

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

DAILY HANSARD

WEDNESDAY 13TH APRIL, 2022

Afternoon Sitting

COUNTY ASSEMBLY OF BUNGOMA

HANSARD OFFICIAL REPORT

WEDNESDAY 13TH APRIL, 2022

The House met at 2:30 p.m.

(Mr. Speaker [Hon. Emmanuel Situma] in the Chair)

PRAYER

PAPERS

REPORT BY LABOUR COMMITTEE ON THE AFFAIRS OF THE COMMITTEE DURING THE 5TH SESSION OF THE SECOND COUNTY ASSEMBLY

Hon. Evertone Nganga (Chairperson, Labor Committee): Thank you Mr. Speaker. I rise to table a report by the Committee on Labour and Social Welfare on the annual affairs of the committee during the 5th session (12th July 2021 to 17th February 2022).

Mr. Speaker: A report by the Labour Committee on the affairs of the committee during the 5th session of the second county assembly running from the 12th July, 2021 to 17th February, 2022 is hereby tabled and it now forms part of the records of the House and will appear on the Order Paper in the course of the week.

NOTICE OF MOTION

THAT THE HOUSE ADOPTS A REPORT BY LABOUR COMMITTEE ON THE AFFAIRS OF THE COMMITTEE DURING THE 5TH SESSION OF THE SECOND COUNTY ASSEMBLY

Hon. Evertone Nganga (Chairperson, Labour Committee): Thank you Mr. Speaker. I rise to issue a notice of motion of the Committee on Labour and Social Welfare on the annual affairs of the committee during the 5th session from the 12th July, 2021 to 17th February, 2022.

Mr. Speaker: Honourable members, the committee having issued a notice of motion that this House adopts a report by the Labour Committee on the affairs of the committee during the 5th session of the second County Assembly, I direct that the Clerk to circulate the report to the honourable members as it will form business on the Order Paper in the course of this week.

STATEMENTS

STATEMENT PURSUANT TO THE PROVISIONS OF STANDING ORDER 41 (2) (C)

Hon. James Mukhongo: Thank you Honorable Speaker. I rise to seek a statement on operationalization of Mukhweya Dispensary.

Honorable Speaker Sir, pursuant to the provisions of Standing Order 41 (2) (c) of Bungoma County Assembly Standing Orders, I hereby seek for a statement from the Chairperson, Sectoral Committee on Health in respect to Mukhweya Dispensary constructed 10 years ago by Kabuchai CDF and handed over to Bungoma County government.

In the response, let the chairperson inquire into and report on the following;

1. Plans to operationalize the dispensary
2. Why the department has taken long to operationalize the dispensary yet there is a serious need for health services by the community.

Hon. Ali Mutoka: Mr. Speaker, I request for 3 weeks.

Mr. Speaker: Hon. Ali Mutoka Machani, you are a senior member of HBC and we agreed as a committee that we can allow at most two weeks. We will give you two weeks and if it fails we will give you more time. The response should be given in the House on the 28th of April at 2:30 p.m.

MOTIONS

THAT THIS HOUSE ADOPTS A REPORT BY GENDER AND CULTURE COMMITTEE ON THE COMMITTEE'S ACTIVITIES FOR THE 5TH SESSION OF THE SECOND COUNTY ASSEMBLY

Hon. Vitalis Wangila: Thank you Mr. Speaker. I'm on my feet to move a motion by the Committee on Gender and Culture on the report of the committee's activities for the 5th session of the second County Assembly.

Committee Membership

Mr. Speaker Sir,

The following are the Members of the Committee on Gender and Culture:

- | | |
|-------------------------|------------------|
| 1. Hon Godfrey Mukhwana | Chairperson |
| 2. Hon. Beatrice Wekesa | Vice Chairperson |
| 3. Hon. Rosemary Khisa | Member |
| 4. Hon. Paul Wamalwa | Member |
| 5. Hon. Joan Lutukai | Member |
| 6. Hon. Jack Kawa | Member |

7. Hon. Miliar Masungo	Member
8. Hon. Vitalis Wangila	Member
9. Hon. Violet Makhanu	Member
10. Hon. Jerusa Aleu	Member
11. Hon. Hildabeda Siang'a	Member
12. Hon. Rebah Wabwile	Member
13. Hon. Caviny Lukosi	Member
14. Hon. Jane Cheperenger	Member
15. Hon. Christine Ng'elech	Member

Acknowledgment

Mr. Speaker Sir,

May I take this opportunity to thank the Offices of the Hon. Speaker and Clerk of the County Assembly of Bungoma for the support received as it discharged its mandate during the fifth session.

I applaud the committee members for dedicating their time during the entire session to ensure the committee delivers on its mandate. Further, I would also like to appreciate the members of staff who worked with us for their commitment and valuable input that made the production of this report a success.

Mr. Speaker Sir,

It is therefore my pleasant duty and privilege, on behalf of the Honorable Members of the Gender and Culture committee, to table this report and recommend it to the Assembly for consideration and adoption. Mr. Speaker, it is signed by Hon. Ng'elech on behalf of the Chairperson.

KEY HIGHLIGHTS DURING THE FIFTH SESSION

Mr. Speaker Sir, a "Session", according to the definition in the Standing Order means;

"the sittings of the County Assembly commencing when it first meets after a General Election or on a day provided for in Standing Order 24 (Regular Sessions of the County Assembly) and terminating when the County Assembly adjourns at the end of a calendar year or at the expiry of the term of County Assembly.

The Standing Order 24 on Regular Sessions of the County Assembly, stipulates that;

"Except for the Session commencing immediately after a general election, the regular Sessions of the County Assembly shall commence on the second Tuesday of February and terminate on the first Thursday of December."

Mr. Speaker Sir, it should be noted that the fifth session of the Second County Assembly however, resumed its sittings on 12th January, 2021 after the 2020 December recess and terminated its sittings on 17th February, 2022.

Committee Internal Sitzings

Mr. Speaker Sir, the committee held its regular meetings on Mondays from 3.00pm every week. These meetings were in line with the Liaison Committee internal meetings schedule prepared at the onset of the financial year 2020/2021 in July, 2020.

During the session under consideration, the committee held forty three (43) successful sittings out of the maximum fifty two (52) sittings as prescribed by SRC. It should be noted that committee meetings were interfered with due to Covid-19 restrictions for inter-person meetings, legislative conferences and conventions and public holidays. These sittings held considered a variety of issues including, adoption of committee reports, consideration of departmental expenditure reports, drafting committee work-plan, interrogations of various statutory documents, and investigations into matters resulting from referrals on the floor of the House.

Mr. Speaker Sir, attached is a copy of the Bungoma County Assembly Committee approved schedule for internal committee meetings for the fifth session that was followed in relation to committee meetings.

Committee Work Plan

Mr. Speaker Sir, during the session under review, the committee implemented its work plan for the second half of the FY 2020/2021 and seventh months of the financial year 2021/2022.

The committee targeted to implement the following activities during this period:

Activity	Target	Timeline
Capacity building workshop for the committee on Gender and Disability Mainstreaming	Capacity Build the entire committee and create awareness on Gender and Disability Mainstreaming	January 2021
Compile a report on the Capacity Building workshop for adoption by the House	Submit the report to the House and ensure it is adopted and the recommendations implemented.	January 2021
Committee Interrogation of Gender mainstreaming Policy	Engage the department of Gender and Culture and various stakeholder on the policy and incorporate their views.	February 2021
Compile a report on the Gender Mainstreaming Policy for adoption by the House	Submit the report to the House and ensure it is adopted and the recommendations	February 2021

	implemented.	
Interrogation of the Annual Development Plan(ADP) 2021/22	Engage the department of Gender and Culture and various stakeholders on the planned programmes	March 2021
Compile a report on the ADP	Submit the ADP report to the Budget and Appropriations Committee	March 2021
Local benchmarking visit to cultural centers (Bomas Of Kenya)	Undertake a Bench marking visit to the Museum to learn best practices on promoting cultural centers in the county	April 2021
Compile a report on the benchmarking exercise for adoption by the House	Submit the report to the House and ensure it is adopted and the recommendations implemented.	April 2021
Interrogation of County Fiscal Strategy Paper FY 2021/22	Engage the department of Gender and Culture on the departmental ceilings	April 2021
Compile a report on the CFSP	Submit the CFSP report to the Budget and Appropriations Committee	April 2021
Consideration of the Gender Based Violence Bill	Engage the department of Gender and Culture and hold public participation on the Bill	May 2021
Compile a report on the Gender Based Violence Bill for adoption by the House	Submit the report to the House and ensure it is adopted and the recommendations implemented.	May 2021
Interrogation of the Annual Budget Estimates	Engage the County Executive on the Budget Estimates	June 2021
Compile a report on the CFSP	Submit the CFSP report to	June 2021

	the Budget and Appropriations Committee	
Annual report	Evaluation of the performance of the committee for the FY 2020/2021	June 2021
Capacity building workshop for the committee on Gender and Disability Mainstreaming	Capacity Build the entire committee and create awareness on Gender and Disability Mainstreaming	July 2021
Report writing on Interrogation of Gender and Culture Fourth Quarter and First Quarter FY 2020/2021 Departmental expenditure report	Submit the report to the House and ensure it is adopted and the recommendations implemented.	August 2021
Report writing on Capacity building workshop for the committee on Gender Mainstreaming and Disability Mainstreaming	Submit the report to the House and ensure it is adopted and the recommendations implemented.	September 2021
Report writing on Interrogation of Gender and Culture first Quarter FY 21/22 Departmental expenditure report	Submit the report to the House and ensure it is adopted and the recommendations implemented.	October 2021
Report writing on Committee Review of the Gender based Violence Programs	Review GBV programs in the county and submit findings for adoption by the House	October 2021
Interrogation of the second quarter FY 2021/22 Departmental Expenditure report	Submit the report to the House and ensure it is adopted and the recommendations implemented.	January 2022

Mr. Speaker Sir, from the table above, it was noted that the committee targeted to undertake an activity each month during the session; however, due to inadequate funding the committee could not implement all the activities as planned. During the session, the committee reviewed its work

plan to accommodate a handful of activities that could be implemented within the schedule as prepared by the Liaison Committee.

Committee Approved Budget

Mr. Speaker Sir, the committee was allocated **Kshs. 6,018,129** for the FY 2020/2021 and **Kshs 5,755,394** for the FY 2021/2022.

During the second half of the FY 2020/2021, the committee spent **Kshs. 4, 385,529** on the following activities:

- ✓ Interrogation and report writing on the County Fiscal Strategy Paper (CFSP) (April, 2021)
- ✓ Report writing on the Bungoma County Heritage Policy (May, 2021)
- ✓ Interrogation and report writing on the Bungoma County Quarterly reports and Financial Statements for the period ended 31 March 2021. (June, 2021)
- ✓ Report writing on the Gender and Culture Credit schemes (June, 2021)

During the first seven (7) months of the FY 2021/22 the committee spent **Kshs.3, 840,800** on the activities below:

- ✓ Interrogation and report writing on the Bungoma County Annual Budget Estimates (July and August, 2021)
- ✓ Interrogation and report writing in the Bungoma County Quarterly reports and Financial Statements for the period ended 30 June 2021. (September, 2021)
- ✓ Capacity Building of the committee on Gender Based Violence situation in Bungoma County (December, 2021)
- ✓ Report writing on the Capacity Building of the committee on Gender Based Violence situation in Bungoma County (February, 2022)

Committee Achievements

The committee accomplished the following activities during the period under review:

1. Interrogation and consultative sessions with the County Department of Gender and Culture on the following documents:
 - a) Bungoma County Executive Quarterly reports and Financial Statements for the period ended 31 December 2020 (2nd Quarter FY 20/21)
 - b) Bungoma County Executive Quarterly reports and Financial Statements for the period ended 31 March 2021(Third Quarter FY 20/21)
 - c) Bungoma County Executive Quarterly reports and Financial Statements for the period ended 30 June 2021(Fourth Quarter FY 20/21)
 - d) Bungoma County Executive Quarterly reports and Financial Statements for the period ended 30 September 2021(First Quarter FY 2021/22)
 - e) Annual Development Plan FY 2022/2023

- f) County Fiscal Strategy Paper FY 2022/2023
 - g) Bungoma County Annual Budget Estimates for the FY 2021/2022
2. Successful report writings and adoption of the following reports:
 - a) Bungoma County Executive Quarterly reports and Financial Statements for the period ended 31 December 2020 (Second Quarter FY 20/21) adopted on 3rd March 2021.
 - b) Bungoma County Executive Quarterly reports and Financial Statements for the period ended 31 March 2021(Third Quarter FY 20/21) adopted in November, 2021.
 - c) Bungoma County Executive Quarterly reports and Financial Statements for the period ended 30 June 2021(Fourth Quarter FY 20/21) adopted on 3rd December 2021.
 - d) Bungoma County Executive Quarterly reports and Financial Statements for the period ended 30 September 2021(First Quarter FY 2021/22) adopted on 3rd February, 2022.
 - e) Report on the Bungoma County Annual Development Plan FY 2021/2022, prepared and submitted to Budget and Appropriations Committee on 21st October 2021.
 - f) Report on the Bungoma County Fiscal Strategy Paper FY 2022/2023, prepared and submitted to Budget and Appropriations Committee.
 - g) Committee report on the Bungoma County Annual Budget Estimates for the FY 2021/2022 prepared and submitted to Budget and Appropriations Committee.
 - h) Report on the Capacity Building on Gender Based Violence in Bungoma County, adopted on 15th April, 2021.
 3. Capacity Building for the Members and Secretariat of the Committee on Gender Based Violence in the county. The Key highlights of the training were:
 - a) The GBV situation internationally, nationally and within the county;
 - b) Legal provisions on GBV
 - c) Challenges faced in managing GBV in the county
 - d) Kenya-Finland Embassy Grant on GBV
 4. Consultative meeting between the Gender and Culture Committee, the Department of Gender and Culture, the Civil Society Association and the Consultants on the Departmental Policy formulation on the way forward on the budgeting towards the policy formulation process.
 5. Participation in the KICOSCA games 2021 in Embu County in solidarity with the Bungoma County Executive Team.
 6. The Committee successfully responded to a statement raised by Hon. Luke Opwora on the status of street children in Bungoma, Kimilili and Webuye towns. The response to the statement was submitted in the House on 5th October, 2021.

Challenges Faced during the session

Mr. Speaker Sir, during the period under consideration, the committee was faced with the following challenges:

1. The committee planned activities totaled to Kshs. 22,331,000; however due to inadequate funds, the activities had to be revised downwards to fit into the approved allocation.
2. The Liaison Committee schedule restricted the committee activities to a maximum of two activities per quarter in order to accommodate all the committees. This limited the implementation of the committee activities to the approved schedule.
3. Owing to the restrictions by the MOH due to the COVID-19 pandemic, inter-person meetings were restricted, thus derailing the implementation of some of the committee's planned activities.
4. Un-timely submission of documents by the Department. On a number of cases, the County Assembly requested for documents from the department for purposes of oversight which were often submitted late thus derailing the committee's oversight role.

CHAPTER THREE

COMMITTEE'S OBSERVATIONS AND RECOMMENDATIONS

Committee Observations

Mr. Speaker Sir, the committee made the following observations:

1. The Committee was not able to undertake all the activities on its work plan due to tight retreat schedule provided by the Liaison committee, inadequate funds and the Covid-19 pandemic constraints experienced in the year under review.
2. The attendance of members to Committee internal and external meetings was timely and up-to-date in the session under review.
3. The House made several adjustments to the County Assembly Calendar for the fifth session thus affecting implementation of planned activities of the committee.
4. As at the time of production of this report, committee recommendations in a variety of Committee reports approved on the floor of the House were yet to be responded to nor implemented by the department.

Committee Recommendations

Mr. Speaker Sir, the Committee hereby makes the following recommendations:

1. THAT the Committee on Liaison should allocate adequate time and funds to Sectoral committees according to their mandate to enable them execute their mandate effectively and in time.
2. THAT the committee on implementation should promptly follow up House resolutions and put departments to task to implement all House resolutions within the required timelines.
3. THAT there is need for enhanced joint seminars and consultative meetings with the executive on matters implementation and accountability for efficiency and effectiveness in execution of services to the public.

We have the annexes, that is.

1. Approved Liaison Committee Schedules
 - a) Internal Committee Sitings
 - b) Committee Retreat Schedules
2. Committee Work-Plan FY 2020/2021 and 2021/2022.

We the undersigned members append our signatures adopting this report with the contents therein.

Mr. Speaker that is the end of the motion. I therefore request Hon. Jerusa Aleu to second the motion. Thank you Mr. Speaker.

(Applause)

Hon. Jerusa Aleu: Thank you Mr. Speaker. I stand to second the motion.

Mr. Speaker: Honourable members, allow me proceed and propose a motion for debate. Honourable Members, a motion having been moved and seconded that this House adopts a report by the Gender and Culture committee on the committee activities for the 5th session of the second county assembly of Bungoma, I propose;

Hon. Vitalis, in view of what has happened, you will not be allowed to reply to the motion.

The question in respect to the adoption of a motion by Gender and Culture was put and agreed to

The ayes have it.

The report, its observations and recommendations are hereby adopted by this House for onward transmission to the consumers of the observations and recommendations.

Honourable members I thank you for turning up in larger numbers. I have checked and the House is full and we should keep up the spirit tomorrow. We adjourn for now and resume tomorrow on 14th April 2022 at 2:30 p.m. session. Those going for nominations tomorrow we wish you all the best.

House Adjourns