

# **COUNTY ASSEMBLY OF BUNGOMA**

## **COUNTY ASSEMBLY DEBATES**

### **DAILY HANSARD**

**TUESDAY 17<sup>TH</sup> MAY, 2022**

**Afternoon Sitting**

# COUNTY ASSEMBLY OF BUNGOMA

## HANSARD OFFICIAL REPORT

TUESDAY 17<sup>TH</sup> MAY, 2022

The House met at 2:30 p.m.

(Mr. Deputy Speaker [Hon. Stephen Wamalwa] in the Chair)

### PRAYER

### COMMUNICATION FROM THE CHAIR

**Mr. Deputy Speaker:** Honorable members, I have a communication to make; Our Honorable Speaker is not within, he is out on official duty and therefore we hope to be with him tomorrow afternoon. Thank you.

### STATEMENTS

#### THE WEEKLY BUSINESS COMING BEFORE THE HOUSE FROM TUESDAY THE 17<sup>TH</sup> -THURSDAY 19<sup>TH</sup> MAY, 2022

**Hon. James Mukhongo:** Thank you Honourable Speaker. I wish to read a weekly program of the business of the County Assembly pursuant to Standing Order 36; that is the week commencing Tuesday 17<sup>th</sup> -19<sup>th</sup> May, 2022.

Today, on the business of the day we are under **Statements**.

Mr. Speaker Sir, Pursuant to the provisions of Standing Order 41(2) (c) Response from the Chairperson, sectorial Committee on Health to a statement sought by Hon. Stephen Wamalwa on the status of the Community Empowerment Fund projects in Soysambu Mitua Ward.

Under **Motions** we do not have business.

Tomorrow, **Wednesday 18<sup>th</sup> May, 2022 at 9:30 a.m.** the order of business will be;

We do not have anything from item 1-5.

### PAPERS

1. County Government Executive Quarterly Report and Financial Statements for the period ended 30<sup>th</sup> March, 2022 which will be tabled by the Leader of Majority.

2. Report by the Auditor General on the Financial Statements of the Bungoma County Assembly Employees Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2020. It will be tabled by the Leader of Majority.

There is nothing under notices of motion up to item numbered eight under motions.

Tomorrow in the afternoon at 2:30 p.m. there will be no business from items 1-4.

Under **Papers**;

The County Assembly Quarterly Report and Financial Statement for the period ended 31<sup>st</sup> March, 2022 will be laid by the Leader of Majority.

There is no business under **Notices of Motion**.

**Statements**,

Pursuant to the provisions of Standing Order 41 (2) (c) Response from the Chairperson, sectorial committee on Finance and Economic Planning to a statement sought by Hon. Sospeter Nyongesa regarding the implementation of the Community Empowerment Fund projects in West Bukusu Ward.

There is nothing under **Motions**.

On **Thursday 19<sup>th</sup> May, 2022 at 2:30 p.m.**, there will be no business under item 1-4.

**Papers**;

Report by the Budget and Appropriation committee on the Bungoma County Government Annual estimates for the FY 2022/2023 will be laid by the Chairperson, Budget and Appropriations Committee.

6. Under **Notices of Motion**, that this House adopts the report by the Budget and Appropriation committee on the Bungoma County Government Annual estimates for the FY 2022/2023.

**Statements**;

Pursuant to the provisions of Standing Order 41 (2) (c) response from the County Executive, Department of Education and Vocational Training on a statement sought by Hon. Henry Majimbo on the Implementation of the Bungoma County Education Scheme Regulations, revised 2018 and the Management of the Bungoma County Education Support Scheme.

There will be nothing under **Motions**.

That marks the end of business for this week that is starting from today up to 19<sup>th</sup> May this year.

**Mr. Deputy Speaker:** Thank you so much Hon. James Barasa Mukhongo. Honorable Members, that is our tentative program for the week commencing today the 17<sup>th</sup>- 19<sup>th</sup> May, 2022.

Let us beware of that so that we plan ourselves accordingly.

**RESPONSE FROM THE CHAIRPERSON, SECTORIAL COMMITTEE ON HEALTH TO A STATEMENT SOUGHT BY HON. STEPHEN WAMALWA ON THE STATUS OF THE COMMUNITY EMPOWERMENT FUND PROJECTS IN SOYSAMBU MITUA WARD**

**Hon. Luke Opwora:** Thank you Honourable Speaker. May I be advised by the Clerk? I have not received any response and if there is any they can avail so that I go through it; but as it is right now, we seek for more time as a committee to bring the response.

**Mr. Deputy Speaker:** Hon. Opwora, what informs...

**Hon. Luke Opwora:** I think I've just talked as a Member of the Committee...

**Mr. Deputy Speaker:** You should not think Hon. Opwora.

*(Applause)*

You need to be sure.

**Hon. Luke Opwora:** I think the Clerk cited here is a Committee Clerk of the Honourable Committee. He might be in a better position to respond to us better. I don't know why he is leaving a Honourable Member to be in this position.

**Mr. Deputy Speaker:** Order! Hon. Opwora you need to be orderly.

**Hon. Luke Opwora:** They are here to help Honorable Members.

**Mr. Deputy Speaker:** I am not happy when you talk of the Committee Clerk. This is an issue of the Committee Membership. The Committee Clerk is there to assist the Committee run. So it is a matter of Honourable Members of that Committee.

**Hon. Luke Opwora:** That is in Order. My issue is that it is the secretariat's work to help the Honorable Members.

**Mr. Deputy Speaker:** It is not about the Secretariat Hon. Opwora.

**Hon. Luke Opwora:** I need help.

**Mr. Deputy Speaker:** You require a lot of help. Resume your seat.

**Hon. Luke Opwora:** Thank you.

**Hon. Jack Wambulwa:** This morning I was trying to reach out to the Chairperson, Health Committee who is away on official duty and he told me that he was still following up with the Executive so that they can avail the same to this House and he was not specific; so I request that we be given an extra two weeks so that we can avail the same report.

**Mr. Deputy Speaker:** Where shall we be in two weeks' time? Are you trying to run away from responsibility as a Committee?

**Hon. James Mukhongo:** On behalf of the owner of the statement, I wish to say the following. That it is very unfortunate for the Government not to avail the response to this Honourable House to a question sought by Hon. Stephen who is a Member of Soysambu Mitua Ward.

When you look at the statement that was raised, it is very valid and it has content that needs explanation from the County Executive before we leave this House. Now that we are getting different versions from the two Members of the Committee, one is saying that we give a timeline of two weeks and the other is talking of one week, it is misleading this House.

All said and done, time is not on our side because I am alive to the fact that on Thursday next week, I must be exiting this Honourable House to go for vote hunting so that I can be re-elected. On behalf of the owner of the statement, I wish to register my disappointment because this is one of the responses we were expecting from the Executive but as things are, this response is not forthcoming.

Having said that, we will be there; I think we will revisit it as we come back. Otherwise, the Chairperson, or someone standing in for the Chairperson, kindly give us two to three days.

**Mr. Deputy Speaker:** Hon. Mukhongo, you have to be specific. Is it somebody or the Honourable Member here?

**Hon. James Mukhongo:** The Honourable Member or someone standing in for the Chairperson, please give us two to three days. It is very unfortunate for a serious Chairperson who is supposed to respond to issues raised by a Honourable Member, delegating it to a Member or to some Members of the Committee. I understand the law. I'm not running away but look at the substance of the statement. He is giving instruction and he is away from the station.

It is very unfortunate. As much as the Chairperson or Members of that Committee will commit themselves to bring that response here, I don't think it will come. I rest my case on behalf of the statement owner, Hon. Stephen Wamalwa, Member of Soysambu Mitua. Yes! The Deputy Speaker, who will be my next Speaker as per my wishes as we come back.

**Mr. Deputy Speaker:** Honorable Members, I want clarity here. We have two members who have stood up to speak on behalf of the Chairperson. Who is in charge? Who was the responsibility delegated to? Is it Hon. Opwora or Hon. Jack Wambulwa?

Let me begin with the energetic young man, Hon. Opwora.

**Hon. Luke Opwora:** Mr. Speaker, I'm the one in charge, because the Commissioner who is the Chairman of the Health Committee comes from Kanduyi Sub County.

I spoke to him in the morning and he gave me the task and my able Vice Chair Hon. Jerusa was around the corridors here, I don't know where she is. So I am the third in command and I request you to give us seven days to give this response so that we can review it in the last week of our service.

**Mr. Deputy Speaker:** The Honourable Member is trying to affirm that he is in charge.

**Hon. Jack Wambulwa:** I respect my young brother Opwora, but on matters of seniority, you know what it means. I'm 004 and you are 0045 so where do you belong? It is something that we shared with Hon. Makari, the Chairperson, Health Committee. Now that this matter is weighty, I promise that in seven days, we shall have a reply.

**Mr. Deputy Speaker:** Before I give direction, I want information from Hon. Franklin.

**Hon. Franklin Simotwo** (*On a point of information*): Thank you. Allow me to also comment on the statements that we have laid on the floor. There are some statements, as much as we appreciate our colleagues, who have stood on behalf of our Chairperson, Committee on Health... As we speak, there are some statements that we raised some three months ago and there is no response up to now and as I speak, I don't speak for myself, I speak on behalf of the people of Chepyuk who elected me. It is the mandate of the executive to make sure that they respond on issues and statements being raised by members of this House.

We have two weeks left before we break for campaigns; the employees who gave us this mandate will ask questions like why some other projects have not been completed. I made a statement for clarification as to why the dispensary in my Ward has not been completed some two months ago. Up to this time, there is no response and the Chairperson in charge of the department has not given this House a notification as to why this statement has not been laid on this House.

If the department has rejected the statements raised by the Honourable Members of this House, we should be told. The positions we have here are not personal, they are from the people who gave us the mandate to come and represent them.

It is an issue that we need to be told. We are going to the elections and this is the matter that is serious on the ground. Most of the projects are still pending and some are yet to begin. It is the mandate of this House to give us the direction and the position of the departments that have been questioned.

**Mr. Deputy Speaker:** Thank you Hon. Simotwo for that passionate contribution.

**Hon. Hillary Kiptalam:** Thank you Honourable Speaker. I want to also support my brother here Hon. Simotwo that the Chairperson who is our Commissioner is a very firm person in this House. He has been pushing for his statements. I am wondering Honourable Chair, Hon. Luke Opwora and Honorable... I can say 004 the way he has put it, these are colleagues who have been very firm...

**Mr. Deputy Speaker:** Hon. Hillary for the purpose of HANSARD, we don't have honorable 004 here.

**Hon. Hillary Kiptalam:** Hon. Jack Wambulwa...Thank you Mr. Speaker. Let it be your prerogative that let this time be shortened because it is a serious issue which has been raised by a Member who is also our Deputy Speaker and for sure we need that response as soon as Thursday.

**Mr. Deputy Speaker:** Thank you Hon. Hillary Kiptalam. Let's have Hon. Wapang'ana Kimingichi then we have Hon. Ingo then we make a directive on the same.

**Hon. Erick Wapangana:** Thank you Honourable Speaker. I think I just want to appreciate that the two Members who were actually responding to the same Statement. Mr. Speaker you should give direction because I have never heard of a situation where you have two Members actually holding brief for one person. Where I am sited this is the same seat that Hon. Makari sits on. Do I also say that now I am holding brief for the same? We need direction Honourable Speaker.

Secondly, what Hon. Mukhongo was saying that by Thursday we may be closing the House, signaling the end of the term. Does it mean there is a vacuum Hon. Speaker? Because of such kind of a statement that there are some projects, like what *Mheshimiwa* Hillary was saying that are incomplete; so does it mean that now after Thursday there is a vacuum and all ongoing projects will stall just because there is no legislation? That we have to make a follow up on such kind of projects? I would like you to rule on that.

**Mr. Deputy Speaker:** Thank you so much I will only allow Hon. Ingo as I had said so that I make a directive over the same.

**Hon. Jane Ingo:** Thank you Honourable Speaker for giving me this opportunity. Allow me support the owner of the statement that we actually need the response as soon as possible. I know I am a Member of that committee and maybe before I mention what I heard, it is only bad luck that Hon. Opwora is out of the House. I was going to say that as mentioned by Hon. Jack Wambulwa that Hon. Opwora is number 045 I think he has no number. He is just like me because we have no Wards, and it is unfortunate. Honourable Speaker this is my area of concern. That compared to the last Assembly, the way we have been handling issues, reports and fact finding you realize that this time round as much as we may blame the Executive, I wish to make reference to the last Assembly. We used to have a lot of time visiting the fields assessing the

projects and actually finding out whether the money that we approved in this House had done the projects that were proposed.

Whereas we wait for the written documents to come from the Executive and I want to quote what Hon. Simoto has mentioned, it is long overdue! He has actually been complaining over health facilities in Chepyuk Ward and I think that once a statement comes before this House, it is going to assist most of the Members. As I sit down, I want to request this honorable House that for all of us who are coming back on 9<sup>th</sup> or 10<sup>th</sup> of August to get out and find out whether these projects are done; whether the money that we approved in this House actually go to the projects that are supposed to be done. That is my plea Honourable Speaker and I believe that all of us are going to come back so that we work on the same.

**Mr. Deputy Speaker:** Thank you Hon. Jane Ingo. I can see Hon. Jane Chebet really trying to get my attention. Hon. Jane what is the matter? I want to make a directive on this.

**Hon. Jane Chebet:** Thank you, I also rise on the same conversation of the House. Mr. Speaker it is always very good that when you leave a house...

*(Power failure)*

**Mr. Deputy Speaker:** Order Honourable Members! You have to log in again before you leave because of a technical hitch that happened. So if you leave without logging in again, you will not be recorded to have been present. Serjeant at Arms inform the Honourable Members outside there to come and log in again.

**Hon. Jane Chebet:** I was saying that we are winding up our House and it is always good to leave a clean House. Even though many of you are going to come back but I see a lot of laxity in the Executive and I think maybe because majority of them are out there campaigning, but that doesn't mean that everything should stop where it is. All the projects that were captured in the current budget if we have to ask questions then each one of us is going to rise on their feet to ask about the implementations of the projects.

Not only the statement that has been laid on the floor, but let it be a concern to all of us that have questions of stalled projects in our Wards, of projects that have not started; and we need this to be completed within this year because we cleared the budget process of the financial year that precedes this one. So I also join my colleagues in saying that the Executive should be on their toes and this is not a matter of begging; in fact it is supposed to be an order from your desk. Thank you Honourable Speaker.

**Mr. Deputy Speaker:** Thank you so much Hon. Jane. Honorable Members, having listened to passionate contributions from different Members, I want to make this directive; that we expect to have that response on the 24<sup>th</sup> of this month of May, 2022 at 2:30 p.m. We require that the

response be availed to this House without fail and this should be communicated with the respective offices by the respective Office of this Assembly.

Honorable Members there being no motion, that forms the last item on our Order Paper today, therefore this House stands adjourned to tomorrow the 18<sup>th</sup> of May, 2022 at 9:30 a.m.

*(House adjourns)*