

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

DAILY HANSARD

WENESDAY 30TH MARCH, 2022

Afternoon Sitting

2nd County Assembly,

6th Session

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COUNTY ASSEMBLY OF BUNGOMA

HANSARD OFFICIAL REPORT

WEDNESDAY 30TH MARCH, 2022

The House met at 2:30 p.m.

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

PRAYER

PAPERS

The following Paper was laid on the Table of the County Assembly:

A report by the Committee on Delegated County Legislation on the Implementation Status of Acts passed by the County Assembly laid by Hon. Elvis Abuka (*Member, Delegated Committee*).

NOTICES OF MOTION

The following Notice of Motion was issued:

That this House adopts the report by the Committee on Delegated County Legislation on regulations operationalizing Acts passed by the County Assembly Acts passed by the County Assembly issued by Hon. Elvis Abuka (*Member, Delegated Committee*).

MOTIONS

SESSIONAL REPORT OF THE COMMITTEE ON EDUCATION AND VOCATIONAL TRAINING

Mr. Speaker: Hon. Paul you can read even from this side, there is no bar, even where you are coming from that other side so...

(Laughter)

...if you are honest you couldn't be sitting this other side, so just proceed

Hon. Paul Wamalwa (Member, Education): Mr. Speaker I am used to this side, I just found myself on the other side.

I stand to move a motion by the committee on Education and Vocational Training as a sessional report of the committee.

Mr. Speaker Sir, On behalf of the Members of Education and Vocational Training and pursuant to the Provision of Standing Order 196(5)(g), it is my great pleasant privilege and pleasure to present to this House the committee's Sessional report for the fourth session of the Calender year 2021.

The main aim of this report is to gain insights in the achievements, challenges and lessons learned in the operations of the Committee in execution of its work plan for the sessional period under review and to create an institutional memory for the as we proceed towards the third Assembly. This process will eventually strengthen the next committee and management of subsequent committee business.

1.2 THE MANDATE OF THE COMMITTEE

Mr. Speaker Sir, The Sectorial Committee on Education and Vocational Training is constituted pursuant to the provisions of Standing Order No. 196 of the County Assembly of Bungoma and executes its mandate in accordance with Standing Order 196(5) which provides as follows:

- a) Investigate, inquire and report all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments.
- b) Study the programme and policy objectives of departments and the effectiveness of the implementation;
- c) study and review all county legislation referred to it;
- d) study , assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- e) investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
- f) to vet and report on all appointments where the constitution or any law requires the County Assembly to approve, except those under Standing order 185 (Committee on Appointments); and
- g) Make reports and recommendations to the County Assembly as often as possible, including recommendations of proposed legislation.

Committee's Membership

Mr. Speaker Sir, the Committee on Education and Vocational Training as currently constituted comprises of the following Members:-

- | | |
|-----------------------|------------------|
| 1. Hon. Fred Musebe | Chairperson |
| 2. Hon. Rebah Wabwile | Vice Chairperson |
| 3. Hon. Jerusa Aleu | Member |
| 4. Hon. Ali Machani | Member |
| 5. Hon. George Makari | Member |
| 6. Hon. Paul Wamalwa | Member |

7. Hon. Peter Sindani	Member
8. Hon. Rosemary Khisa	Member
9. Hon. Violet Makhanu	Member
10. Hon. Everlyne Mutiembu	Member
11. Hon. Wamusai Simiyu	Member
12. Hon. Antony Lusenaka	Member
13. Hon. Joan Kirong	Member
14. Hon. Christine Ngelech	Member
15. Hon. Hillary Kiptalam	Member

1.4. ACKNOWLEDGEMENT

Mr. Speaker Sir, The Committee extends its appreciation to the Offices of the Speaker and the Clerk of the County Assembly for the support accorded to it in the execution of its mandate and the opportunity accorded to its Members to develop this report.

On behalf of the Committee on Education and Vocational Training, I now wish to present this report to the County Assembly for debate and subsequent adoption.

Thank you,

COMMITTEE'S UNDERTAKINGS

Sessional period

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 thus;

(1) 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.

Therefore, this report covers the period between 9th February, 2021 and 2nd December, 2022. As you are aware this period still had disruptions caused by the Covid-19 pandemic.

Committee sittings

Mr. Speaker Sir, the committee holds its regular meetings on Tuesday from 11:00 a.m. to 12:00 p.m. weekly. These meetings are in line the Liaison Committee internal meetings schedule. During the period under review, the committee held at least forty successful meetings. The meetings were for various reasons including, adoption of committee reports, interrogation of Policies & Regulations, review of work-plans, interrogations of Quarterly Reports and other statutory documents, investigations into matters resulting from referrals to Committee such as Statements and committee's initiative.

Mr. Speaker Sir, below is a copy of the Bungoma County Assembly committee approved schedule for internal committee meetings for the fifth session.

Day one- Time 9:00 a.m.- 10:00 a.m., morning session we have Education

Mr. Speaker: Hon. Paul, leave that one out, everyone has that report.

Hon Paul Wamalwa: 2.4. Committee size and quorum

Mr. Speaker Sir, the current membership as provided for in the Standing Order is 15 Members which is similar to all standing committees in the County Assembly of Bungoma.

The quorum for any standing Committee is a half of the membership of the Committee including the Chairperson as provided for under Standing Order 166. This means that the committee requires a minimum of 8 Honorable members to transact any business.

2.5. Committee Activities

Mr. Speaker Sir, during the period under review, the committee managed to transact the following activities as had been envisaged in the work plan;

1. Successful internal committee meetings held
2. Interrogations
3. Report writing sessions

2.7. Committee reports

Mr. Speaker Sir, the committee managed to conclude nine reports writing retreats in the session under review... Mr. Speaker I am being interrupted by some honorable members, you know...

Mr. Speaker: Honorable members kindly consult in low tones to allow the mover of the motion proceed accordingly.

Hon Paul Wamalwa: Thank you, Mr. Speaker.

2.7. Committee reports

Mr. Speaker Sir, the committee managed to conclude nine reports writing retreats in the session under review and subsequently presented for adoption to the Honorable House. These reports include:

- I. The 2nd quarter report
- II. The First supplementary report
- III. Scholarship and bursary report
- IV. The Bungoma Resource Centre policy report.
- V. County Fiscal Strategy Paper-Report
- VI. Third quarter report
- VII. Report on 4th quarter
- VIII. ADP-Report
- IX. Report writing on Ksh.48M utilization on scholarship

3.0 THE COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

3.1 COMMITTEE'S OBSERVATION.

Mr. Speaker, the Committee makes the following Observations;

1. The Committee faced budgetary constraints that hindered it from fully executing its Work-Plan. For instance, the Committee's Work-Plan had a costing of Ks.12.3Million against a budgetary allocation of Ksh. 5.644M.
2. There have been instances of deviation from Work-Plan when a document that is not in the Work-Plan has to be dealt with by the Committee yet there were no resources availed to compensate for the same. For instance, the Committee drew money from its own allocation to address a report over a Statement raised in the House on the utilization of a release of Ksh. 48M for Bursary and Scholarship allocation.
3. Frequent changes in Leadership and membership of the Committee greatly hampered its operations contrary to the spirit of Standing Order 196(2) which envisions a Member to serve in a Sectoral Committee for the term of the County Assembly
4. There has been minimal capacity building for Members of the Committee since the start of the 2nd Assembly in September 2017.
5. There has been little feedback from the Implementation Committee on the implementation status of various resolutions passed in the House against the Department of Education and VTCs.
6. That the time allocated for the Committee internal sitting is sometimes not sufficient.
7. On the executive side, the Committee is concerned about the sustainability of the Scholarship and Bursary Program in the long term.
8. The Committee's legislative role has been minimal as compared to oversight with only one legislative report (Resource Centre Policy Report) against 8 oversight

reports from the nine that the Committee was able to transact in the session under review.

3.2 COMMITTEE'S RECOMMENDATION

Mr. Speaker, the Committee wishes to make the following Recommendations;

1. The Committee`s budgetary allocations from the Liaison Committee should at least match the Committee`s Work-Plan as opposed to making uniform allocations to all Sectoral Committees. This has a net effect of making the Work of Committees more effective and competitive as those with bigger work-plans will be adequately funded.
2. There should be a contingency Kitty that is accessible to all Committee so that if any document that is not anticipated in its Work-plans is brought to the Committee, then the Committee can be able to work on it without affecting its Work-plan.
3. There should be strict adherence to the spirit of Standing Order 196(2) to ensure stability in Select Committees. At the start of each Assembly, Members are usually trained on their respective Committee`s mandates and functions and therefore changing membership midway derails the Committee`s work. Members` professional backgrounds should also form the basis for consideration in nominating Members into Select Committees.
4. There should be continuous capacity Building of the Committee alongside the Department to enable the two branches of Government be at par with the ever changing landscape in the Sector such as the emerging issues of Competency Based Curriculum.
5. The Implementation Committee should periodically update this House on the various resolutions passed and their implementation statuses.
6. There should be flexibility in the time allocated for the Committee internal sitting to ensure thorough deliberations especially when the Sectoral Committees have invited members of the Executive Wing for a consultative meeting.
7. The CECM for Education and VTC should table a report on the plans the department is undertaking to ensure the sustainability of the Scholarship and Bursary Program in the long term.
8. That the Department should ensure it prioritizes Legislations such as Policies and Bills to aid the Committee and by extension, the House in executing its Legislative role. Each Financial Year, we receive submissions from the Executive in their ADPs and CFSPs proposals that they plan to generate several Policies and Bills yet this often do not materialize in being transmitted to the County Assembly.

4.0 Conclusion

Mr. Speaker, the approval of this Sessional Report by this Honorable House will serve to provide a basis for future reference on how best our Select Committees can best serve this House by creating an institutional memory as we transition towards the third Assembly. This process will eventually strengthen the next committee and management of subsequent committee business.

Thank you Mr. Speaker, let me call a member of Education Committee...

Mr. Speaker: Let Hon. Ali Machani Mutoka safe your day because you are already in danger. You only have one option or you will lose the motion.

Hon. Paul Wamalwa: Let Hon. Ng'elech second the motion because we will be moving out tomorrow. Thank you.

Mr. Speaker: I'm insisting on Ali Mutoka because of the report that i have. Let him second the motion.

Hon. Paul Wamalwa: Ali Machani is a member and he has signed the document unless i have a wrong document.

Hon. Ali Machani Mutoka: Thank you Mr. Speaker. I second.

Mr. Speaker: Hon. Ali Machani, you have already seconded?

Hon. Ali Machani Mutoka: Yes

Mr. Speaker: Members if you don't adopt a report in terms of signing, it becomes tricky for you to second, that is what I'm trying to say. I have seen that Hon. Ng'elech had not signed and that is why I said Hon. Machani should second.

Honourable members, a motion has been moved and seconded that this House adopts a report by the Sector Committee on Education and Vocational Training on session report of the committee. I propose.

(Question proposed)

Hon. Joseph Nyongesa: Thank you, Mr. Speaker. First of all, allow me thank the vice chairperson of the Education Committee for taking us through the report. Even if we are in campaign mood, if members of the committee cannot be more than 4 then you can see that they are not serious. We are calling upon the chairpersons to ensure that when your reports are brought on the floor of the House, try and ensure that your members attend. Otherwise, we support the report.

Hon. Paul Wamalwa: Thank you, Mr. Speaker. Just to observe that I have not seen many members...

Mr. Speaker: Hon. Paul, just reply to the motion.

Hon. Paul Wamalwa: I'm responding and it appears that we did perfect work in regard to the observations and recommendations which need to be followed to the latter. I'm totally in agreement with the Leader of Majority because we are the owners of the document and the way you can see even the chairperson is not around including the vice chairperson. The Leader of Majority I'm a member of the committee and not the vice chairperson...

Mr. Speaker: All members are equal to the task.

Hon. Paul Wamalwa: Mr. Speaker, we are having a retreat tomorrow; If you happen to be in Kisumu you will find that all these members will be present. I'm in total agreement with what the Leader of Majority has said. I stand to say that thank you members for agreeing with what we brought to the House. Thank you, Mr. Speaker.

Mr. Speaker: Thank you, Hon. Paul Wamalwa for your kind reply and your observations to the committee members where you are a member. I hope they have taken note of your contribution.

Honourable members, a motion has been moved, seconded and debate having ensued that this House adopts a report by the Sector Committee on Education and Vocational Training on session report of the committee.

(Question put and agreed to)

The Ayes have it!

(Applause)

The committee's observations and recommendations are hereby adopted for forwarding to the relevant department for implementation during the 3rd Assembly.

Members looking at our Order Paper; that was the only motion. We will adjourn our sitting and resume tomorrow on Thursday 31st March, 2022 at 2:30 p.m.

(House Adjourns)