Please!

(Speaker leaves his chair and the chairman of chairmen sits in between the two clerks)

Hon. Chairman of Chairmen (Mr. Kenneth Ng'ondi): You can sit. Okay, Hon. Members, we are now in the Committee of the whole Assembly and I am here to announce the Nairobi City County Bill No. 3 of 2013. Hon. Members, we are now in the Committee of the whole Assembly and we will start with the Bill from clause 2.

Interim Clerk: Clause 2

Hon. Chairman of Chairmen: Hon. Member, I propose that clause 2 be part of the Bill. I expect that there are no amendments and now I am going to put the question. Hon. Members, I put the question that clause 2 be part of the Bill. May as many as are of that opinion say "aye" and as many as are of the contrary opinion say "nay". The "ayes" have it. *(A Member rises on a point of order)* Order not granted. Clerk, call the next clause. *(A Member rises on a point of order)* Order not granted.

Interim Clerk: Clause 3

Hon. Chairman of Chairmen: Hon. Members, I propose that clause 3 be part of the Bill. May as many as are of that opinion say "aye" and as many as are of the contrary opinion say "nay". The "ayes" have it.

Interim Clerk: Clause 4

Hon. Chairman of Chairmen: Members, I propose that clause 4 be part of the Bill. Debate. No amendments? Hon. Members, I put the question that the clause 4 be part of the Bill. May as many as are of that opinion say "aye" and as many as are of the contrary opinion say "nay".

(Some Members rose to complain for lack of copies of the Bill)

Members you were given copies of these Bills, each and every member had their copy. No, no! If you have misplaced your Bill, it is upon you Members. You were given the Bills. We can't circulate the Bills now that the House is in session. Members, yesterday, you all collected the Bills at the door and you even had the first Bills distributed to you in the last 3 or 4 days. You were facilitated and you can't be given Bills everyday my friend! We didn't budget for daily distribution of Bills! Are you trying to argue with the chair? Proceed Clerk.

Interim Clerk: Clause 5

Hon. Chairman of Chairmen: Hon. Members, I propose that clause 5 be part of the Bill. No amendments? Hon. Members, I put the question that clause 5 be part of the Bill. Will as many as are of that opinion say “aye”, will as many as are of the contrary opinion say “nay”. The “ayes” have it.

Interim Clerk: Title

Hon. Chairman of Chairmen: Hon. Members, I propose that the Title be part of the Bill. No amendments? Hon. Members, I put the question that the Title be part of the Bill and as many as are of that opinion say “aye”. As many as are of the contrary opinion say “nay”. The “ayes” have it.

Interim Clerk: Clause 1

Hon. Chairman of Chairmen: Members, I propose that clause 1 be part of the Bill. I put the question that clause 1 be part of the Bill and as many as are of that opinion say “aye” and as many as are of the contrary opinion say “nay”. The “ayes” have it. May I call the mover of the motion to reply; Hon. Ogada, chairman of the Budget and Appropriations Committee.

Hon. Member for Embakasi Ward (Mr. Michael Ogada):: Thank you, Mr. Chairman for the good job. I beg to move that the committee do report to the Assembly its considerations of the Nairobi County Provisional Collection of Revenue Bill No. 3 of 2013 and of its approval thereof without amendments.

Hon. Chairman of Chairmen: Members, I now put the question which is that the committee to report to the Assembly its considerations of the Nairobi County Provisional Collection of Revenue Bill No. 3 of 2013 and its approval thereof without amendments, May as many as are of the same opinion say “aye” and as many as are of the contrary opinion say “nay”. The “ayes” have it. Mr. Speaker.

(All Members rise)

(The Speaker returns to the House and takes his chair as the chairman of chairmen leaves his seat)

Hon. Chairman of Chairmen: Mr. Speaker sir, I beg to report that the Committee of the whole House has considered the Bill; the Nairobi County Provisional Collection of Revenue Bill No. 3 of 2013 and approved the same without amendments. May the mover of the motion move?

Hon. Michael Ogada: Thank you, Mr. Speaker sir. I want to thank the whole House for doing a good job. I beg to move that the Assembly do agree with the committee on the said report.

Hon. Speaker: I propose the question which is that the House agrees with the committee on the said report. Hon. Members, I put the question which is that the House agrees with the committee on the said report. As many as are of the same opinion say “yes” and those of a contrary opinion; do we have a ‘no’?. The “ayes” have it. Hon. Members, I call the mover to read for the third time.

Hon. Michael Ogada: Mr. Speaker sir, I wish to read the Nairobi County Collection of Revenue Bill No. 3 of 2013 be read for a third time. I will call upon Mr. Njoroge Kairu to second that.

Hon. Member for Woodley Ward (Mr. Njoroge Kairu): Thank you very much Mr. Speaker sir, I beg to support the motion.

Hon. Speaker: Hon. Members, I now propose the question which is that the Nairobi County Provisional Collection of Revenue Bill No.3 of 2013 be read a third time.

Hon. Michael Ogada: Thank you, Mr. Speaker sir, I want to thank this House for a wonderful job, having read from the signs, having gone through the first and second reading and now at the third reading, it is evident and clear that the Members of this House have agreed to pass this Bill. Taking into account that the Provisional Revenue Bill is the second Bill that this county has passed, we are excited as a committee of the budget and appropriations for the cooperation of the Members of the House and because the Speaker is going to put the question, I was taking this opportunity to thank you for your cooperation and for giving us a hand of help so that we can make this County to grow. I will now read the Provisional Revenue Bill No. 2 of 2013 and request Members to pass it during the third reading. Thank you.

Hon. Speaker: Hon. Members, I will now put the question which is that the Nairobi County Provisional collection of Revenue Bill No. 3 of 2013 be read a third time. Hon. Members, I now put the question which is that the Nairobi County Provisional Collection of Revenue Bill No. 3 of 2013 be read a third time and as many as are of that opinion say “aye” and as many as are of the contrary opinion say “nay”. The “ayes” have it.

Interim Clerk: The Nairobi County Provisional Collection of Revenue Bill No. 3 of 2013, an Act of Nairobi City County Assembly to give limited statutory regulation to the executive members of finance imposing any new tax or duty or rate of tax or duty or creating any allowance or altering or removing any existing tax or duty or allowance or any such tax or allowance and for connected purposes. Third reading.

Hon. Speaker: Hon. Members, next order

Interim Clerk: Order number 9: The Nairobi City County Finance Bill 2013 (The Nairobi County Assembly Bill No.2 of 2013). Second reading. An Act of the Nairobi City County Assembly to provide for various taxes, fees and charges for services and other revenue raising measures by the County Government and for matters incidental there to. Second reading.

Hon. Michael Ogada: Thank you, Mr. Speaker sir. I wish to beg that Nairobi City County Finance Bill No. 2 of 2013 be read a second time. The Nairobi City County Budget and Appropriations Committee is established under the Standing Order number 187 to among other functions investigate and inquire into and to discuss and review the estimates; to examine Bills related to the County budget and to evaluate the tax estimates.

Mr. Speaker sir, the membership of this committee includes Mr. Ogada as the chairman, Ochola as the vice chairman; we have, Ambani Alfred, Maurice, Oscar, Osman, Kigandi, Kenneth and Njoroge. Mr. Speaker sir, in the course of scrutinizing the Nairobi Finance Bill No. 2 of 2013, the committee held a total of 16 sittings. The first sitting was held on 22nd July 2013 whereby the committee invited the Nairobi County

Treasury in order to get explanations on the items in the Bill and also rationalize the charges levied on the items.

The committee wishes to thank the offices of the Nairobi County Speaker and that of the Clerk of the Assembly for their support during the period we were working on the Bill and Mr. Speaker sir, it is now my pleasant duty and privilege on behalf of the Nairobi Assembly Budget and Appropriations committee to present and commend this report for adoption pursuant to Standing Order number 187.

I will give some brief highlights because the Members of this House had an opportunity to meet at the Kenya School of Government and we did go through most of the report and whatever they wanted to raise was raised and I think as late as yesterday, we did have a meeting with a few Members who had some concerns and we ensured that we tried to thrush them out. Therefore, the report that I am presenting today before you is generally agreeable though I know it might not be positive to all of us but in general terms, for the well being of this city of Nairobi, it will force us as Members of this House to at times eat humble pie so that we ensure there is growth.

As an elected member, my aim is for fees and charges not to be increased, but when it comes to development, it forces us to increase some of them which are even touching us directly. So, Hon. Members, you will bear with us that we had to struggle and make sure that this County remains afloat. The area of concern which was very pertinent when we met at the Kenya School of Government was about rent because other parts are totally and generally agreeable. For rent; we did again look at it and the place with issues was Harambee where the proposed rent was to be Ksh6, 000 up from Ksh4, 500, we reduced it to Ksh5, 000 as a result of our meeting at Kenya School of Government. At Outering, there was a proposal that we increase rent from Ksh3, 500 to Ksh5, 500 but Members agreed that we bring it to Ksh4, 000.

In New Pumwani there was confusion where members raised concerns that there was category 2. They felt that category 2 could be misused, because they thought that category 2 refers to 2 bed-roomed houses and therefore it could be misused by the officers to charge for 1 bed-roomed houses because we don't have 2 bed-roomed houses in New Pumwani. That was also corrected. When you go to Eastlands in general like Buru Buru, Members, we did relook at it properly and in Buru Buru there were no reductions, there were increments. That is for the 3 bed-roomed maisonettes, we did propose that it be increased from Ksh10, 000 to Ksh13, 000 but as a result of the discussions that we had at the school of Government, we reduced and agreed that we are going to charge Ksh11, 000 instead of Ksh13, 000.

2 bed-roomed houses were increased from Ksh7, 000 to Ksh8, 500 but as a result of the consultations it is Ksh7, 500 now. Another place where I think we had major issues was in Ngara area, because the defunct City Council increased their rent, they did an increment of 100% that is for example rent for a 1 bed-roomed house was increased from Ksh3, 000 to Ksh6, 000 and then the tenants went to court and therefore for all those years no charges were being levied.

Members, we did a lot of work, we went even to an extent of consulting and talking with the people who have taken the Council to court. We were guided by the Mheshimiwa from that area. It was a fruitful meeting, because the Council has been losing money but now the County instead of fighting and finishing

the case, first went ahead and increased these houses' rent from Ksh3, 000 to Ksh8, 500 which we realized was not very realistic and therefore did agree with both the tenants and the Hon. Member from that area that instead of increasing from Ksh3, 000 to Ksh8, 500, we leave it as it was when they went to court that is at Ksh6, 000. The ones which were increased from Ksh5, 000 to Ksh10, 000 are going to be Ksh8, 500. So what I am saying Members, is that we did generally agree. It is therefore in my considered opinion, without taking much of your time to read the entire document that we all agree on this document for the benefit of the residents of Nairobi. Thank you very much, Mr. Speaker. I wish to invite Njoroge Kairu to second it.

Hon. Njoroge: Mr. Speaker sir, I beg to second the Bill because if we are not going to do so, we are going to hurt the people of our County. Right now, we are struggling and nothing is happening on the ground and we want revenue money to start development. Let me tell Members that we thank you so much for the support you have given us.

Hon. Speaker: Hon. Members, I now propose that the Nairobi City County Finance Bill No. 2 of 2013 be now read a second time. Hon. Members the floor is yours.

Hon. Member for Ngara Ward (Mr. Mwaura Chege): Mr. Speaker sir, my concern is that what the chairman is reading is not what is in our Bill, so he should give us the amended one please.

Hon. Speaker: Hon. Chairman

Hon. Michael Ogada: Thank you, Mr. Speaker sir. I have heard the concern of the Member and one thing that you should realize is that this is a gazette supplement which was done by the Government printer and it is the document which was tabled in the House. My committee did sit 16 sittings whereby we came up with our report. The report was our working document which we took Members through and we wanted Members to agree. I did read through it and the Members did actually agree. I have tabled it so that it becomes an official document of this House and therefore the Clerk is going to give you copies as we continue with the deliberations.

So once we have agreed according to the report that is tabled, you are going to have a final document from the Government printer which will contain all that you have agreed here but generally we have a working document which has been tabled here and it is all that we are going to agree on. So the Clerk is going to furnish you with it. *(Loud consultations)*

Hon. Speaker: Order Members! Hon. Members, I am guided that what is being read today is what has been tabled and it will be distributed to each Member of the House. When we go to the committee of the whole House; all the changes that have been done will be ratified in that particular sitting. Hon. Wahinya.

Hon. Member for Ngando Ward (Mr. Peter Wahinya Kimuhu): Thank you, Mr. Speaker, for giving me this opportunity to make my contributions. I am reminded that the chairman of the Budget and Appropriation committee has done a very good job and actually he was emphatic urging us to pass the Provisional Collection of Revenue Bill. The reason he gave was that we need to give the executive a certain document within which he can operate although it is provisional; otherwise we were running the risk

of crippling the work of the executive. That being the case, then I personally, this afternoon do not see the need to rush the passing of the County Finance Bill as my colleague has correctly said that we have not been given the changes that have been made recently; I think most of them were done yesterday. It is my humble submission that we be given the document as it is, even if it is in the form in which it has been amended or better still give us an additional supplementary document with highlights on changes done and give us a couple of days or so to be able to scrutinize this Bill properly. This is because we have already given you one which you asked for, which is the provisional arrangement and the provisional arrangement is already at work. Thank you very much, Mr. Speaker.

Hon. Speaker: Hon. Chairman

Hon. Michael Ogada: Mr. Speaker sir, I think what the Hon. Member is saying is in order because he can't see the urgency of passing the Finance Bill and yesterday I took time to explain to Members what was making us to rush through so that we start realizing developments. Once a committee report has been tabled, it becomes an official document and the only place we can break the amendments is at the committee level. So what the Member would have asked for is that, when they are going to go through the committee where amendments can be allowed they must be having this document with them; the report of the chairman, instead of suspending what we are doing today.

Another thing that I am raising is that provision at--- (*Interruption*) Mr. Speaker, I thought I was alone on the floor, I see everybody standing. Mr. Speaker sir, another thing that we need to realize for the benefit of our Members, is the need for provisional documents is to allow the executive to start imposing fees on the people. They will impose it on the people based on the gazette supplement. In that gazette supplement there were proposals allowed which most of the Hon. Members requested reductions on. So I can allow you to suspend this Bill and then you will be allowing the executive to impose the rates that you did not want. When they impose it, it will be higher than using the Finance Bill which has been agreed upon by the Members.

So it is quite beneficial to all the Members of this House for the benefit of their own voters that we don't allow the executive to exploit our electorates. That is why according to me, as an elected Member of this House, I feel it is more urgent to pass the Finance Bill than allowing the executive to implement the Provisional Revenue Collection Bill. Besides, that Provisional Revenue Collection Bill is an Act which is going to be guiding this County in years to come.

So next year, we will not pass another provisional Bill. They will peg it on the one which we have passed today because it is going to be law. So that they don't lose revenue, we provided for the provisional arrangement urgently. But it is going to help them, so that in future, in the subsequent years, we are not going to lose money, the way we did up to today. We have lost close to Ksh3 billion. So Mheshimiwa Wahinya, because I love your people of Daqoretti, I feel they should not be crucified for the sake of having a piece of a report from the chairman. Thank you, Mr. Speaker sir; I am opposed to the Members cancelling this debate.

(Loud consultations)

Hon. Speaker: Order! Hon. Members, I think I have heard the chairman and I am sure the word that has been used, put it in brackets (provisional) is what we have here and Hon. Members if we decide to give it a few days you will have given the leeway to the executive. So I have heard and gone through this paper and it is important for you to decide. Do you give the executive a knife or you take the knife yourselves, Hon. Members? Hon. Mbatia.

Hon. Member for Kariobangi South Ward (Mr. Robert Mbatia): Thank you, Mr. Speaker. I rise to support the Finance Bill. May be this is my first time on the floor since we resumed. I welcome those that were nominated, the beautiful ladies and gentlemen. They should feel at home and I tell them that I am a gentleman; they can approach me and I can show them around. I express my gratitude to the chairman and his team the committee on Budget and Appropriations for being very humble. Listening to his last speech, I concur with him that we are always concerned about the rents of houses. So, those Hon. Members should know that these are the issues that brought us to this honourable House. The chairman gave us the opportunity, we have reviewed them to an affordable rate and we want also to ensure that we will talk to our people and make sure that they pay promptly for this County to run and enable the Governor to be successful.

Also not forgetting to mention, Hon. Akuk. I don't know if he is in this House. He was very humble; he welcomed us to his committee and we are very grateful. I would also echo what you have said and even the chair that we rush the Finance Bill to enable it to be effected so that the provisional does not actually injure our people. I wish we had a day tomorrow, this Assembly would have had this Bill brought for the third reading, but God willing on Tuesday, we will rush it and it will be effected.

I would also like to say that maybe this is a mood that these Bills have adopted in this House, that they should be rushed. This echoes the mood of the House. We want to see the County Government running. The executive should also see how committed this Assembly is towards making them very effective in running the government. So it is prudent that they should also support us when we need support from them. Mr. Speaker, I beg to support, thank you.

Hon. Speaker: Hon. Elizabeth

Hon. Elizabeth Manyala: Thank you, Mr. Speaker sir, I rise to support this motion, actually the Bill is long overdue, and we ought to have come up with it before we went for recess, but none the less we are doing it now. However when we were at the Kenya School of Government, there were some amendments which we anticipated on issues that we raised, especially page 14 that were not taken into consideration and if I may highlight them; religious rallies using main dais. This is a new levy; a fee has been imposed of Ksh50, 000, Mr. Speaker sir.

In the past years, president Moi allowed us and gave us freedom of worship in this country for which we paid nothing. *(The Speaker is engrossed in consultations with the Clerk)* Mr. Speaker is consulting. Freedom of worship that we have enjoyed all this time is now under threat. I am now seeing that

we are beginning to tax God who has given us oxygen. On page 14, I am seeing even religious rallies using lawns being subjected to a levy of Ksh1, 000 per day. (*Loud consultations*) Mr. Speaker protect me because God is a God of honor and we must respect him. If he denies you oxygen Hon. Ogeto, you will not be here and you will not be smiling. Do not play with God. While we were at the Kenya School of Government, we said that this section be amended, that freedom of worship that we have enjoyed in the past both for the mosque and the churches should be left untaxed. I beg that this should be amended.

Hon. Speaker: We have heard you Hon. Member. Order! This is in regard to a Hon. Member and most of you are about to come here to do the same. When a Bill has been published every Member should read it to bring any amendment to the Clerk so that it can be proposed during the committee of the whole House. So now don't waste your energy, wait, see what is there and submit amendments. When the Bill is published, you can bring your amendments and they can be proposed during the committee of the whole House. So Hon. Members, order! Hon. Kamau, you have been a very good Member of the Assembly and do not spoil your CV. You are a wonderful contributor. Hon. Members, two more. Hon. Chief whip.

Hon. Chief Whip of Majority (Mr. David Mberia): Thank you, Mr. Speaker sir. I hope you will give me your ears. I rise to support the Bill, but before I do that, I would like to welcome the new Members of the House to the House of Rules and Procedure. Feel at home. I support the Bill, the Finance Bill was long overdue and especially now that we have given the County executive teeth to bite. This County is a rich county; we want money to develop our Wards. The national government is giving us Ksh9 billion and this County cannot fail to raise maybe Ksh11 billion to make it Ksh20 billion.

We know the smallest unit of devolution is the Ward. We would like as a House, to agree that if this County will collect a minimum of Ksh20 billion that at least 20% of it should go to our Wards. If I calculate 20% of 20 billion, we get around 4 billion to be distributed to our Wards. When you divide 4 billion by 85, we get 47 million per Ward per year and with that alone in one year you can do around two major projects.

Secondly, the other day, Members of Parliament were doing a Bill to make sure that the constituency is the smallest unit of devolution. We all know that this County is made up of Wards and so is every other County in this Country. So we would like also as a House to shield our business from Members of the National Assembly. I hope my message is very clear and I beg to support the motion.

Hon. Speaker: Hon. Members, I now propose that the Nairobi City County Finance Bill No. 2 of 2013 be read a second time. Hon. Members, before we wrap it up, I want to thank the Hon. Members indeed, because this Finance Bill is to the benefit of the people for whom you are sitting here to represent for four to five hours. We want to thank the chairman of the Budget and Appropriation committee for the sacrifice. When we were on recess, you were working.

Hon. Members, your contribution to the Finance Bill has been tremendous, we were holding our breath on recess not knowing what tomorrow will bring. I want to thank you most sincerely and the people of Nairobi will forever remember you. As I told you as the pioneers of devolution, they will remember you for putting their lives before yours. Continue in that manner and remember this one, these are not the days

where you will say my voters are being oppressed, because the same voters want a clean environment, jobs, education and health facilities that are in order. So when you do what you have done, remember you are doing for you and the Nairobians. Get those young men and women into good jobs and you will only do it when this county will be able to collect enough revenue to do what it is supposed to do.

For example today, the constituency of Hon. Wahinya is about to be a stone village because people are building. So those people are no longer classified together with the people of Mathare. In 1993, we classified the people of Waitthaka as people whose fees and charges were supposed to be low, we cannot continue with the 1993 declaration because they have high rise buildings and they are rich. They are considered as people who have been blessed by the almighty, so in that context Hon. Members, I now put the question that the Nairobi City County Finance Bill No. 2 of 2013 be read a second time and as many as are of that opinion say "aye" and as many as are of the contrary opinion say "nay". The "ayes" have it. Next order please.

Interim Clerk: The Nairobi City County Finance Bill an Act of Nairobi City County Assembly to provide for various taxes, fees and charges for services and other revenue raising measures by the County Government and for matters incidental there to. Second reading.

Hon. Speaker: Hon. Members, once again it is a weekend and I am aware of Members of committees travelling to various places and others are in preparation for participation as our football team. I wish you all the best and a wonderful week. God bless you and your families, amen.

(The House rose at 4.14pm)