

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

THURSDAY, 12TH SEPTEMBER, 2024

Afternoon Sitting

3rd County Assembly

3rd Session



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COUNTY ASSEMBLY OF BUNGOMA

THE DAILY HANSARD

THURSDAY, 12TH SEPTEMBER, 2024

The House met at the County assembly Chamber at 2:30 p.m.

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

PRAYER

COMMUNICATION FROM THE CHAIR

REARRANGING THE ORDER PAPER

Hon. Members, I wish to make some small adjustments on our Order Paper. Looking at our item number seven and eight are motions and I have checked those reports. I thought they were the reports like those of PAC, that will take us up to 5p.m or 6pm but if the mover is properly guided, we will take the shortest time possible on each one of them.

We do have a CEC Finance appearing before this committee. It is supposed to come under questions and statements under number seven but in view of what may arise from the same discussions, we may not be able to handle the motions under eight and nine. So under questions and statements; we will allow a few members to make contributions towards our pupils and teachers who are in our gallery. The CEC will come in last so that we take the shortest time possible on the two motions and have the CEC. Being a Thursday, you are at liberty and having all the energy up to 11p.m at night.

(Hon. Members standing at the door)

Hon. Members, kindly be able to take your chairs!

TEACHERS AND STUDENTS FROM FRIENDS SECONDARY SCHOOL, MAKUSELWA

I wish to recognise the visiting students from Friends Secondary School, Makuselwa, from Ndivisi Ward in Webuye East sub-county in Bungoma County. The delegation comprises of 121 students and five teachers.

Students, be upstanding for recognition!

Kindly be seated, please.

(Applause)

For the teachers who have accompanied them, when I call out your name, be upstanding!

1. Mr. Masika Samson,
2. Mr. Ilovanga Allan,
3. Mr. Vallary Mutachi.

No, I'm reading what is here. So, I think there's a mistake, but I'm reading what is here. It's Mrs Vallary Mutachi, sorry for that, Madam.

4. Mr. Wafula Peter,
5. Mr. Juma Dennis.

Kindly resume your seats.

(Applause)

The purpose of the visit is to learn about the legislative wing of The County Assembly, the County government and specifically the roles and mandates of the County Assembly, especially the roles of the elected Hon. Members.

They will be given a break where our officers will take them through because they came in late, as they had also gone to Kibabii University. When we finish here our officers will explain to them our roles, but even equally during your contributions, I will urge you that some of them be done by the members in this house so that we make the work easier.

Let's proceed!

QUESTION AND STATEMENTS BUSINESS OF THE WEEK COMMENCING TUESDAY 17TH TO THURSDAY 19TH SEPTEMBER, 2024

Mr. Speaker: Hon. Okasida Ipara, you have the honour of sharing the proposed order paper for next week. You proceed!

Hon. Johnston Okasida: Thank you, Hon. Speaker. Let me have the privilege to take the members on a tentative weekly program of the business of the county assembly for the week commencing Tuesday 17th to Thursday 19th, September 2024.

Tuesday 17th September, 2024 at 2:30 p.m.

Papers

1. Report by the sectoral committee on Finance and Economic Planning on the Bungoma County Government selected revenue streams performance evaluation exercise.
2. Report by selection committee on the review and placement of membership to County Assembly committees.

Notices of motion

1. Report by the sectorial committee on Finance and Economic Planning on the Bungoma County Government selected revenue streams performance evaluation exercise. It will be done by the chairperson Finance Committee.
2. Report by the selection committee on the review and placement of membership to the county assembly committees. It will be done by the chairperson selection committee.

Motion

Report by sectorial committee on Agriculture, Livestock, Fisheries, Irrigation and Co-operative Development on the Half Year Financial Statements for the period ended 31st December 2023 in respect to the department of Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development.

Bills

The Bungoma County Access to Information Bill 2024

Committee of The Whole House

1. Bungoma County Access to Information Bill 2024.

Wednesday 18th September 2024 at 9:30 a.m.

Papers

1. Report by the sectorial committee on Tourism, Environment, Water and Natural Resources on NZOWASCO De-Clustering Task Force Report.

Notices of Motion

1. Report by the Sectoral committee on Tourism, Environment, Water and Natural Resources on NZOWASCO De-clustering Task Force Report.

Motion

1. Report by the sectorial committee on Youth Affairs and Sports on Half Year Financial Statements for the period ended 31st December 2023.
2. Report by the Selection Committee on the Review and Placement of Membership to County Assembly Committees.

Bills

1. The Bungoma County Access to Information Bill 2024 - Third Reading.

Wednesday 18th September, 2024 at 2:30 p.m.

Motion

1. A report by the sectorial committee on Education and Vocational Training on the Financial Statements for Financial Year 2023-2024.

2. 9. A report by the sectorial committee on Roads, Transport, Infrastructure and Public Works on the Half Year Financial Statements for the period ended 31st December 2023. It will be done by the chairperson sectorial committee on Transport, Infrastructure and Public Works.

Thursday 19th September 2024 at 2:30 p.m.

Questions and Statements

1. Business of the week commencing Tuesday 24th to Thursday 26th September 2024 pursuant to Standing Order 47 (2) (a).

Motion

1. A report by the sectorial committee on Lands, Urban, Physical Planning and Housing on a Half Year Financial Statements for the period ended 31st December 2023 with respect to the department of Lands, Urban Fiscal Planning, Housing and Municipalities. This will be done by the chairperson sectorial committee.
2. A report by the sectorial committee on Tourism, Environment, Water and Natural Resources on the Bungoma County Government, consolidated first and Second Quarter Financial Statements for the period ended 31st December 2023.

That is the tentative programme for next week and with the permission from the chair, I submit.

Mr. Speaker: Hon. Members that is the tentative Order Paper for next week starting on 17th, which will be a Tuesday to 19th September 2024.

Hon. Members, let invite some few members to make remarks about our visitors in our public gallery, a school from Webuye East, Ndivisi ward accordingly. I think the host MCA will be the one to start.

Hon. Alfred Mukhanya: Thank you, Mr Speaker. Today I'm privileged to have teachers and students from my ward, Makuselwa High School to visit the county and see what we do in the assembly. I welcome you all teachers and students from my ward. You are welcome.

I want to thank the teachers and the students to have made the efforts of making sure that you visit the county today to learn what we do in the county assembly of Bungoma.

Briefly, I can talk about what we do in the assembly. As you are aware, we have the Speaker of the County Assembly who is seated in the front. In front of him are the clerks and as you are seeing, on this side we have the minority team and on the other side we have the majority of the Assembly.

As students, if you put in efforts, one day you can also become an MCA or you can be the Speaker or the Clerk.

We encourage our students who are going to sit for the exams that you have to work hard, so that tomorrow you also excel in the exams. If you have passed your exams you can knock on any door in the country.

With those few remarks, I want to say you are welcome and when you go back pass my greetings to those who didn't manage to come.

With those few remarks, I want to thank the County Assembly to have welcomed our students and teachers.

Mr. Speaker: Thank you, Hon. Alfred. Hon. Sudi Busolo, proceed! The microphone I'm seeing belongs to Sudi Busolo.

Hon. Isaiah Sudi: Hon. Speaker, it is Hon. Nyongesa who wanted to use it.

Mr. Speaker: He can't use it, you know it. You are reporting that he is not having his card.

Hon. Isaiah Sudi: But now that Speaker, you have allowed me...

(Laughter)

Mr. Speaker: You will say your words then Nyongesa will have his words. Proceed!

Hon. Isaiah Sudi: I can say maybe one or two words for encouraging students and teachers who have come all the way from Makuselwa Ndivisi ward to Bungoma. You know when you are in Ndivisi, you may think that you are not part of Bungoma but this is our headquarter. You have a very able MCA, Hon. Mukhanya and as it was stated by the Speaker, we have an able team here which will take you round and teach you the functions, how all that you are seeing here...What it does and all those things but I want to wish you well, journey mercies as you go back home. Come again to learn more.

Students, put in your effort because the exam is not very far. You have like five weeks to the exams. It's never late, but try your best and teachers also continue supporting candidates so that if they excel as a teacher, you have also excelled.

Mr. Speaker. Thank you, Hon. Isaiah Sudi. Hon. Hentry,

Hon. Hentry Nyongesa: Thank you, Hon. Speaker. I am a neighbour to Hon. Sudi and when I have challenges...

Mr. Speaker: Hon. Members, the challenge I have never been trained in sign language. But I'm seeing my members trying to talk to me in sign language, so it's very difficult. Let's proceed.

Hon. Hentry Nyongesa: Thank you, Hon. Speaker. I want to thank my able friend who represents Ndivisi ward and in extension the school called Makuselwa which is near Misemwa where my mother comes from.

Mr. Speaker: Hon. Hentry, I have heard you sometimes back saying that your mother comes from Webuye West and now you are saying Webuye East, which one is correct? Proceed.

Hon. Hentry Nyongesa: The Tachonis extend up to somewhere called Lufwosi in Webuye East where my mother comes from. I want to take this opportunity to thank the people of Ndivisi for electing my good friend Hon. Mukhanya who is dedicated in serving the people of Ndivisi Ward.

In this house we have the government and the opposition, so the students must know that we are having the opposition and the government side. I was always in the government side, and I have remained in the government side.

I want to urge the teaching fraternity to put up the burning mantle so that the school called Makuselwa can be heard in the county and at the national level.

When I was growing up was told that I will be a leader for tomorrow, sometimes I regret but Hon. Mukhanya has encouraged that the students who are with us today might even yearn to become MCAs, but coming here is a struggle, it need papers and integrity.

So, if you remain specific that you are on the line that you are not found on the wrong, you might be found here and here we do charity. That's why Honourable Mukhanya can go an extra mile to find one or two things for the school at a charity level.

So I will encourage students to become MCAs because we do legislation, oversight the government and do representation and in this house Hon. Mukhanya represents Ndivisi ward. What I want to encourage the students with is that when somebody asks them today what they want to be when we grow up they must mention lawyers and that is why we have Honourable Otsiula here as a lawyer.

So, we shall encourage them to go that line, to become lawyers or doctors and later they can become MCAs. Otherwise, when you come here without better English...

Mr. Speaker: Let me allow Hon. Aggrey, kindly resume your seat, he wants to inform you accordingly. Hon. Aggrey Mulongo, Inform him. Please proceed!

Hon. Aggrey Mulongo: Thank you, Mr. Speaker, sir, for giving me this chance. At least the speaker who has just been on the floor is misleading the House and the students. You can't say that minors papers, you can become an MCA. You know, it's not possible.

You are talking English. How do you associate that with the students? We are here to encourage the students.

Mr. Speaker: Hon. members, order! Proceed Hon. Mulongo!

Hon. Aggrey Mulongo: We are here to give encouragement to students. They need to read, they need to have papers, so that they can also become one of us.

Mr. Speaker: That information is more than sufficient. I won't be allowing any member to inform him, but Hon. Hentry, I think you strayed away from the real issues here.

I think we will remove that from the HANSARD. We will withdraw it so that we are able to have a clear HANSARD or else tomorrow you will be saying that those street boys will become MCAs in this House without education. It's what you are trying to imply.

(Loud Consultation)

It's okay. if it's done, let's proceed. I'm giving you back the microphone, please.

Hon. Hentry Nyongesa: Mr. Speaker, age also is catching up with most of the Hon. Members, I said...

Mr. Speaker: Hon. Hentry, are you saying we are elderly and not supposed to be here?

Hon. Hentry Nyongesa: Mr. Speaker, that's why I was specifying Hon. Otsiula that we want to encourage students to become lawyers and doctors so that they can at least start yearning for other things like MCAs. That's why I insisted, and I want to repeat, I want them to have better English than myself because I have gone to school and done administration but I want them to go higher so that when they come here they start talking about the lump skin when they refer to animals, they don't just call them cows, they call them lump skin, those are the nouns we want to hear from the students who will be coming here in future.

Mr. Speaker: Hon. Nyongesa, I'm now wondering what you took for lunch. Proceed!

(Laughter)

Hon. Hentry Nyongesa: Mr. Speaker, I want to encourage the teachers of the Makuselwa secondary school that you are on the right trajectory. I'm hoping that all the students are in form four, so we are expecting that because they are here, at the end of this year, as they sit for the exam, we are expecting flying colours. What I want to say.

Mr. Speaker: Wind up please!

Hon. Hentry Nyongesa: As I finish, flying colours do not just come on their own, they come after struggling. So read hard and forget about other things at the end of this year, these students will come up as very serious citizens of this country and call themselves lawyers and doctors, as I have said. I rest my case.

Mr. Speaker: Thank you, Hon. Hentry Nyongesa. Hon. Violet,

Hon. Violet Makhanu: Thank you, Hon. Speaker.

Mr. Speaker: When we were in high school, we used to be taught brief writing or summary writing, so summarise all you want to say the next speakers please. Proceed Hon. Violet,

Hon. Violet Makhanu: Thank you, Hon. Speaker, for giving me time to also say something on the students from Makuselwa. I'm Hon. Violet MCA for Mihuu Ward. Mihuu is the neighbouring ward to Ndivisi.

I want to appreciate Hon. Mukhanya for bringing the students and teachers of Makuselwa Secondary School to this Assembly.

I want to encourage the students who have been brought by the teachers. I know you have come here to learn something and as you leave this Assembly, I know you will go home with something in your head. As you can see in this assembly, we are MCAs from different Wards and we also have women leaders. I want to encourage lady students that wherever you are, look at us and imagine you can be in these positions of ours.

Even the male students, that wherever you are, you have men in this Assembly. Start admiring these seats where Hon. Mukhanya is sitting. I want to encourage that you start admiring those seats where your MCA is sitting because he's the MCA for Ndivisi.

Number two, I want to appreciate the teachers for bringing the students and request them that they should work hard to help our do their exams well and pass with flying colors. For the students, I want to encourage you, those who are candidates that as you go back, work hard, ensure that you pass the exams. That's when you'll be called somebody somewhere and you will be making us proud. You'll make your MCA, parents and teachers proud when you pass that exam.

So, I just want to wish you well that as you go back, work hard and prepare well and do the exams. The moment you pass those exams, we have bursaries and scholarships that will be able to enable you to go to school and maybe for higher education.

(HANSARD system develops technical hitch)

Mr. Speaker: In the meantime, we can have the wireless mics so that ...

Hon. Violet Makhanu: Mr. Speaker, as I finish up I just want to encourage students that as they go back to school let them prepare for exams and do well. We are wishing them good luck in exams and hope that you will pass the exams with flying colours. Thank you. I rest my case.

Mr. Speaker: Thank you. Hon. Tim Chikati.

Hon. Tim Chikati: Thank you, Mr. Speaker. I am a 100% sure that most of the teachers and students from Makuselwa seated in the public gallery might be my relatives because before

our parents moved to the settlement scheme in Tongaren constituency specifically Ndalú, we migrated from Makuselwa and just the way Hon. Mukhanya has put it, it doesn't matter which school you go to because as I stand here am a witness that my brother who happens to be the Member of Parliament for Tongaren went to Makuselwa Secondary school briefly before joining Teremi high.

I just want to encourage you that your teachers seated here are your next parents. Kindly get closer to them and as all of you know third term is the shortest period of terms in the academic year so as form fours, I know that by the end of next month most of you will be sitting for your final exams and as Honourable members have said if you want to become somebody today, this is the only chance you have so that tomorrow you can be called somebody.

Mr. Speaker: Thank you. I will allow Hon Joan Kiron'g. You will be given the mobile microphone so that we are sure that they are doing the rectification where the noise is coming from. Then I have seen Hon. Rugut online then Chemion! Up to that level then we will stop there. The rest I think we can postpone and wait for the next school when it comes around.

Hon. Joan Kiron'g: Asante sana Bwana Spika kwa kunipa fursa hii niseme machache kuhusu shule ambayo imetutembelea Makaselwe.

Mr. Speaker: Hon. Members that is the diversity of the county. Where I come from...Proceed!

Hon. Joan Kiron'g: Kwa hivyo nataka niseme karibuni katika bunge hili la Bungoma na vile mmeona tuko na waheshimiwa wa kiume na wa kike. Kwa hivyo nataka niwambie ya kwamba tuko hapa kwa sababu hata pia sisi tulisoma na mkiona naongea kiswahili pia katika bunge letu tunaruhusiwa kuongea lugha tatu ikiwa Kiswahili, kiingereza na lugha ya ishara. Kwa hivyo nataka niseme karibuni na niwapongeze.

Mkiona shule ambayo inapanga kuja kutembelea bunge jua kwanba hiyo shule iko na mikakati bora ya elimu. Kwa hivyo nataka niseme pongezi kwa wasomi hawa.

Nataka niambie walimu karibuni na asante kwa kazi ambayo mnaifanya maana mkiona hawa wasomi wote ni kazi ya mikono yenu. Kwa hivyo heko kwa kazi nzuri ambayo mnaifanya.

Nataka niambie bunge hili ya kwamba, hawa watu wakati nimeskia wanatoka kwa Mheshimiwa Mukhanya wajua uko watu wengi ni watachoni. Ni watu wetu wako na uhusiano na watu kutoka Mt. Elgon kama umeskia. Kwa hivyo kama kuna wachache wanatoka pale watachoni hao ni watu wetu na sisi tunafanya kazi mzuri na Mheshimiwa Mukhanya na asanteni sana kwa kumpigia kura aje awawakilishe katika bunge hili.

Nataka niseme pia watu wetu watachoni hawa ni watu wa maana sana nimeona watu wengi hapa akina Bishop hapa wamezaliwa na wasichana wa watachoni...

Mr. Speaker: Hon. Kiron'g, I am expecting you as the Deputy Leader of Majority to be descent in your language. Proceed but that line is not good. Just have some decency in what you are submitting.

Hon. Joan Kiron'g: Bwana Spika nataka tu niwaonyeshe ya kwamba wako na watu wao kwa mlima. Tuko. Kwa hivyo hao wang'an'gane na masomo ya upande huu. Tukikutana mahali tuendeleze jamii mbele.

Kwa hivyo vile mnaambiwa ya kwamba mimi ni naibu wa kiongozi wa walio wengi bungeni. Mmeona penye nimeketi na nataka niwaambie wasichana wetu ya kwamba ng'an'ganieni nafasi zenu kwa shule. Msiwachie wavulana ya kwamba sisi hatuwezi somo hili. Hii ni ya watoto wa kiume. Fanyeni maana hii dunia sisi wote tunan'gan'gania. Sio tu ya wanaume. Kwa hivyo fanyeni kazi na nataka niwatakie kila la heri wakati huu mnajiandaa kwa mtihami wenu wa mwisho wa mwaka. Nawatakie kila la heri, mfanye mtihami tuje tusherehekee na Mheshimiwa Mukhanya wakati mtakuwa mmepita. Kwa hayo machache. Ni mengi? peleka salamu zetu...

Mr. Speaker: Hon. Kiron'g, you are done. Hon. Rugut,

Hon. Angeline Rugut: Thank you, Mr. Speaker for the opportunity to address the students of Friends High School Makuselwa. Welcome to the County Assembly of Bungoma. This is a golden opportunity for you and I know throughout your life time you will keep on remembering this day because it's not every day that we have such a chance to be given an opportunity to sit with very important people.

I want to encourage you to work hard. So much has been said but it's the papers that will give you power to do whatever you want to do in your life. So, work hard, your parents have given you a chance, the only rewards you can give to your parents is to perform well, so you concentrate on your academic work and build on your character. Listen to your teachers, parents and your significant others. They will never mislead you. You are very young and you have a very promising future. Keep on praying and believe that you have a very long life, so you work hard so that for the rest of your life you enjoy and have fun.

We too here are very old but we still believe we have a long life and we are working hard to continue improving on our lives.

The girls, you have seen how many we are here. We are very few. So, girls work hard because I am talking about the girl child. We are few as women here so, work hard there is still so much space to fight for. Work hard so that you also acquire your space to lead and you realise that most of us women in this Assembly have come in through affirmative action. We have been nominated, specially elected meaning that the girls are not fighting for their space so even as you are in school, aim high, always prepare yourself to fight for your space as a girl.

It is out of fashion for a girl to get pregnant in school or before university so the girls I know the boys are here, they are your brothers. I want to just encourage you to be your sister's and brother's keeper. The boys keep on encouraging the girls so that no one messes them up.

Keep your legs closed so that you achieve your dream and I want you to listen to your teachers. They will always give you the best guidance and always aim at doing the right thing even if no one is seeing. If you do that, be very sure you are going to succeed in life.

I want to appreciate what you are doing. This is a noble duty, you know the sacrifices you make sure that these beautiful and handsome ones succeed in their life and God is going to reward you. Even as you do that, continue developing yourself, continue doing whatever will improve your life and as we all know, teachers' families always succeed. God rewards you in his own special way. As you go back home, greet your people. We wish you safe journey mercies, continue working hard and praying God.

Mr. Speaker: Thank you, Hon. Rugut.

(Applause)

I will have Hon. Chemion,!

Hon. Francis Chemion: Thank you, Hon. Speaker. I am not used to standing straight the way I am while contributing but.....

Mr. Speaker: But you have been a teacher for the rest of your life. What do you mean?

Hon. Francis Chemion: Makuselwa Secondary school is a school that we have heard. The name is known all over and it cannot be known if it is not doing good things. You can be known by doing bad things or good things but for this case Makuselwa is known for good things. As Assembly we want to encourage the teachers that you continue doing what you have been doing best. Continue teaching our students and giving them the necessary examination skills now that they are approaching KCSE. Continue encouraging and motivating them for the period that is remaining so that by the end of it all, our students do well in the forthcoming exam. We are very sure that with the good management that has been portrayed by the school management this school is in very good hands.

As a teacher, when you organise a trip like this, first of all it will expose the learners to real life experience. They will get motivated for having visited the County Assembly and Kibabii university the way it has been said. So, it's a very good thing that we encourage most of our schools to do so.

For the learners, know that you are supposed to fight for that space that is before you. Your destiny is in your hands. Work very hard; ensure that your morals and manners and behaviour are in tandem with the societal norms so that you do not go outside those norms that have been set by the society. The world is now agitating for a value based human being, you must cultivate values in whatever you do as a young person so that you will be admired by this world and you will serve in very many positions because of your values.

For Hon. Mukhanya, we want to echo you because you are a very strong member in this House. You really champion the rights and aspirations of the people of Ndivisi like no other MCA has ever represented that ward. So, we want to put it to the teachers and the students, as they go back, let them know that they have a very strong lion hearted representative of that ward who is always keen on putting the issues of Ndivisi on the table in this County Assembly. We hope that everything goes on well because of his strength.

I do not want to go beyond there. I just want to summarise by saying this House is composed of very many ethnic communities. It is a diverse team. We have those ones we call Kalenjins, the Baluhya. We also have the Thessalonians. They are in this House. That group that is called Iteso sometimes we call them the Thessalonians. They are also represented here.

(Applause)

Mr. Speaker: Hon. Chemion, before I allow interjections, I have never heard that tribe in this country called the Thessalonians.

Hon. Francis Chemion: Hon. Speaker, you have read in the bible. The first letter of Thessalonians and the second letter.

(Laughter)

And they are here. They will talk for themselves.

Mr. Speaker: I will not allow them for the time being.

Hon. Francis Chemion: In future.

Mr. Speaker: Wind up please!

Hon. Francis Chemion: Thank you Hon. Speaker. I end there.

Mr. Speaker: Thank you. Hon. Members. Hon. Mukoyandali, you want to make some brief remarks. Let me allow you to hear what you want to correct.

Hon. Job Mukoyandali: Thank you for giving me this chance. Let me inform a member. You see I am a teacher by profession and it's so much misleading now that we are having these students here. They have come here to learn. Once you introduce a new term to these children, that there is a group of people in Kenya called the Thessalonians, that is what they are going to write in their exams.

We are setting a very bad precedence as a House when we have students here let's use the right language and terms. If any Honourable member does not understand these terms, some of us are teachers we are here, we can still teach and we are ready to teach so let that word Thessalonians be expunged in entirety from our HANSARD so that it does not go on record that we have told students here that there is another clan called Thessalonians in Kenya.

Mr. Speaker: Agreed, let it be expunged. No rejoinder allowed. I have done so as a Chair. Hon. Members, allow me on behalf of the leadership of the House, the management of the Assembly wish the candidates of Makuselwa secondary school from Ndivisi ward all the best in their end year exam which am very sure is not far away from now. I wish you well and journey mercies back to school. Thank you. Next Item!

I was very specific; we are going through the motions in that order.

MOTION

REPORT BY THE JOINT COMMITTEE ON PUBLIC ADMINISTRATION AND ICT AND LABOUR RELATIONS MEMBERS SERVICES AND FACILITIES ON THE CONSIDERATION OF THE BUNGOMA COUNTY INTERNSHIP POLICY, 2024

Mr. Speaker: The mover!

Hon. Caleb Wanjala: Thank you, Hon. Speaker. I would like to take this opportunity to present to this House the joint committee on Public Administration and ICT, Labour Relation Members Service and Facility report on the consideration of the Bungoma County Internship Policy.

Page one is just acknowledgement, chapter one is preface. I begin.

Pursuant to the provision of the County Assembly of Bungoma SOS 206.....

Mr. Speaker: Be very clear. There is nothing called SOS in our records here. Its Standing Orders, if that is your report.

Hon. Caleb Wanjala: Thank you, Mr. Speaker. Standing Order 206; which provides for two committees of the Assembly considering similar matters with the approval of the Speaker to hold a committee of the Assembly with the approval of the Speaker to hold a joint sitting.

The Bungoma County Internship policy 2023 was tabled before the House on 21st November.

Mr. Speaker: *(Inaudible)*

(Technical hitch)

Hon. Caleb Wanjala: Let me begin again. Pursuant to the provisions of the County Assembly of Bungoma Standing Order 206 which provides the two committees of the Assembly considering similar matters with the approval of the Speaker to hold a joint sitting, The Bungoma County Internship policy 2023 was tabled before the House on 21st November

2023 and consequently referred to the joint committee of Public Administration and ICT and Labour Relation Member Service and Facility for consideration and reporting back to this House pursuant to Standing Order 217(5)(h) of the Bungoma County Assembly Standing Orders. The joint committee sought views from the Public through a notice in the Standard newspaper on Thursday 22nd February 2024 annexed inviting the members of the public to submit written memoranda of the policy on or before Thursday 29th February 2024.

Mandate of the Committee

The joint committee on Public Administration and ICT and Labour Relations Members Service and Facility are constituted under Standing order 217(1) of the County Assembly of Bungoma Standing Orders.

The mandate pursuant to Standing Order 217(5) includes

Mr. Speaker: Leave that one out and go to 102.

Hon. Caleb Wanjala: 102, Committee Membership;

Committees' Membership

Committee on Public Administration and ICT comprises of the following members:

- | | |
|----------------------------|------------------|
| 1. Hon. Tony Barasa | Chair person |
| 2. Hon. Caleb Wanjala | Vice chairperson |
| 3. Hon. Joseph Nyongesa | Member |
| 4. Hon. Jack Wambulwa | Member |
| 5. Hon. Busolo Sudi | Member |
| 6. Hon. Francis Chemion | Member |
| 7. Hon. Simotwo Franklin | Member |
| 8. Hon. Grace Sundukwa | Member |
| 9. Hon. Johnston Ipara | Member |
| 10. Hon. Cornelius Makhanu | Member |
| 11. Hon. Timothy Chikati | Member |
| 12. Hon. Stephen Kaiser | Member |
| 13. Hon. Jeremiah Kuloba | Member |
| 14. Hon. Job Mukoyandali | Member |
| 15. Hon. Brigid Katasi | Member |

The Committee on Labour Relations, Members Service, and Facilities comprises of the following members:

- | | |
|--------------------------|--------------------|
| 1. Hon. Hentry Nyongesa | - Chairperson |
| 2. Hon. Catherine Kituyi | - Vice Chairperson |
| 3. Hon. Joan Kirong | - Member |
| 4. Hon. Anthony Lusenaka | - Member |
| 5. Hon. Miliyah Masungu | - Member |
| 6. Hon. Polycarp Kimeta | - Member |
| 7. Hon. Everlyn Anyango | - Member |
| 8. Hon. Jerusa Aleu | - Member |

- | | |
|--------------------------|----------|
| 9. Hon. Brigid Katasi | - Member |
| 10. Hon. Metrine Wilson | - Member |
| 11. Hon. Caleb Wanjala | - Member |
| 12. Hon. Linda Kharakha | - Member |
| 13. Hon. Alice Kibaba | - Member |
| 14. Hon. Charles Nangulu | - Member |
| 15. Hon. Everton Nganga | - Member |

Acknowledgement

I would wish to take this opportunity to thank your office and the office of the clerk for facilitating the committee while discharging its mandate. In addition, I wish to salute the distinguished members of the joint committee for their input and valuable contribution to the report.

The committee also takes pride in the secretariat for their commitment and devotion in the completion of this report.

It's therefore my pleasant duty and privilege on behalf of the joint committee of Public Administration and ICT, Labour Relations, Member Service and Facility to table this report for the consideration of the Bungoma County Internship Policy 2023 and recommend for the adoption by this House.

Report signed Hon. Tony Barasa and Hon. Hentry Nyongesa Chairpersons Sectoral Committee on Public Administration and ICT and Committee on Labour Relations, Members Service, and Facilities

Mr. Speaker: Give us 2.1

Hon. Caleb Wanjala: Consideration of the Bungoma County Internship Policy

Policy Goals and Objectives

Policy Goal

The goal of the internship policy for the county public service is to provide the youth with opportunity to gain practical experience in the world of work.

Specific Objectives

The Specific objectives of the policy are:

- a. Ensure a well-structured and coordinated internship programme.
- b. Provide a framework and standards for all interns.
- c. Ensure effectiveness and efficiency of implementation and management of internship programme.
- d. Provide a framework for monitoring, evaluation and reporting for improvement and sustainability of the internship programmes.

Rationale for the Policy

Bungoma County is faced with the challenge of high rate of unemployment particularly among the youth. The challenge is worsened by lack of work experience that is relevant to the job market. The high unemployment rate among the youth has led to frustrations, increased dependency level and slow economic growth.

Other negative vices include increased poverty levels, drug abuse and crime. The above challenges negatively affect the realization of the Kenya vision 2030 as well as the county's economic development agenda. The county government has therefore prioritized job creation and increased youth employment by promoting internship for those graduating from training institutions.

This policy framework is therefore part of the county government strategy for promoting youth inclusion in the workplace.

Institutional Framework

The policy aims to provide a coordinated approach to the management and implementation of the internship programme to achieve its objectives. The following institutions/agencies will be involved in the management and implementation of this policy:

1. Bungoma County Public Service Board (CPSB)
2. County Departments and Agencies
3. Professional Regulatory Bodies

Bungoma County Public Service Board

The County Public Service Board will oversee the management and implementation of the internship programme. The service board will undertake the following:

- i. Issue policies and guidelines;
- ii. Collect, collate and put in the public domain information on internship opportunities in the public service;
- iii. Coordinate the selection of interns as present guidelines

County Departments and Agencies

County government department/ agencies and municipal boards shall be responsible for the implementation of this policy by:

- i. Identifying internship opportunities;
- ii. Generate and submitting internship opportunities to CHRAC through DHRAC for onward processing;
- iii. Implementing the internship policy and guidelines;
- iv. Budgeting for the internship programme;
- v. Supervising the interns;
- vi. Submit monthly and quarterly reports and on interns to county public service board through the county secretary;
- vii. Liaise with county treasury for funding of the internship programme.

Professional Regulatory bodies

Professional regulatory bodies regulate professional practice and shall:

- i. Develop programmes consistent with the fulfillment of the learning objectives of the internship programme;
- ii. Set and review the internship programmes;
- iii. Develop norms standards and evaluation criteria for the internship programme;
- iv. Register and license professionals after successful conclusion of the internship;
- v. Disseminate professional code of conduct.
- vi. Establish an appeals mechanism to hear appeals that may arise; receive reports and maintain a database on internship; monitor and evaluate the implementation of the internship programme in the public service; and
- vii. Undertake annual performance reviews of internship programmes.

Monitoring Evaluation and Reporting

The internship programme shall be monitored and evaluated to ascertain the extent to which its objectives have been met, and for purposes of instituting remedial measures. Monitoring and evaluation will ensure control and provide information needed for improvement and sustainability of the programme. Evaluation will further establish the extent to which the interns have benefited from the programme. The internship programme in will be carefully managed and coordinated for sustainability, consensus and shared ownership by all stakeholders in order to realize the internship programme goals and targets.

Monitoring and evaluation of the programme shall be undertaken through the following mechanisms:

- i. Monitoring of internship uptake trends and patterns for forecasting and planning purposes;
- ii. Determining the total number of interns who successfully complete the programme, obtain a letter of completion of internship and secure employment after the completion of the programme;
- iii. Establishing the degree to which management is satisfied with the value of and contribution made by the interns;
- iv. Preparing annual reports on the internship programme; and
- v. Reviewing the overall programme for purposes of improvements and alignment with the County strategic objectives.

Framework for Monitoring and Evaluation of the Internship Programme

Monitoring and Evaluation framework will be designed to ensure adoption of a participatory approach in the implementation of the internship programme. Attention shall be on the following:

- i. Definition of the main objectives and targets;
- ii. Selection of indicators to measure the efficiency and effectiveness of the internship activities;
- iii. Identification of lessons learnt and the reapplication of best practices; and
- iv. Involvement of stakeholders in the monitoring and evaluation of the internship programme.

Compliance with the policy & policy review

Compliance

This policy shall be applicable to all stakeholders to ensure effective implementation of the internship programme. Compliance in this Policy indicates adhering to guidelines, standards, operating procedures and regulations.

Non-Compliance

Non-compliance to this Policy shall be managed in accordance with the relevant legal and regulatory provisions.

Review of the Policy

The policy will be reviewed every three years or as need arises in order to address emerging issues.

Committees' Observations

The joint committees having scrutinized the policy made the following observations;

1. **THAT**, the policy is self-executing.
2. **THAT**, Clause 1.5 of the policy provides that the Internship program's mission is to promote effective internship program to the youth of Bungoma County which is contrary to article 27(4) of the constitution of Kenya 2010 and the employment Act 2007.
3. **THAT**, clause 3.8(i) provides that interns will be paid a monthly stipend as ay be determined by County Government of Bungoma and as guided by the Salaries and Remuneration commission which is the sole mandate of the salary and Remuneration Commission.
4. **THAT**, Clause 4.3 (VII) is providing for what has been adequately provided for in clause 3.8(i) that the County departments will make budgetary allocation for the stipend every Financial Year(FY)

Committees' Recommendations

The joint committees' notes that internship program is based on a County need and its one of the strategies that the County Government of Bungoma intends to apply as one way of dealing with the problem of youth unemployment. The committees' also notes that there is no policy framework to guide the implementation and management of interns in Bungoma County. Therefore the joint committees' strongly recommends that this House **approves** this policy with the following comments:

1. **THAT**, the department should take deliberate and appropriate steps and strategies to fully implement this Policy since it is self-executing and further legislation required in the course of its implementation shall be considered.
2. **THAT**, Clause 1.5 of the policy be amended to comply with article 27(4) of the Constitution of Kenya, 2010 and the employment Act 2007 on equity and inclusivity.

3. **THAT**, clause 3.8(i) be amended that the monthly stipend paid to interns will be guided by the salaries and remuneration commission and clause (ii) be deleted in its entirety. Moreover the County departments should make budgetary allocation for the stipend every Financial Year (FY).
4. **THAT**, Clause 4.3 (VII) of the policy be deleted in its entirety so that the County departments and municipal boards should not liaise with the County treasury for funding of the internship programme.

Conclusion

The joint committee is cognizant to the fact that the main challenge facing the County is the issue of youth unemployment which significantly affects economic development. High unemployment rate implies that a majority of the youth graduating from training institutions are not able to access employment opportunities in the public or private sector.

Internship Program will provide youth with an opportunity to acquire requisite training and practical skills that will make them suitable for absorption to substantive posts in the private and public sector. Therefore the committee recommends that this House considers and approves this policy.

ADOPTION SCHEDULE

The Members of the Joint Sectoral Committee's on Public Administration and ICT and Labour Relations Member Services and facilities hereby adopt and append their signatures to this report with the contents herein.

Thank you, Mr. Speaker, that is the end of our report. I now take this opportunity to invite Hon. Hentry Nyongesa to second the report.

Hon. Hentry Nyongesa: Thank you, Hon. Speaker. First, I want to congratulate my member on Labour Committee who is equally a member of Public Administration Committee. We sat and shared on the motion that has been moved. I stand to second this report that we have been operation on a delicate line by relying on national policy on internship and the young people have been suffering.

The national policy is categorical on some issues and learners in colleges will be in our county utilizing the recourses that we have. As I have said when the youth seek for employment most institutions have been looking at the experience and those that have never had an opportunity in any institution in their careers have been disadvantaged. This motion will assist us such that our brother and sisters now will enjoy the fruits of this county in whatever field of training as the opportunities to learn on internship will be accorded to them.

The committees have advised the county to have a budgetary allocation to take care of the students as they learn on job. I therefore second the report and urge that House approves this report for the benefit of our children.

Mr. Speaker: Thank you, Hon. Nyongesa:

(Question proposed)

Hon. Anthony Luseneka: Thank you Hon. Speaker. I support the motion because in this county we did not have this kind of policy. As rightly put by the seconder of the motion most of our young boys and girls have been suffering. Before they can be employed they have to show that they have the requisite experience before they are considered. This is an opportunity for our youth to take advantage of this internship program. I think this cuts across in the Executive and even the Assembly as a legal backing to absorb this young boys and girls.

The committees have gone ahead and proposed that we allocate funds for this program. I want to request this House that when we start the budgeting process we should consider allocating some funds towards this program because they are our own children and relatives who are going to benefit. I request that the House that we support and approve the motion for the good intention of supporting our young boys and girls. Thank you Hon. Speaker.

Hon. Ali Machani: Thank you Hon. Speaker. Sorry I came late. First I want to thank the students and teachers from Makuselwa in the public gallery for visiting this House. Back to report; I thank the committees for coming up with this report. From where I sit I support the report because it is something long overdue. Now that we are in the era of devolution, we believe that anything that has been happening nationally should be devolved so that counties can domesticate to accommodate our people. Like the students in the House after college they require a place to practice their skills acquired in the higher learning institutions. It is something important to us and the community and it going on record that we have approved a report that is going to allow students to acquire experience while on internship.

Those on the Appointments Committee and the Service Board are aware that every time we advertise any opportunity we normally talk about experience. This will now expose our children and they will enjoy the fruits and privileges. I am aware that we should serve all students across the country but it is also important that our sons and daughters don't get enough space to improve on their skills. I support.

Hon. Caleb Wanjala: (Mover to reply) Thank you, Hon. Speaker. I take this opportunity to concur with what Members have shared. Indeed this is timely and a game changer for the young people of this county. You realize that some of them when they finish their training they have nothing to begin with. Now that we have this policy in place it will help them to have something to begin with. Otherwise, I urge the House to adopt this report so that we can be able to make the young people of this great county smile and feel part of this county.

Mr. Speaker: Thank you Hon. Caleb Wanjala.

(Question put and agreed to)

The ayes have it. The policy and its recommendations are hereby adopted.

(Applause)

Next item,

**REPORT BY THE COMMITTEE ON TRADE, ENERGY AND
INDUSTRIALIZATION ON THE HALF YEAR FINANCIAL STATEMENTS FOR
THE FINANCIAL YEAR 2023/2024 FOR PERIOD ENDED 31ST DECEMBER, 2023**

Mr. Speaker: Chairperson Trade Committee, you will be required to move this report quickly because the CECM Finance is waiting to come in to give his response.

Hon. Bernard Kikechi (Chairperson Trade): Thank you Mr. Speaker. I am on my feet to move a motion on the Half-year financial statements for the period ended 31st December 2023 for the Committee of Trade, Energy and Industrialization.

Preamble

It is my duty to present the report by the Committee on Trade, Energy and Industrialization on the half year Financial Statements for the Financial Year 2023/2024 for period ended 31st December, 2023. The document was tabled in this County Assembly of Bungoma on 21st February, 2024 and stood committed to all Sectoral Committees for their interrogation, input and recommendation through a report to this House. The department appeared before the committee on 5th April, 2024 for interrogation.

The Mandate of the Committee

The mandate of the Committee is derived from the Standing Order 217 (5) and matters assigned under the Second Schedule which shall be exercised within the limits contemplated under Part 2 of the Fourth Schedule of the Constitution of Kenya, 2010.

Mr. Speaker, allow me to move to page 2.

Committee Membership

The following is the committee membership as currently constituted;

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|---------------------------|------------------|
| 1. Hon. Bernard Kikechi | Chairperson |
| 2. Hon. John K Wanyama | Vice chairperson |
| 3. Hon. Wafula Waiti | Member |
| 4. Hon. Kimeta Polycarp | Member |
| 5. Hon. Alfred Mukhanya | Member |
| 6. Hon. Metrine Nangalama | Member |
| 7. Hon. Alice Kibaba | Member |
| 8. Hon. Brigid Katasi | Member |
| 9. Hon. Angeline Rugut | Member |
| 10. Hon. Linda Kharakha | Member |
| 11. Hon. Aggrey Bosire | Member |

12. Hon. Florence Juma	Member
13. Hon. Godfrey Mukhwana	Member
14. Hon. Charles Nangulu	Member
15. Hon. Joan Kirong	Member

Guiding principles in the Examination of the Bungoma County Government Quarterly Reports and Financial statements

In the execution of its mandate, the Committee on Trade, Energy & Industrialization is given a legal backing under the Constitution of Kenya 2010, Public Finance Management Act, 2012, and County Governments Act, 2012. These statutory provisions include:

1. Constitutional Principles on Public Finance

Article 201 of the Constitution of Kenya, 2010 enacts fundamental principles that “...shall guide all aspects of public finance in the Republic...” These principles include, *inter alia*, that: 201(a) *there shall be openness and accountability, including public participation in financial matters*; 201(d) *Public money shall be used in a prudent and responsible way*; and 201(e) *financial management shall be responsible, and fiscal reporting shall be clear*.

Section 149(1) (a) and (b) of the PFM Act 2012 provides as follows... “*an accounting officer is accountable to the County Assembly for ensuring that the resources of the entity for which the officer is designated are used in a way that is;*

- a) Lawful and authorized*
- b) Effective, efficient, economical and transparent*

Acknowledgement

On behalf of the Committee, I wish to thank the office of the Speaker and that of the Clerk of the County Assembly for the willingness to facilitate the Committee during its assignment. I also acknowledge the Honourable Members and the secretariat for their utmost commitment towards the compilation of this report. I further do confirm that the recommendations of the Committee in this report were unanimous.

It is therefore my pleasant privilege and honour to present to this House the report of the Committee on Trade, Energy and Industrialization on the Half year financial statements for the period ended 31st December, 2023. This report is dully signed Mr. Speaker.

Overview of FY 2023/24 Budget

The County’s approved 1st supplementary budget for the FY 2023/24 was **Kshs.15,470,095,611** comprising **Kshs.5,643,037,428** allocation for development and **Kshs. 9,827,0528,184** for recurrent programmes.

Below is the Breakdown of the sources of Revenue:

<u>A. REVENUE</u>	
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<u>NO.</u>	<u>Source</u>	<u>Approved 1st Supplementary Estimates FY 2023/24</u>
1	Bal. b/f - (i) Equitable Share.	275,350,297
	ii Retention	150,000,000
2	Transfers from Central Government	11,111,983,608
3	Conditional Grant- National Government:	807,390,864
4	Conditional Grants- Development Partners:	946,289,771
5	Funds	158,808,217 of which Trade loan was Kshs. 125,679,933
6	Locally Generated AIA:	1,152,071,383
7	Local revenue as per expected finance act	868,201,471
	Total	15,470,095,611

TRADE, ENERGY & INDUSTRIALIZATION

The department of Trade Energy & Industrialization had an approved budget of Kshs. 863,274,599 comprising of Kshs 55,931,358 recurrent and Kshs. 807,343,241 for Development expenditure programs, broken down as follows;

a) Trade sub-sector

Trade section had an approved allocation of Kshs. 366,974,006 comprising of Kshs. 25,637,165 for recurrent and Kshs. 341,336,841 for development expenditures.

b) Energy sub sector

The Energy section had an approved allocation of **Kshs.79, 228,816** comprising of **Kshs. 23, 222, 416** for recurrent and **Kshs. 56,006,400** for development expenditures.

Electricity expenses had an allocation of **Kshs. 3,900,000** in the annual budget. From the consolidated reports, the department had not made any attempt to pay up part of the amount pending bill of **Kshs. 13,420,851** owed to Kenya Power for electricity expenses.

c) Industrialization

Industrialization section had an approved allocation of Kshs. 417,071,777 comprising of Kshs. 7,071,777 recurrent and Kshs. 410,000,000 for development expenditures.

Revenue Analysis

The department received a total of Kshs. 69,718,272, comprising of Kshs. 23,712,757 recurrent and Kshs. 46,005,515 development from exchequer to finance its various programs and activities by 31st December 2023.

Expenditure Analysis

a) General administration planning and support

The expenditure on personnel emolument for the department for the period under review was **Kshs. 9,614,177** out of an overall allocation of **Kshs. 26,078,993**. This translated to 37% of the entire allocation which was way below the expected absorption of approximately 50%. The department reported to have recorded a low absorption rate due to late exchequer releases; the salary vote for December 2023 came late in January 2024 therefore it was not factored in the expenditure. Further, while all the three directorates had their own budgets including salaries, the financial reports only indicated salaries being drawn from the Trade vote.

During interrogation, the department submitted that salaries were being drawn from the Trade and Energy directorates, whereas industrialization sector had nil expenditure because there were no officers under the directorate although they were in the process of hiring.

b) Administration Support services

Under Administration and support services, Trade had an allocation of Kshs. 3,294,871 of which Kshs. 2,780,834 (84% of the allocation) was spent. The Energy section had an allocation of Kshs. 14,715,603 where Kshs. 7,374,764 (50% of the allocation) was utilized while Industrialization's allocation was Kshs. 3,448,400 of which Kshs. 1,942,981 (56% of the allocation) was utilized.

Planning and support services incurred an expenditure of Kshs. 2,000,000 from a cumulative allocation of Kshs. 8,393,491, accounting for 24% of the allocated amount. Further, the Department provided a breakdown of the activities done under the above two aforementioned programs (administration support services and Planning support) totaling to Kshs 14, 098,579.

c) Development

The Trade section had an allocation of Kshs. 104,000,000 with an expenditure of Kshs. 41,006,345 on market infrastructure (39%). The expenditure relates to a payment for certificate of work done in Kamukuywa Market construction. The Energy access sub-program with an allocation of Kshs. 6,000,000 had an expenditure of Kshs. 4,999,170 (83%). There was no development expenditure under industrialization with an allocation of Kshs. 410,000,000. The department submitted to have made a request to Treasury but funds were not released on time i.e. by December 31st, 2023. Moreover, the National Treasury had not transferred its share of the co-funding by the end of December 2023. Further the department highlighted that release of funds was being fast-tracked and that funds amounting to Kshs. 60 Million per month shall be released by the National government as from May 2024 to fund the program.

d) Accounts Payables (Pending bills)

Pending Bills declared at the beginning of the financial year amounted to Kshs. 136,086,017 with Kshs. 17,867,140 being recurrent and Kshs. 118,218,877 being development. During the period under review, Kshs. 22,500,000 was settled leaving a balance of Kshs. 113,586,017. The department submitted a pending bill list amounting to Kshs. 123,078,700 comprising Of Kshs. 14,753,945 recurrent and Kshs. 108,324,755 development. The department also submitted to have settled Kshs.42, 493,600 with Kshs 2,500,000 recurrent (fuel and lubricants) and Kshs. 39,993,600 development. The discrepancies in the figures being

reported was as a result of the accounting basis being used i.e. the department used accrual basis in reporting while Treasury reported under the Cash basis.

e) Accounts receivables (Outstanding imprests)

The outstanding imprests stood at **Kshs. 1,817,000**. The department submitted a breakdown of standing imprest with the activities funded amounting to **2,795,580**.

Observation and Recommendations

Committee Observations

The committee made the following observations:

- i. **THAT**, the department submitted all the documents requested for interrogation, however, there were variances between the departmental submissions and Treasury report. The variance arose from the accounting model being used in that one entity uses cash basis while another one uses accrual basis.
- ii. **THAT**, the department had a total of **Kshs. 113,586,017** on pending bills.
- iii. **THAT**, the outstanding imprests of the Department stood at **Kshs. 1,817,000**.
- iv. **THAT**, County Treasury was cited as an impediment to the implementation of programs by the department. The department submitted that they make requests in time but Treasury delays or completely fails to release funds for these programs e.g the REREC co-funding.
- v. **THAT**, Electricity expenses had an allocation of **Kshs. 3,900,000** in the annual budget. However, from the consolidated reports, the department had not made any attempt to pay up part of the amount of the pending bill of **Kshs. 13,420,851** owed to Kenya Power for electricity expenses.
- vi. **THAT**, there was a closing balance of **Kshs 2,765,045.20** and **Kshs.2,893** in the trade loan accounts by the End of the Half year.

COMMITTEE RECOMMENDATIONS

The committee after deliberations made the following recommendations;

- i. **THAT**, the Department needs to harmonize the figures presented with Treasury so as to avoid reporting different figures to enhance the County Assembly effectively execute its oversight role. This can be achieved through adopting a unified accounting method of reporting.
- ii. **THAT**, pending Bills should be cleared as first charge wherever provisions are made in the budget.
- iii. **THAT**, all imprests should be surrendered within (7) working days after returning to duty station as provided by Regulation 93 (5) of PFM (County Governments) Regulations, 2015 as read together with Section 197(k) of the PFM Act, 2012. The accounting Officer should make reference to provisions of section 93 (6) of the PFM regulations 2015 for officers who fail to comply with the aforementioned provisions. Further, the committee recommends that the Department submits a status report of all imprests within 30 days after adoption of this report.
- iv. **THAT**, the County Treasury should release funds to departments in time to enable departments execute their programs and activities. In cases where the Treasury is not

able to release the funds in time, a feedback mechanism should be in place to ensure the implementing departments have a clear view of the status of their fund requisitions.

- v. **THAT**, the department should strive and clear the electricity bills owing to the fact that they were allocated an extra **Kshs.10,000,000** in the 1st supplementary which is sufficient to clear the bill. The Department should also submit an updated status report on electricity Bills within 30 days after adoption of this report.

Mr. Speaker: Hon. Member, proceed and invite the seconder of the report. I can see that you are forgetting.

Hon. Bernard Kikechi (Chairperson Trade): I was coming to that Hon. Speaker. I now call upon the MCA for Ndivisi Ward Hon. Alfred Mukhanya to second this report.

Hon. Alfred Mukhanya: Thank you, Mr. Speaker. I applaud the chairperson for moving this report in the right manner and urge this House to support the motion for adoption.

Just to make a few comments; first about harmonizing the figures as alluded to by the chairperson when accounting it is important the figures are harmonized.

On the pending bills; this has become a problem in this county and every time we are carried forward the figures. You are given 7 days to clear the imprest and most of the time we have taken more time to clear as expected. Another issue is on the timely release of funds. You realize that at times funds are not release on time and therefore paying for the bills become a problem. On electricity as rightly indicated there is Kshs. 10 million to be paid which is yet to be done. With those few remarks, I second the motion.

(Applause)

Mr. Speaker: Thank you, Hon. Mukhanya.

(Question proposed)

Hon. Ali Machani: Thank you, Mr. Speaker for allowing me commend on this report. First of all, I want to thank the Chairperson Trade Committee and his committee for coming up with this report. The report before us is an eye opener to all of us more so the chairpersons of committees that need to do oversight as sector committees on time. Oversight should not only be left to standing committee, instead, sector committees have a role to do serious oversight to assist this county on how the executive should work. Because I can see that there is laxity.

I have listened keenly especially on the recommendations where they have indicated laxity in the department. We are all aware that this department that can assist this county generate more revenue. As we do budgeting as a government based on estimates which is money that

we are targeting to collect but if the executive members can assist on time management in terms of implementation of activities approved by this House and spending money prudently. We are talking about harmonization of their records in terms of figures which implies laxity. I want to agree with each of us that why is it that the executive have recommended for reshuffle in dependents but people are resisting. It means in those departments people have built their times of operations and if you have been reshuffled and you have not surrendered an imprest you must resist. If you are not ready to harmonize figures and documents this makes the work of the department problematic. Committees cannot work well because every time you request for documents they are not even able to explain.

This has come out clearly including information on pending bills in this report. Why is it that we are having pending bills? Some one cannot say for three months without surrender of the imprest way above the 7 days legal period. Any surrender out days must be properly explained. We salute you because you are indicating to the executive to be equal to the task.

The only challenge is that it appears the executive arm of this government seem to be relaxed; all permanent officers including those hired on contracts must be equal to the task because when the current Governor finishes his last term they will still be in service and they must be able to explain what happened. The information we have is that people have overstayed in departments and they don't want to be moved. In fact on the issue of surrender of imprest the Chief Officer in charge should be serious and enforce the law. We must know the officers in this department who are holding imprests. In accounting everything done must have supporting documents to justify the expenditure.

Lastly, we want to point out that the County Treasury should release funds on time to enable departments implement their programmes and projects. Requisition must be clear on the intended activities for implementation despite the delays in release of funds. This has not come out clearly in this report.

We have an issue on energy in terms of electricity bills. They need to assist us that those areas that are generating more revenue to this county must get enough support. You will notice that they have erected lights on markets along the high like at Matulo and Ndengelwa is not really assisting. But on our markets are helpful because people are doing business for more hours. We must put more money where more money is being generated in order to assist the county generate more revenue. I support the report, thank you Mr. Speaker.

Hon. Caleb Wanjala: Thank you, Hon. Speaker. I also want to agree with Hon. Ali Machani on what he has said. Indeed Trade and Industrialization is a key department in this County if we have to improve on our own source revenue. You realize that as we speak there is no any industry that has been revamped or revived by this department. If you look at our existing market like Bukembe market in my ward which is a big market; but the toilets are in pathetic condition; there are no lights yet the county is generating a lot of revenue on this market.

Another issue is that as much as we want to improve on our own source revenue there are problems especially on the upcoming markets because there are no plans for these markets. We have people that are willing to invest in this county but the department is yet to do any sensitization to bring on board new investors to this county.

The issue of pending bills we have talked about it severally and as an Assembly we need to do something because this is just a name that they have created to siphon funds from this county. Some of these pending bills when you investigate them you realize it is just a hoax and not genuine. I think it is high time this Assembly...

Mr. Speaker: Hon. Caleb you are aware you sit on Budget Committee and if you go that direction it means you are honest or dishonest to us.

Hon. Caleb Wanjala: Mr. Speaker, I am honest because...

Mr. Speaker: On budget you always demand for list of pending bills before you allocate funds and when you say it is a hoax and avenue to siphon money, I wonder.

Hon. Caleb Wanjala: Mr. Speaker, I say that because just like the Hon. Machani said that when you ask the executive to avail information they don't avail including asking to shade light on some issues they don't. Sometimes they bring those documents when it's already late. For example we are on budget tracking and you realize that a lot of things are going on and as an Assembly we must rattle the executive work, deliver and make this county great. I support the report but something needs to be done. Thank you.

Hon. Anthony Luseneka: Thank you, Hon. Speaker. Hon. Speaker as much as Hon. Machani is indicated that we should move lights to other upcoming markets, I think Hon. Caleb voluntarily donated his to the Stadium and he should therefore complain.

During the financial year 2022/2023 when the Governor have his speech in this Assembly he mentioned that Ndengelwa Market will have high-mast flood lights which was captured in our records. Looking at this report, the lights have never been fixed up to date. I have made up a follow including going to the sector committee but nothing is fourth coming. It is in public domain that flood lights are supposed to be installed on Ndengelwa Market. Hon. Machani has confirmed that the market is active but without lights. The only lights available are street lights from Ndengelwa to Sikata which are not helping my people at the market which is dark. My suggestion is that the lights should be moved to the market instead of only lighting the streets because it is important for the market to operate where we are generating revenue. I talked to the Revenue Director who indicated that the market is contributing a lot to our local revenue.

This is an appeal to the Chairperson Trade Committee to follow up to ensure that the flood lights that we pronounced on the floor of this House by the Governor are installed on Ndengelwa Market.

Mr. Speaker: Thank You Hon. Luseneka our Leader of Minority. I now invite the Chairperson Committee on Trade, Energy and Industry Hon. Bernard Kikechi to reply to the motion.

Hon. Bernard Kikechi: Thank you Mr. Speaker Sir for again me this opportunity. First of all, I would like to thank the Members present in this House for sparing their time to listen and debate on this report.

I appreciate Hon. Luseneka because he came before the committee on the same issue and I would like to assure him that as the chairperson of the committee I have noted his concern and I will make a follow up the issue of flood lights on Ndengelwa Market. I equally appreciate Hon. Caleb the Bishop for...

Mr. Speaker: Hon. Kikechi, there is no Bishop on in this House, he is Hon. Caleb Wanjala.

Hon. Bernard Kikechi (Chairperson Trade): I am well guided Mr. Speaker. I note the concern as rightly put by Hon. Caleb and assure you that as a committee we have visited all the markets across the county even the one you mentioned. We are preparing a report as a committee which we will definitely share with the House when ready. All the issues as raised have been aptly captured the Hon. Caleb.

Again I would like to compliment my senior Hon. Machani who is an experienced law marker in this Assembly. Hon. Speaker when I was a young boy I used to hear his name and I did not know that one day I will sit with him in this House. He has put across valid points and I agree with him that as an Assembly we should continue...

Mr. Speaker: Honourable Members, during reply to the motion the law does not allow interjections. But I will ask to the responder to stick to issues raised by the Members.

Hon. Bernard Kikechi (Chairperson Trade): I agree with Hon. Ali Machani that as an Assembly we should continue providing our oversight role with zeal and energy. On the issue of un-surrendered imprest, even as a committee in our recommendations we are clear on this and I believe that the recommendations will be acted upon. I also agree with him that the areas which the County Government generates a lot of revenue indeed should be given priority in terms of resource allocation.

Otherwise, Hon. Speaker looking at this report, it is a comprehensive report done by the Committee on Trade, Energy and Industrialization and I request this House to approve it.

(Applause)

Mr. Speaker: Thank you Hon. Bernard Kikechi the Chairperson Committee on Trade, Energy and Industrialization.

(Question put and agreed to)

The ayes have it. The report, its observations and recommendations is hereby adopted by the House.

QUESTIONS AND STATEMENTS

For guidance purposes, we are going back to the issue of statements. We will have the CECM Finance come in together with the Chief Officer then we will allow the owner of the statement to read to the House before a response is done afterwards we will allow Members to ask questions arising from the response.

(CECM Finance and his team ushered to the House to respond to a statement as sought)

Hon. Members, before us we have the CECM Finance CPA Chrispinus Barasa accompanied by Treasury Chief Officer Robert Simiyu. Honourable Members we will now allow Hon. Ipara to read the statement again, the CECM will respond and clarification questions will be asked thereafter. CECM we had other business for consideration, we are sorry for keeping you waiting for long. Hon. Okasida?

Hon. Johnston Ipara: Thank you, Hon. Speaker. I raised a question which is under the weekly programme for today in relation to low revenue collection in the county. The CECM to respond to the following;

1. How many revenue officers do we have in the county and in each ward?
2. How many licensing officers and clerks are there in the county and in each ward?
3. What was the set target for revenue collection in the financial year 2022/2023?
4. What are the hindrances for the achievement of the set target
5. What are the control measures put in place to mitigate the challenges experienced in achieving the set target
6. Are there corruption practices in the county that attribute to not realizing the revenue targets? If yes what action has been taken?
7. Why was the current Revenue Officer for Tongaren transferred back to Tongaren despite having a bad record of service while serving there previously?
8. State the reason the Director revenue is unable to supervise well the staff under him to realize the set revenue target as the county revenue is dwindling
9. In the recent time the county contracted automation of revenue collection across the county, has it assisted the county realize its revenue collection dream? How secure is it? How much did it cost the county to source and is it still a viable project? That was my statement Hon. Speaker.

Mr. Speaker: Honourable Member, allow me now invite the CECM Finance to respond. CECM you will respond from where you are to make our work easier. Kindly proceed.

CECM Finance: Thank you Mr. Speaker. I will respond to each question

1. How many revenue officers do we have in the county and in each ward?

Below is the current staff establishment in a table format of Sub-County and Ward Revenue Officers. The current establishment is 481 officers carrying out revenue. Mr. Speaker, I have a complete table showing the 481 officer. I don't know if it is in order I read through?

Mr. Speaker: Go through it so that they are able to know

CECM Finance: Therefore;

Revenue Headquarters

One acting Director

One acting Deputy Director

10 section heads

7 accountants

4 ICT officers

15 other officers

Total of 38 officers

Revenue office Huduma Centre

One cashier

Webuye East Sub-County Office...

Mr. Speaker: On number two, you have skipped part of it.

Revenue office Huduma Centre

One billing clerk

One cashier

Total: two officers at this station

Webuye East Sub County Office

One Sub-County Revenue Officer

9 other officers

Maraka Ward

One Ward Revenue Officer

3 supervisors

14 collectors

Total of 18 officers

Mihuu Ward

One Ward Revenue Officer

One supervisor

2 collectors

Total of 4 officers

Ndivisi Ward

One Ward Revenue Officer

One Supervisor

6 collectors

Total of 8 officers

Webuye West Sub County

One Sub-County Revenue Officer

6 other officers

Total of 7 officers

Matulo Ward

One Ward Revenue Officer

One supervisor

10 collectors

Total of 12 officers

Bokoli Ward

One Ward Revenue Officer

One supervisor

1 collector

Total of 3 officers

Misikhu Ward

One Ward Revenue Officer

One supervisor

One collector

Total of 3 officers

Sitikho Ward

One Ward Revenue Officer

One supervisor

2 collectors

Total of 4 officers

Kanduyi Sub-County Officer

One Sub-County Revenue Officer
16 other officers
Total of 17 officers

Township Ward

One Ward Revenue Officer
4 supervisors
35 collectors
Total of 40 officers

Khalaba Ward

One Ward Revenue Officer
One supervisor
11 collectors
Total of 13 officers

Musikoma

One Ward Revenue Officer
One supervisor
4 collectors
Total of 6 officers

Tuuti/Marakaru Ward

One Ward Revenue Officer
Two supervisors
9 collectors
Total of 11 officers

Bukembe East Ward

One Ward Revenue Officer
Two supervisors
4 collectors
Total of 7 officers

Bukembe West Ward

One Ward Revenue Officer
One supervisor
2 collectors

Sangalo East Ward

One Ward Revenue Officer
Two supervisors
3 collectors

Sang'alo West Ward

One Ward Revenue Officer

One supervisor

4 collectors

Total of 6 officers

Kabuchai Sub-County Office

One Sub-County Revenue Officer

13 other officers

Total of 14 officers

Kabuchai/Chwele Ward

One Ward Revenue Officer

Two supervisors

20 collectors

Total of 23 officers

Luuya/ Bwake Ward

One Ward Revenue Officer

No supervisor

2 collectors

Total of 3 officers

West Nalondo Ward

One Ward Revenue Officer

One supervisor

1 collector

Total of 3 officers

Mukuyuni Ward

One Ward Revenue Officer

No supervisor

1 collector

Total of 2 officers

Mt. Elgon Sub-County Office

One Sub-County Revenue Officer

11 other officers

Total of 12 officers

Cheptais Ward

One Ward Revenue Officer

One supervisor

5 collectors
Total of 7 officers

Chepyuk Ward

One Ward Revenue Officer
One supervisor
4 collectors
Total of 6 officers

Chesikaki Ward

One Ward Revenue Officer
No supervisor
1 collector
Total of 2 officers

Elgon Ward

One Ward Revenue Officer
One supervisor
5 collectors
Total of 7 officers

Kapkateny Ward

One Ward Revenue Officer
One supervisor
6 collectors
Total of 8 officers

Kaptama Ward

One Ward Revenue Officer
Two supervisors
3 collectors
Total of 6 officers

Bumula Sub-County Officer

One Sub-County Revenue Officer
17 other officers

Bumula Ward

One Ward Revenue Officer
One collector
Total of 2 officers

Siboti Ward

One Ward Revenue Officer

3 collectors

Total of 4 officers

Kabula Ward

One Ward Revenue Officer

1 collector

Total of 2 officers

South Bukusu Ward

One Ward Revenue Officer

3 collectors

Total of 4 officers

West Bukusu

One Ward Revenue Officer

2 collectors

Total of 3 officers

Kimaeti Ward

One Ward Revenue Officer

3 collectors

Total of 4 officers

Khasoko Ward

1 Ward Revenue Officer

1 supervisor

2 Collectors 2,

Total of 3 officers

Kimilili Sub-County Office

1 Sub-County Revenue Officer

13 other officers

Total of 14 officers

Kimilili Ward

1 Ward Revenue Officer

1 Supervisor

14 Collectors

Total of 16 officers

Kamukuywa Ward

1 Ward Revenue Officer

1 Supervisor

10 Collectors

Total of 12 officers

Maeni Ward

1 Revenue Officer

2 Collectors

Total of 3 officers

Kibingei Ward

1 Ward Revenue Officer

1 Collector

Total of 2 officers

Tongaren Sub-County Office

1 Sub-County Revenue Officer

11 other officers

Total of 12 officers

Naitiri/ Kabuyefwe Ward

1 Ward Revenue Officer

2 Collectors

Total of 3 officers

Ndalul/ Tabani Ward

1 Ward Revenue Officer

6 Collectors

Total of 7 officers

Milima Ward

1 Ward Revenue Officer

1 Supervisor

2 Collectors

Total of 4 officers

Tongaren Ward

1 Ward Revenue Officer

1 Supervisor

2 Collectors

Total of 4 officers

Mbakalo Ward

1 Ward Revenue Officer

2 Collectors

Total of 3 officers

Mitua /Soysambu Ward

1 Ward Revenue Officer

1 Supervisor

2 Collectors

Total of 4 officers

Sirisia Sub-County Office,

1 Sub-County Revenue Officer

13 other officers

Total of 14 officers

Malakisi/ South Kulisiru

1 Ward Revenue Officer
2 Supervisors
9 Collectors
Total of 12 officers

Namwela Ward

1 Ward Revenue Officer
1 Supervisor
3 Collectors
Total of 5

Lwandanyi Ward

1 Ward Revenue Officer
3 Supervisor
9 Collectors
Total of 13 officers
Total for the entire county is 481

Mr. Speaker: Proceed.

CECM Finance: Issue number 2, how many Licensing Officers and Clerks are there in the county and in each ward. Below is a spread of Licensing Officers and Clerks across the county. Note that the Licensing Clerks are not assigned per ward but based on the sub-county.

Webuye East Sub-County

1 Sub-County Licensing Officer
4 Licensing Clerk

Webuye West Sub-County

1 Sub-County Licensing Officer
3 Licensing Clerk

Kanduyi Sub- County

1 Sub-County Licensing Officer
6 Licensing Clerk 6.

Kabuchai Sub-County

1 Sub-County Licensing Officer
5 Licensing Clerk

Bumula Sub County

1 Sub-County Licensing Officer

Mt.Elgon Sub County

1 Sub-County Licensing Officer
6 Licensing Clerk

Tongaren Sub County

1 Sub-County Licensing Officer
5 Licensing Officer

Sirisia Sub County

1 Sub-County Licensing Officer

5 Licensing Clerk

Kimilili Sub County

1 Sub-County Licensing Officer

4 Licensing Clerk

Issue number 3: What was the set revenue collection target for the financial year 2022-2023? The local revenue projection for 2022-2023 was set at Kshs 700 million and later revised into a supplementary budget to Kshs 500 million as highlighted below. I have given the table showing the target was 500 million indicated.

Issue number 4: What were the hindrances for the achievement of the set target?

Various cost-cutting challenges encountered over time have hampered effective revenue mobilization initiatives and these are the poor state of market, support infrastructure, including livestock, sell yards, sanitation facilities, slot houses, and poor drainage facility during rainy season. Revenue supervision, inspection, and enforcement faced mobility constraints. Vehicle allocated for these exercises are not enough.

Revenue departments have relied on employees on casual terms with uncertain job security and zero remuneration to undertake collection. This has demotivated their collection efforts and compromised certainty in revenue collection. Due to budgetary constraints towards revenue collector trainings and regular capacity building, trader sensitization, inspection, supervision, and enforcement efforts are required to enhance revenue collection.

Issue number 5: What is the control measures put in place to mitigate the challenges experienced in attainment of the set target? The following measures have been put in place to mitigate the aforementioned challenges;

- i. Departments are encouraged to allocate sufficient funds towards revenue-generated infrastructure, which will boost revenue collection.
- ii. Weekly performance appraisal for revenue collectors to monitor variations between collections and targets. This will enhance collection for market fees and related streams.
- iii. The county initiated procurement of 33 motorbikes to ease mobility. In addition, plans are underway to consider formal contracting for repairs and maintenance of existing revenue vehicles and periodical purchase of new vehicles to support supervision and collection of revenue.
- iv. Decentralization of revenue to departments where chief officers become collectors of revenue will provide enhanced administrative supervision support efforts.

- v. The enactment of the relevant pieces of legislation will assist to enforce revenue as stated below. Bungoma County Weights and measures Act 22023, Bungoma County Public Markets Amendment Bill 2023 , Bungoma County Outdoor Advertisement and signage bill 2023 , Bungoma County Registration and Management Amendment Bill 2023 , Bungoma County Inspectorate compliance and enforcement bill 2023 those were all enacted that time, Bungoma Finance amendment act 2023 in place
- vi. The County Public Service Board has employed some of the staff who was causals but still engaging the board for conclusive approach to the matter of causals.
- vii. Instituting the revenue compliance unit to check and monitor the revenue collection

Issue number 6: Are there corruption practices in the county that attribute to not realizing the targets? If yes, what action has been taken? There are cases of dishonesty which when it comes to our attention, we handle them accordingly as required by the human resource manual. During the interaction with the chief officer, we also provide cases that we have handled.

Issue number 7: Why was the current revenue officer Tongaren transferred back to Tongaren despite having a bad record of service while serving there previously?

Revenue officers undergo a rotation and given assignment and if there is officer with issues and the matter is reported, action will definitely be taken. Chair, I have attached the issue number seven with the, which I have here. The officer who was a licensing officer in Tongaren the only movement that was done that is Calistas Walela who moved from a licensing officer to sub-county revenue officer.

It was position change and during that time, it resulted to an increase of 14 million, comparison here is Ksh14, 076,223 to Kshs 16,562,285, the period between November to April and I have attached a table to show the resulting changes on that subject matter.

Issue Number 8: state the reason why the director of revenue is unable to supervise properly staff under him to realize set targets as the county revenue is dwindling.

Through performance contracting, it will be effective in terms of measuring output and outcome of an officer, but from the available information, revenue department on revenue results reported the following; Ksh352, 244,800 was realized as collection from local sources for the period ending 30th April, 2024 compared to Kshs322, 256,956 reported over the same period last financial year.

It is, however, worth noting that challenges highlighted under note four significantly contributed to collection deficit, see the trend over the medium term below and I have indicated that trend that gave a positive increase and I have also attached a revenue, a revenue trend up to the financial year, which I have attached here where the current, that's 2023, 2024,

we realized 454, 443 million revenue compared to 2022, 2023 of 379 within the same period. So there was an increase that realized during his supervision.

Issue number 9: When it came to my attention, I think it was not very clear when you read the statement and I had already mentioned this in the recent time. This is a statement in the recent time the county has assisted the county to realize how collection dream, how secure is it? I think there was a missing statement in between. That's why I wrote back and say the statement do not have a subject matter for response and I think I was not misquoted but I got the message I think is about the system because that was a missing statement.

But when the member has written, it referred to the revenue system, but this did not happen. So chair, I will bring out a there is a report chair to confirm how secure this system is and I have attached a revaluation report conducted by a task force, which I think I also gave a copy about Bungoma, specifically when they did the evaluation, the evaluation criteria out of a hundred, Bungoma system got 87% and Kwale got 90. And when you check exactly about Bungoma, these were the findings.

Both Kwale pay and Bungoma pumps are technically viable systems for adoption for revenue management across the counties. That is what that multi-sector team indicated about the findings about the two systems. And for Bungoma specifically, these were the findings; the system has been used for over three years and is web-based. It also uses mobile technology, citizen and enforcement officers access the system using configured devices. BAMS is integrated with the various commercial banks and has capability for integration with IFMIS.

And as we are talking about the on-source revenue, we now have our copyright. So the Bungoma County has evidence of the copyright certificate with us here. So in terms of security and viability, it was confirmed under this report and this committee was co-chaired; there were three chairs, which I will provide to the committee. The chair was also Hon. Ambassador Ukur Yatani, then former Governor Wycliffe Wangamati and also Joe Micheru, who co-chaired this task force that came up with Bungoma being a system that can be adopted across the county and I have attached all the reports that are necessary to confirm the viability of this system. I have also attached the contract sum of this contract, which was \$138 million for your reference. And I have the file here, chair.

Mr. Speaker: Yes Hon. Ipara, you have had the response, if you may want to seek clarification, please to ahead.

Hon. Johnston Ipara: Thank you, Hon. Speaker. Allow me to go item by item to the end, while raising the issues that have not been well addressed. The major title was low revenue collection and I thought that as a CPA and a respected member of our county, holding a very senior and serious position, I want if maybe because some of us are quacks, we could have addressed the issue first of all on low revenue on three categories. The first category on the systematic, the second category on structural.....

Mr. Speaker: What is the issue, Hon. Machani? Let me give you the microphone first.

Hon. Ali Machani: Hon. Speaker, I have a lot of respect to the Hon. Member, Hon. Ipara.

Mr. Speaker: Be loud enough. Use the microphone, please.

Hon. Ali Machani: I have a lot of respect to the Hon. Member, Hon. Ipara, in his own words, and I don't want it to be on record, mine as being expunged, is it in order for him to say that we are quacks, some of us we are quacks? People found here are not quacks. I think that one must be expunged from the list.

(Applause)

Mr. Speaker: Hon. Ipara, you call your colleagues quacks?

Hon. Johnston Ipara: Hon. Speaker, you have heard it from the respected Hon. Machani saying, I use the word we.

Mr. Speaker: Hon. Ipara, did you call your colleagues quacks, yes or no?

Hon. Johnston Ipara: I did not call the colleagues quack, I said we. And if the word we...

Mr. Speaker: So are you saying that I and you we are quacks where we are seated here?

Hon. Johnston Ipara: Hon. Speaker, if you got my word, it was some of us. Some of us....

Mr. Speaker: So you are saying members who are here, who are not members, some of them are quacks?

Hon. Johnston Ipara: Hon. Speaker, let me with all the honour and respect withdraw the word quacks.

(Applause)

Mr. Speaker: Proceed.

Hon. Johnston Ipara: Thank you, Hon. Speaker. Let me repeat, because Hon. Ali Machani, respected member of this house, has just diverted my attention. Let me return my attention to where it was.

I was saying when we are talking about low revenue collection, the key items that come in mind, number one is systematic, Number two is structural and Number three is administrative. Then the question to ask was, how do they affect low revenue collection? If we addressed that issue from that perspective, then it would have brought us to question

number one. Because what I say is this, when we talk about systematic, we talk about does the department coordinate its activities from the beginning to the end? And if it does coordinate, who is responsible at every level? And at what time are they called upon to account for the actions that they have taken for the period in question?

Number two, if I were, I could have addressed this issue on structural. How many multiple agencies are involved in the collection of revenue? Do we have lack of centralization where there is one person who calls the shots to ask what happened? , that was not done. And when it comes to the last one administrative, administrative is where the enforcement agencies are. Has it been said? No. We silently just went to the numbers because we don't want to discuss the pretty details where the matter matters. Let me walk out of there.

Let me go to question one: Most often we have been told that this is an area where we have casuals working under this section. From the first item to the last item under that category, item number 11, there's no single mention of where a category covering casuals is indicated. And up to this moment, none of us will walk out of this House knowing how many casuals, how many of them are involved directly in the collection of revenue, how much is paid to them, and is it necessary? This has not been done.

Mr. Speaker: Hon. Okasida, let us be very systematic. Issue number one, what did you want to know from the Treasury?

Hon. Johnston Ipara: Thank you, Hon. Speaker. I want to plead with you as a neutral empire.

Mr. Speaker: Let's be very specific here. What did you want to know? If you wanted to know how much are the casuals, how much are they paid? Be very specific.

Hon. Johnston Ipara: Hon. Speaker, with due respect, the word is revenue officers whether a casual or not a casual is involved in the collection of revenue. And here the word used is revenue. And if you want me to ask is, what are they doing in the field? Whether they are casuals or permanent staff? They are involved in the collection of revenue.

Then the question is, how many of them? The answer here is very explicit, out of 481, how many of them are casuals? This is not answered; I think you have no information of what it is.

Secondly, under this category, it is summarized in terms of numbers; Acting Deputy Director, one, if I were the one that is in that position, I could have explained this very clearly, that we are 481. Out of this, this is how they are categorized. You name an officer by her name or his name, based on the station they are. This is not provided, Hon. Speaker.

As even I walk out of there, we have not been told whether those numbers 481 are sufficient or they are deficient. It's not addressed. The reason what we are looking here, we are looking

for the cause as to why we are not able to collect what we said. How many licensing officers and clerks are there in the County and in each Ward? The same thing has been repeated. The numbers are given. They are not qualified by provisions of detail.

Let me go to question 3; here is where the whole confusion is; number one, we are given set targets for 2022/2023. When you go to the total, we are given that the expectation by that time was Ksh700, 000,000. Then it was revised in between. The period of revision is not mentioned.

Mr. Speaker: Hon. Ipara, you know I have respect for you. Who passes supplementary budget? It's us here, so when you revise the budget yourself and you are not knowing when to reduce the revision, then you are basically seeking unknown answers. You know, when I sit here, I know you pass the revised budget estimates, the set ceilings. Then when you say that it's not given here...

Hon. Johnston Ipara: I've not said it's not given. I've said that the initial set target is Ksh700, 000,000. The revised target is Ksh500, 000,000. I'm very clear here. And I want now to take you where the confusion is. Where the confusion is, is after revision. What was the actual collection? What did we collect at the end? Because this is now a declaration that is being made at the close of the financial year, as we submitted the financial statements for that particular period of time. Hon. Speaker, according to the available records, because these are public documents, for the financial year 2022/2023, actual collection was Ksh379, 219, 866, which intentionally has been omitted. And what we wanted is, we wanted information so that it can guide us whether we are on the right track or on the wrong track. Hon. Speaker, that is not...

Hon. Speaker: Hon. Ipara, you know why I'm trying to avoid interjecting you? Read item number two. You can't ask for projection as per the financial year, and then you say, what was collected? You ask for food, or you ask for meat, you are given meat. Don't ask for food, and then you say specific things. You know, your question is very simple. What was the set revenue collections target, financial year 2022-2023? That's what you wanted to know. Unless I'm the one getting you wrong.

Hon. Johnston Ipara: Thank you, Hon. Speaker, for getting concerned. Thank you for getting concerned. Hon. Speaker, let me proceed to question number four on hindrances. And in this time, I want to address the hindrances highlighted by the Department of Finance, and particularly, Hon. Speaker, pay your attention to hindrance number one, the poor state of markets. Hon. Speaker, if we were able in the financial year 2022/2023, we were able to collect Ksh504, 000,000.

What are these hindrances? What are we required to improve in the state of the markets? This is not said, it is generalized. Hon. Speaker, on item number two, revenue supervision, inspection, and enforcement, you yourself, you've just seen it, there indicated that we have four hundred and eighty one revenue officers. How did it become a hindrance, and we have

four hundred and eighty one officers to discharge a duty that they are assigned for? Hon. Speaker, revenue department has relied on employees on casual terms.

Who are these, Who are they? Why are their details not indicated on this reply? If really we have the casuals, and they are becoming a hindrance, who are they? And how much are we using to pay them under this particular item (iii). Hon. Speaker, we due respect all this that we are asking, Hon. Speaker, we are asking for the benefit of the County of Bungoma and the people of Bungoma County. What are the control measures? Hon. Speaker, the control measures, the response is there. The Department are engaged to allocate sufficient funds.

With due respect, I think that a money allocated to a department does not become a hindrance. A hindrance here, it is either a poor tax collection systems that we have laid or tax evasion, and how we address them. Political interference and how we deal with the political interference. Poor valuation; How we evaluate the rates of those properties that we have across the county; then how do you address that? We may say that my question is directed to a given direction, but we must also be allowed to think out of the box. Failure to diversify our revenue collection and the resources, and also the poor system that itself we've put in place.

Is it serving us to the initial intentions? The answer is no. We are saying are there corruption activities? The quick answer always, everybody likes to, including even me, I will say no. But it informs you that actually, the hindrances of we achieving our said targets, the major cause is corruption activities.

Failure to enforce regulations as they are; they may be there as mentioned by him, but are we enforcing them? Are we supervising to ensure that those officers we have assigned, they are doing the right thing? No. We are not saying this because that we hate anybody, no.

But it is because and out of the love we have for our County and the people we serve, seven, as I have stated, will address even number eight, because actually this is was just what was one such somewhere and say that I will just give a response to this and say that it is what has been realized. Hon. Speaker, I want to say this, on the last item, I want to say this, which was distorted, I don't know whether it was by design or by default, and even on other documents, it is very clear.

In this one, in the question that was forwarded to the CEC, the question was distorted. In the recent time, the County has assisted the County realize her collection dream. How secure is it? You see, very key words have been omitted, so that the CEC could have not arrived at what we intended to achieve.

Hon. Speaker, initially, when that automation was started in the County on item number nine, if you went and checked on the discussion that was had on the 23rd, February 2016, the objective was very clear. The objective was one, to seal leakages. Two, they said they wanted to raise revenue collection from Ksh504, 000,000 to Ksh783, 000,000. And they were saying this was to grow the target by 50%.

And what they also intended to achieve by that time, to reduce human interaction with the collection of fees and charges collected by those who do business within the County. Hon. Speaker, the question to ask that is not addressed, because actually what we've been told is we've only been taken to a document that was prepared by the Treasury. In regard to those who have decided to install automation in the collection of money which was not for Bungoma County.

Where is the system hosted? Is it hosted in a private property or in a government property? What is the agreement between us and the one who supplied? And at that particular time, it comes to this particular item, Hon. Speaker, the automation is supposed to be end-to-end encryption to prevent unauthorized person from accessing it. And if this particular automation is installed in a private property, the controls that have been put in place have not been mentioned. We are hiding our heads in a document that was prepared by Treasury for clear intention to see whether we are walking the journey towards automation.

We have not been told on access controls that are in place and who are authorized to access that. The administrator of the funds in Bungoma County, we have not been told, The issue of audit rails has not been revealed, when last was it audited, why are we not able to present the audit report to show that actually this is a real-time automation that serves the interest of the County of Bungoma and the people of Bungoma.

On the security; we've not been told how secure and if I were the CEC and the Chief Officer, what I would have done is to come up here with a gadget and display here in front of the this house on how money is paid and transferred to the bank. That has not been done

Because we are saying that our questions restricted and directed us to one direction.

Mr. Speaker: Yes, Hon. Ali Machani, what is the information? Before Hon....

Hon. Ali Machani: I'm in confusion. More so on the issue of the gadget; when I check into the statement there's no area where the gadget is required to be in this house. So I think to be clear on the record, let the Hon. Member remain on the statement so that we can be guided properly because I've also some reactions I want to raise and he has a very nice statement. So let him guide us properly because from his input is what will give us direction on how we can debate as a House. Thank you.

Mr. Speaker: Yes, Hon. Ipara.

Hon. Johnston Ipara: Hon. Speaker, and that's why when you find us using some words we are gotten off in offense. And one thing I want to tell the Honourable member, you read the question nine. Number nine is very clear. Unless maybe you want to tell us your eyes have been compromised. Not to see.

Mr. Speaker: Hon. Members, before I allow the information that people are seeking to do, if number nine was done properly on the floor of the House, the transmission to the other side is not complete. Can we see that there's a problem somehow with our transmission from our office to the Executive? Your question is very right, Hon. Ipara, the way it was put here. But now, if the CEC, what he caught, is not what we sought here, and is not having full information, don't you think it will be a problem for him to answer it the way it is. Your

statement is very much in order. But the question here is, what was taken to him? You are saying what is being shown here is incomplete. It's not the way it was taken to him.

Members, is it in order for him to answer what is not clearly specified to him. Yes Hon. Caleb,

Hon. Caleb Wanjala: Mr Speaker, can Hon. Ipara, he said that when I use some words, and the words he used was quacks. So is he...

Mr. Speaker: Second time he never said that anybody was a quack here.

Hon. Caleb Wanjala: But he said, Mr Speaker, when I use some words.

Mr. Speaker: Which words did you want to hear from him? He didn't say any word.

Hon. Caleb Wanjala: He didn't say, but earlier on...

Mr. Speaker: That one was withdrawn; it's not on the HANSARD. There's nothing to worry. Hon. Majority you want to say something now? I'm seeing you are online also. Or you want Ipara to finish first? Yes, Ipara, you have back your microphone.

Hon. Johnston Ipara: Hon. Speaker, based on the interest that this matter has attracted, and you can see on several times that Hon. Machani has been up, and you can see also the curiosity of Hon. Caleb.

Mr. Speaker: Hon. Caleb, interest was very different. It's the term that you are using is the one he was trying to question.

Hon. Johnston Ipara: But I was wondering, Hon. Speaker, he was here when I was withdrawing and he's asking Hon. Speaker.

Mr. Speaker: Sometimes age is a factor in these things. Let's proceed. Even you see Hon. Nangulu touching his head, because of age. Proceed.

Hon. Johnston Ipara: Hon. Speaker, let me say this. Let me say question number nine and the rest were not adequately addressed. And I want to leave it there, and you will allow me at the end to make my end submission, which will be in a short summary. Thank you, Hon. Speaker.

Mr. Speaker: Yes, Hon. Joseph Nyongesa will be the first one to go. Or let's allow the CEC to respond to the issues here first, and then be able to open the forum for other members to contribute. CEC and Chief Officer, you have the microphone to respond.

CECM Finance: Thank you, Hon. Speaker. I want to make this statement because I have a lot of respect for this House and also the Assembly. And as County Treasury, we also operate on compliance. If you have used the word, how many, it means you want the number, because if I answer my own question, then I will not be answering the questions that have been asked. This is a statement that has come seeking specific information. What I'm hearing coming out from the member who brought this statement is totally different from what was expected from where I am.

So I think, for me, if all information were clarified in the manner it is supposed to be given, then I would have answered that question. But a situation whereby it is perceived, I need to think outside the box so that I answer, then it fails to be a statement because many statements have come from this House and we have answered. And if they are not sufficient, then they are supposed to, we bring clarification for our answer.

But according to what has been indicated and how the member has tried to substantiate, Chair, it's totally different. So, we don't know whether any statement that comes from Assembly, we need to answer in our own version or we answer as indicated from the House, from the County Assembly. I think, Chair, I need that clarification.

Mr. Speaker: Hon. Members, whenever we seek a statement we seek specifications. The same way I told Hon. Ipara when you are asking for the number of revenue officers in the County and in each Ward. If he sought that they provide even individual names of the staff and their number of employment, be very specific and equally some of the staff that we are having in this County, some of them are on contract others are casuals, others even are interns. So when you seek such clarification, I think to me it could be good but now Hon. Ipara what you sought is very general, that you want the number of revenue officers; and I think members, going forward when you want to have particular details of a specific item, come out and specify, because when you come and ask me how many staff do you have in the Assembly, I will say I'm having 140, 125 P&P, some partisan staff of the speaker and even the ones you've been saying that speaker we are going for games, they are interns, except they are called so that they go and play. Because our staff in terms of interns but not as P&P in our payroll.

So members I think let's be very specific here, when you ask something, clarify and specify what is required, are we together? Yes, so let's be able to go on because we must finish these sittings now.

Hon. Sudi; are you having a card? Just use this dispatch because it is appearing... you have the card? It's okay.

Hon. Isaiah Sudi: Speaker, I also want to seek clarity from you, you know sometimes I may imagine of an issue to form a statement but you see we should also be guided by the researchers and the legal team of the Assembly, because you see as an MCA I only come up with an idea and the way questions are drafted, let our legal team also be proactive so that you see we have different academic background.

Mr. Speaker: Hon. Sudi, let's be very fair you are the originator of the statement, you've got the research to have done some work for you, you are the one to say what to be done, when you go home like the way you always go home with chicken you will say it be cooked deep fry, be boiled, be roasted or whichever name you want it be done. So let's be very honest members, be very specific.

Hon. Isaiah Sudi: The guidance Speaker...

Mr. speaker: Now when you assign a statement, I thought you are the one reading it first unless you want to change goalpost here members, that you go to the research, you say what you want to be done for you then you read it and say change for me here be done the way you want it to be done.

Hon. Johnston Ipara: Just a clarification Hon. Speaker.

Mr. Speaker: Yes, let me be able to come back to you.

Hon. Johnston Ipara: You've sited a good example, for this case we have 481 out of that who is supposed to tell us how many are permanent, out of that who is supposed to tell us ten are casuals, and out of that who is supposed to tell us three are interns, because all of them are attached and working in the same service of revenue collection because there is where they have been assigned. Hon. Speaker.

Mr. Speaker: From the statement did you specify that? Because if you want that one I can step down the CECM finance, he goes back, he brings back a response indicating, I have these casuals, have these and then we are able to move on.

Hon. Johnston Ipara: Hon. Speaker.

Mr. Speaker: Let's be able to agree members if you want us to step him down I will do it.

Hon. Johnston Ipara : Hon. Speaker, based on the facts that you've laid and based on the intentions of my question, I think they are not meeting and maybe the solution is on the last statement you've made sit down the CECM, let me rewrite the question and submit again so that we get the right information that we require.

Mr. Speaker: Yes Hon. Leader of Majority.

Hon. Joseph Juma (majority leader): Thank you, Mr. Speaker. First, let me appreciate the CECM for coming and again we say sorry for wasting a lot of time here we know you could be attending to some people in that office. With me, I have got the content and you know that even the CECM and chief have seen the intent of the question. You know what we are doing is really procedural for the department to improve in terms of revenue, so proposing that we step him down to come on another day is just a waste of time and resources also, but let's request you so that at least using this and hearing from the members, the department can improve in various issues.

My key concern is in the distribution of these revenue officers, I have traversed this county and I know about every market, but allow me Speaker, use this example of my Ward, the distribution of revenue officers like in Tuuti/Marakaru in total number they are 12. I know the size of Mayanja, Kibabii and partly Tuuti. Let me again use the example in Bumula sub county. That is Kimaeti Ward, I know the size of Kimaeti Market and even Miyanga market and you can see in Kimaeti we only have three, in Tuuti we have thirteen, and knowing the size of Miyanga Market, and there is a market day in Miyanga on Wednesday and these other days. In Mayanja the market day is on Tuesday and Saturday, but the size of Kimaeti as a

market, you know Kimaeti and Miyanga are two different things but only three revenue officers in charge of collection. So Waziri and Chief, if you want to improve, let's also balance this distribution of revenue officers to ensure efficiency, so that at least at the end of the day we shall realize what we intend to.

Otherwise, I really appreciate the owner of the statement for also opening up some issues for the department to know and improve so that at least we move forward knowing where there are weaknesses, how we improve it so that at least it can be well. Otherwise Hon. Ipara your intention was positive. Waziri even biblically it is said iron sharpens iron so you are being sharpened, take it easy and improve.

Mr. Speaker: Thank you. Hon. Nangulu

Hon. Charles Nangulu: Thank you, Hon. Speaker. First I take this opportunity to appreciate the owner of the statement that is Hon. Ipara for coming up with this.

From where I sit and what I have heard from Hon. Ipara about the first question about the numbers, Speaker it is important that when we put statements to the staff of this Assembly, as Mheshimiwa Sudi mentioned, we need help, most of us are actually not technocrats when it comes to bringing up questions so it is important that your research team which lies under you Hon. Speaker to give us better direction so that statements are answered in fully.

In this state as we sit here, Hon. Ipara will go home saying that his statement is not well responded to only because the team that is helping us come up with these statements is not giving us good direction as much as we could have wished to do that and then at the same time Hon. Speaker matters being discussed today are matters revenue I don't know why there should be a problem if the CECM and the team could actually elaborate more on this because by just giving their numbers it's not kind because no one will just want to know the numbers and that is it, there is a reason as why we want to know the numbers who are the casuals.

As we know in this County, the casuals that collect revenue in our markets, most of them have not been paid for the past five years, so Hon. Ipara, from where I sit we need to know why are we not getting revenue is it because of the casuals, is it because of the employment we have on this team. So Hon. Speaker if you just say we leave it like that the statement could be answered but Hon. Speaker it will be a compromised situation whereby the owner of the statement will not be satisfied with the response.

Mr. Speaker: Thank you, Hon. Charles. I think the research team ought to assist us, so that we are able to know what we are not supposed to do. Because if you give half-baked information, they don't assist you, then you end up having such a scenario. But the intent of the statement as said by our Majority Leader, it was made good because we are the one fighting for increased revenue. Can I have Hon. Waiti?

Hon. Waiti Wafula: Thank you, Hon. Speaker. I have very few concerns. And some of the concerns have been echoed by Majority Leader. So I may not repeat, but I just got this from the response from the Department. So my concern is only two issues. One, if the Department can avoid this issue of others, because if we have 481, like the Headquarters; you name the supervisor, the director, and what have you, and then others. You know, those others are probably the ones, some words were withdrawn here.

Number two, my main concern is on two areas; I just need an explanation from the department. Why Naitiri - Kabuyefwe ward was allocated zero position of supervision? And

also, Luuya/ Bwake and Kabula have no supervisor. So how is the department making sure that revenue collection is moving on well?

Mr. Speaker: Thank you, Hon. Waiti. I will have Hon. Deputy Speaker,

Hon. Stephen Wamalwa: Asante Mheshimiwa Spika. Mheshimiwa nashukuru kwa wakati huu, na nichukue nafasi hii nimshukuru vilele Waziri pamoja na Chifu kufika hapa. Swahi hili ni nzuri kutoka kwa Mheshimiwa Ipara. Na mimi nataka niombe ya kwamba, jinsi kiongozi wa Wengi amesema kwamba nia ya swali hili ni kufumbua macho na kufanya sisi zote kuaza kwa mapana. Na mahali nilipo mheshimwa natafakari na kusema kwamba waziri ameona, chief vile vile ameona na kwa hivo itakuwa ni si vizuri kwamba waziri atakuja kama leo amechukuwa siku nzima tukiwa tumeketi hivi hapa Kaunti imesimama. najua afisi na wizara hii ni wizara ambayo inachangamoto nyingi na inajoto kwa sababu ya kazi ambayo inafanyika katika Kaunti yetu.

Kwa hivo kule mbele mimi nataka niombe tunapo tengeneza mazwali yetu tueze kuangalia uwiano wa mazwali ambayo tunatumanisha. kwamba tutumanishe maswali pengine leo anajibu hivi na pengbina kesho mimim naamka na swali kama hilo naweza kutoma kwenye ofisi hiyo anarudi na swali lenyewe na majibu yalelyale na tena nakuja kuchukuwa mda mrefu. kwa hivo nataka kuomba bunge letu kwamba sisi tuew wanalifu sana na tukaweze kujua. tusemezane nyumba hii ni moja. nyumba hii nina waheshimiwa wabunge haina mahali wameandika ya kwamba kwenye kipachi chako kuwa wewe ni mbunge wa upinzani ama walio wachache ama wewe ni mjumbe wa walio wengi. sisi ni wajumbe katika hili bunge. kwa hivo kuna mabo ambayo lazima tuweze kuwa uwiano tunapo fanya kazi na kutumanisha maswali kule chini yawe ni maswali ambayo pengine hayawezi kuwa yale ya kujirudiarudia kwa kiswahili tunasema kuradidi. tusiweze kufanya mambo kama hayo.

Nikimalizia tu najua kuwa hilo mheshimiwa spikia limetiliwa maanani na kwamba tukitoka hapatunapika msasa tusikaweze kuchukuwa mda mwingi tubarakanye wasaa kwa njia kama hiyo. nikimaliza mheshimiwa Spika, nimeweza kuruhusu kwenye jadala ambalo kakangu mheshimiwa kiongozi wa wengi analo mkononi na ni kwamba kweli wafanyi kazi wale ambao wanchukuwa ushuru wetu yafaa wasiri pamoja na afisi yake wakirudi waweze kuangalia kwamba wameweza kuweka uwiano. kwa sababu ukiangalia kama Bukembe ni soko kubwa, ina magari mazitomazito ya kubeba mzigo lakini wale maafisa ni wachache, kwa hivo mimi tu nitasema kwamba kuenda mbele afisi na wizara nzima iweze kuketi na kuchora na kuona kwamba mahali ambapo tunahitaji kupata ushuru mwingi na kazi nin nyingi vilevile wale wahudumu wawe wengi pale. Mheshimiwa la mwisho kabisa tuimbe halelujah tusali kwa ndimi, tuzali kama tumepiga magoti ama tukiruka, kama wale wa dini ya Kidivai, ama tunyamaze na tuinamishe vichwa kama waisilamu ikiwa utamaduni desturi hulka tabia za wale ambao wanakusanaya ushuru hazitabadilika tukamuewka kwenye mzalaba kwa sababu ya hawa maafisa. tukifikiria kwamba ndipo tunafanya haki. katika Bibilia walisema kwamba watu walisema sulubisha Yesu lakini muachilie yule mwizi anaitwa nani sujui .. aende akitembea. Lazima turudi nyuma tujiulize ushuru huu hauendi juu kwa nini? ni waziri anakula? ana wale watu ambao wanatumika vibaya? ama ni watu wetu kutoka katika Wardi zetu.

Maafisa ambao wamepewa jukumu la kusanya ushuru hawafanyi kazi yao inavyopasa. kwa hivo tuanze vilevile hapo. wazungu wanazsema kwamba mahali penye shida inatokea ndipo mahali inatakikana tende tupate suluhisho. kwa hivo Mheshimiwa spika kando na haya tunayafanya, Mheshimiwa Ipara asante sana kunipigia saluti hata hivyo vilevile wakusanyaji ushuru ndio shida kubwa tulio nayo kwasababu ya tamaaduni ambayo imekolea ndani mwetu. watu wanapenda kuiba na wanaiba. Mheshimiwa tufaye namna gani, tutaimba nyimbo nyngi sana za tenzi lakinin ushuru wataendelea kuiba. asanteni sana Mungu atusadie.

Mr. Speaker; Hon. Nganga, sorry it is indicating someone else, when I said earlier that after him, I will have Hon. Kikechi, let me have Hon. Nganga,

Hon. Everton Nganga: Thank you, hon. Speaker for giving a chance to contribute to the response that was given by the executive concerning Hon. Ipara's statement. So I would like to thank Hon. Ipara for coming up with this statement. All that we are doing is just to assist the government meet the target set on the estimated in terms of revenue collection. Again I also want to thank the

As I have said that all that we are doing is just to assist the government to meet the target or the estimates in terms of revenue collection. Again I also want to thank CECM, CPA, CS, and Chrispinus Barasa. Actually, he was actually straight to the questions; to me he has tried to respond adequately to the queries/statement that was raised by Hon. Ipara. CECM and your Chief Officer, thank you for coming.

My concern here is that we normally compare the previous years with the current year's revenue collection. And again, under normal circumstances, when you are setting the revenue targets, you also look at the previous year's revenue collected, and even before you set the revenue to be collected for the current year. I know some of the strategies that the department came up with were to decentralize revenue collection. Actually, what they did, they decentralized revenue collection to departments so, what I only want to ask the CECM Finance, from what you did as compared to the previous year as compared to the previous year, those strategies assisting you, what is now the current status, you know Hon. Ipara asked a statement for the year 2022/2023, now, just give us hope, basing on what you are doing to improve revenue, and we as the County Assembly, with the assistance of Finance Committee, have you improved? What is the current revenue collected for the year 2023/2024, as compared to the year 2022/2023.

Again, Hon. Ipara also mentioned the revenue collecting system, the automated system. We, the Public Accounts and Investment committee passed here our recommendations, that actually this system is doing a disadvantage to the Bungoma County Government and we recommended that the system should be audited, it should be audited. So just comment on this system, how it is working, because Hon. Ipara also mentioned who is the administrator of this system, and where is it domiciled.

This system has appeared in many audit queries in the previous years, it has been mentioned several times.

The issue of casual laborers is a problem. Somebody who can collect revenue on an empty stomach is not permanent then we should expect more revenue leakages. It's a problem, but what steps have you taken, to make sure that these revenue collectors, those who are casuals, are comfortable? How do we as the County government trust these people to collect revenue when they are casuals? Sometimes they go without pay; it's a very big problem.

When we were interrogating the executive the other day, I was very happy to hear from the Chief Officer Finance, when he mentioned that revenue has increased. He said that it has gone up to Kshs.462Million from around three seventy something Million. Actually for every small effort, we have to compliment these people, every small effort. I'm a teacher and for a student to perform very well, every effort put in I must compliment him, then he will improve.

Mr. Speaker: Thank you, Hon. Nganga. I will have Hon. Kikechi,

Hon. Bernard Kikechi: Thank you, Mr. Speaker, sir, again for giving me this chance to also contribute on the matter before the floor of the House.

First of all, I want to applaud the owner of the statement Hon. Ipara, he has really raised crucial issues, which touch on matters of revenue in this county.

I also like to applaud our CECM and the Chief Officer for the response they have given. When you look through these responses and the questions that were put across, they have at least tried to respond.

My issue goes to the CECM, in your control measures, that's issue number five, you have outlined some control measures which you have put in place to mitigate the challenges which you have mentioned in the previous issue number four. My interest has been drawn to bullet number three, where you are saying the county initiated procurement of 32 motorcycles to ease mobility. In addition, plans are underway to consider framework contracting for repairs and maintenance of existing revenue vehicles and periodically purchase of new vehicles to support supervision and collection of revenue.

As a representative of Mbakalo Ward, recently, as clearly stated here, the launching and distribution of the motorcycles was presided over by the Governor of Bungoma County recently. There is a market called Mbakalo in the Ward which was recently rated among the top performing markets in terms of revenue collection. When they were awarding the motorcycles, I saw the name of Mbakalo Market had also been earmarked for a motorcycle so that the revenue collectors on that market can use it to improve revenue collection. But somehow, that was not done. The said motorcycle which was supposed to be given to Mbakalo Market, it was directed to another market. So when you will be responding, you should kindly assure me, or rather, inform me when that motorcycle...

Mr. Speaker: They don't assure you, they assure the House. They assure the House, now, when you say they assure you, I'm worried that you are personalizing the motorbike

Hon. Bernard Kikechi: Thank you for the correction. I'm guided. So, Hon. CECM, I would like you to assure this house that the motorcycle that was allocated to be used on Mbakalo Market will be delivered, because all the motorbikes were distributed and that market missed out.

Lastly, my curiosity has been picked by the Hon. CPA Nganga, he has raised a very valid point on the issue of casuals and I would like the CECM to note this, that a good number of permanent and pensionable staff always leaves the issue of revenue collection to casuals. Even when you walk around markets, you will find that it is only casuals who are doing revenue collection, you will never encounter a P&P staff on that market. It is like they have some very funny arrangement between them and casuals because, I wonder, when you go to a very busy market like Misikhu, I was there last Sunday, I was only encountering casuals. Even some of the casuals were requesting me that I assist them so that they can be employed on a permanent basis. When I asked them where their bosses or rather the P&P staffs were, they said that they never do work. It is their work to collect and report.

We have a serious gap there, which you need to address because these casuals, somebody has school-going children, somebody is hungry, and you are leaving the work of revenue collection in their hands. How do you trust such a person? Even me, how can I go hungry at home and I'm collecting thousands of money?

Mr. Speaker: Thank you, Hon. Kirong',

Hon. Joan Kirong: Thank you, Mr. Speaker, for giving me this chance. Let me applaud the owner of this statement, there is a time we had a meeting with the department, and there are strategies that they laid down on how to improve on revenue collection and one of the statements is number seven, that we transfer those officers who have overstayed in certain markets but after some time, those officers returned back to the initial markets and that has happened in my Ward. After two months, the revenue officer returned back and, there is complaint from the other business people saying that there are businessmen who are not remitting revenues. I want the department to tell us what went wrong about those transfers.

Mr. Speaker: Hon. Cheseto.

Hon. Martin Cheseto: Thank you. Hon. Speaker. Mine is just to add on issue number two, on how many licensing officers and clerks are there in the county.

I think the CECM has done well to give us, but unfortunately, unlike the revenue, the place of revenue, he has given us the county bosses but in the case of licensing officers, they have only shared sub-county licensing officers yet, the Bungoma County Trade Licensing Act 2027 provides for county trade licensing officer who is not appearing in this report, it makes me wonder, where do these sub-county officers report to? Who gives them instructions? And yet, the law has a place and the roles of the county trade licensing officer.

I think on what Hon. Okasida talked about when he was asking for the actuals, then the CEC in issue number four, he gave us the achievements, the hindrances against the achievement. Then it makes me wonder, what was this achievement and what were these targets? So if you can answer the question of achievement, achievement of what? Okay.

Then on issue number five, what are the control measures put in place to mitigate the challenges? I think there is a place on the decentralization of revenue to the chief officers. We know we have an institution here in the county, the institution of municipalities, they are semi-autonomous or they have some level of autonomy, if these responsibilities are given fully to them, definitely, I know the county of Bungoma is going to realize adequate revenues at least to run the functions that are devolved.

I want to appreciate the CECM on whatever he did in Tongaren, whereby he shifted the revenue person and gave him to be a licensing officer and there was an upward increase in revenue. I wish maybe the CECM could replicate the same to other sub-counties or some other wards so that we can raise revenue. On the issue of automation, I know it was not properly done, but maybe next time, I think, if they also provide printout, it will serve the purpose at least to get us informed.

Mr. Speaker: Thank you, Hon. Cheseto. Hon. Caleb,

Hon. Caleb Barasa: Thank you, Hon. Speaker for giving me an opportunity also to add my voice on the concern of the members concerning the issues raised by Hon. Okasida.

First of all, my main concern is on this issue of casuals, I know many e Members have touched on the same, but mine is just a question. Could it be a deliberate move that casuals are the ones that should be collecting revenue because for them, if someone even steals, action taken cannot be serious or painful to them? I don't know.

Another issue is that if you looked at our revenue collectors, those who are collecting revenue, even the uniform, Mr. Speaker, they look horrible. In fact, a good number of them are very drunkard, you can meet them at the market here and some are not even ready to use those automation machines. They can even say, give me something small. I don't know what plans the Waziri has to make sure that this does not continue.

Another issue is the existing markets. I don't know if our CECM Finance has a ranking on how these markets are performing and if yes, what is he doing to make sure that the existing markets are improved and we get more revenue? Let me give an example of my own market, Bukembe. As we speak, Bukembe is now a producing Ward because if you go to Bukembe, there are Lorries that are coming all the way from Moyale, some even from Nairobi, and they are carrying bananas, they are carrying avocados. Had we had a designated place where these commodities are picked, we know that we have revenue officers collecting or charging those trucks, we would be making a lot of money. But some of these things are done very early in

the morning and sometimes they are even done at night. So *Waziri* needs to tell us the plans he has to make sure that we improve on our revenues.

As I finish, you realize that there are markets which are being created and if we are creating markets, new markets, but we are not able to take care of the existing one, how sure are we that we will be able to make these markets better?

Lastly, as much as I applaud CEC Finance for the motorbikes, maybe the question we need to ask ourselves, if we are not collecting up to our target, and these motorbikes need fuel, these motorbikes need repair, will that help us, or even the little we are collecting will end up going on the repair of the fuel? So, those are my main concerns.

Otherwise, Waziri, I know this county is capable of collecting even one billion only if plans are put in place, this is a great county, and I know we can be able to raise our own source revenue, and that will help to spur development in our county. At the same time, it will attract investors, because people would want to go where this good business and conducive atmosphere for the business.

Mr. Speaker: Thank you, Hon. Caleb.

Hon. Ali Machani: Thank you, Hon. Speaker. First of all, I want to thank the Hon. Okasida Ipara for coming up with this statement. To me I want to take it as an eye-opener on how we can tighten our operations. I don't take it as a statement per say because when we go deeper the subject matter is low revenue in financial year 2022/2023. And I think from where I sit Hon. Okasida wanted us to use it as a mirror, which in comparison with what happened before and compared with 2022/2023 how are we prepared in this financial year to raise our revenue.

Again Hon. Speaker the statement as it was framed; we don't want to say that we were in a hurry because he said we use, I don't want to say that we were in a hurry but in some other words we can use it as an instrument to measure how serious our executive team is working to raise more revenue from the community. The issue on automation I think I if I can't miss some information in my memory. Away 2015/2016 we took the Members and the team from executive to Kiambu to learn how those areas are using automation machine to collect revenue and they were rated higher than us.

By then we had Hon. Ken Makelo Lusaka as the Governor and by that time he was the Chief Officer and the chief officer was in Lands as chief officer. What am I saying Hon. Speaker? It depends on the people using the machine. It depends on one who is using that machine that trust in our system. That's something we need to talk about and my advice also to the Hon. Members when we raise a statement it is not yours. It is for the consumption of the whole House that's why we are part of it. That's why the Honorable Members are raising concerns from different areas. That's why we are talking about regional balance. We are talking about the casual from our wards. We are talking about permanence in the system. I was one of

those from the local authorities. Those days we were forced even when we were in office to go to the markets and see how collection is done.

That's why Members are saying and if I say that Hon. Waiti is with me and those of you who are there that how committed is this team working with *Waziri* and that's why I can't sympathize for *Waziri* to be in this House. He's doing part of the work we vetted him to do. This man was sourced competitively. We did not just reward him. We had other candidates and we saw sense in him that he can hold that position. The same we did to the chief of staff. So coming to this House is not something that we should feel that we have offended him. But also on the other side is a matter of also getting prepared on framing our statements and that's what I can also say and I want to thank you Hon. Speaker that also the researchers needs to assist the Honorable Members.

We are not missing information but we are the people who are responsible, we are elected, we are nominated, we are representing some serious injuries whereby I cannot sit down and start writing or drafting or doing research and as a member of the Service Board. Hon. Speaker, I want to thank you for sourcing staffs here competitively. We have the legal team, we have the drafters, and we have the researchers. They need also to assist on pointing out grey areas that should be raised because from where I sit the statement was very clear and specific.

If I can go back when we are talking about revenues; we have instruments that will assist the government to raise revenue. When we are talking about low revenue, we have a human resource and we have the work plan. The work plan is planned by those in office. That's why we have annual development plan and in it that's where we plug out or we extract some activities to be handled in that financial year and that's where we develop our budget, where we allocate money to run those programs. Now what we are saying that we have already come up with the estimates in the finance estimates, that is the budget.

Now those estimates can only be actualized or be realized if we have tightened our collection systems because where we are heading, as a County government we are not going to rely much on national funding, waiting for exchequer. But if we are collecting properly and we tighten those loopholes and that's why when you are mentioning the CEC Member, with due respect, you are a financial wizard and we have a lot of respect to you, that yes, you pointed out that here we have 9, here we have 3, here we have 1, other areas we have gaps. Now you need also to tell us which other measures are you trying to put in place to fill those gaps and how can this Assembly assist you now that we are in a half financial year, we are going in the next month or November, we'll be having some arrangements to start planning for next financial year or in supplementary, how are we going to work out so that we can support. Because we are not here to criticize positively or negatively, we are here to criticize positively and also give you a solution.

And I want to thank Hon. Ipara, I think when I stood up, he thought I may go astray maybe. I'm with you and this House is with you. What we are having on the table is that we are missing something very important, that the people working with the CECM in finance, one, they are not supporting you at the top, there are people down there trying to curtail those at the top, feeling that you are enjoying, had they known that you are suffering. Because you cannot sit here 2-3 hours waiting to answer question on behalf of those people sitting there, collecting money, putting in the pockets, that we have a lot of challenges in your system. Even if you make reshuffle and transfers, I have seen this, people have formed a team. Hon. Majority and others, you are aware that the people in the system, when they are set in a corner, they don't want disturbance.

If you say you want to do transfers, they don't want. I had one staff I don't want to mention, he had married more than me, and you know I'm a polygamist. But he was....

Mr. Speaker: What do you mean? We don't understand yes i think....

Hon. Ali Machani: I think you get it later, Hon. Speaker, my faith and my belief allows me and gives me room to handle more than four. That is

Mr. Speaker: That's Muslim law.

Hon. Ali Machani: Yes, I don't want anybody to sympathize for me because I have never complained. What am I saying, Hon. Speaker? If a staff is a casual, or on permanent terms, and we have missed salary for three or four months, but he's enjoying. When he goes home like on Wednesday's in Webuye, he has about 10 paper bags, the green ones. Now it means there's some money he is raising to buy all these paper bags, because you must feed your families. Equally. Now, you have not been paid, or you are a casual, how are you feeding these people? Because you know, marrying is like buying a car, it's not an asset. You must pump in or you must give support. Hon. Speaker, what I'm driving to is that yes, we have a CEC Member there, we have a chief of staff there, but we have other people under the directors who are more superior than this serious team sitting here. And minus you the CEC Member breaking this gap, mix them, neutralize them, you'll have the same challenge.

My worry is you have set the target. I remember when you appeared before the Budget Committee, and those who are on the Budget Committee you can agree, they had said Kshs 700 million then told then to be realistic? They said, on the lower side they can raise Kshs. 500 million and on the higher side Kshs700 million. Then when we said, can you be factual? Now you landed on five hundred. In comparison with what you had raised before, Kshs. 504 Million. Chairman PAC you can agree with me. Now it means we wanted to give you a soft space for you to adjust the loopholes and raise. If we give you a target or you come up with a target of five hundred, then you raise to seven hundred, then we say that's a plus.

So, what am I saying Hon. Speaker, with your moderation, is that we want to impress you on what you are doing. When we call you here, we don't want to chant you or sabotage you. We want to impress you that when you hear a statement take time and give some serious analysis.

Anyway, you may not stick much on the statement and Hon. Ipara, that's what I think what he wanted to hear also, you know his background. He has been in the government system for some time. He wanted to get serious clarity on some specification. It's only that we missed when the statement was coming to you. But as our financial wizard, you went direct to specifics as it is.

But in the future, when you come, you need also to collect some serious information, like what you requested for, so when a statement is raised in this House and you come to answer, you answer a statement once for all, because we want to avoid where today Hon. Ipara has raised, tomorrow raise this, the other one raise this, now you will not have time to address other issues touching on the count important.

Mr. Speaker: Thank you, Hon. Machani. Hon. Cornelius,

Hon. Cornelius Makhanu: Thank you, Mr. Speaker. First of all, I would like to...

Mr. Speaker: Hon. Members, you are all protected. If someone has had time to ask a statement, you have your way also. Yes. Proceed.

Hon. Cornelius Makhanu: I would like first to thank Hon. Ipara for coming up with this statement. And it's from the responses of CECM that I have a concern and an observation.

My observation, Mr. Speaker is that out of the 481 Revenue Officers, I feel the distribution is not equitably done. Classic example, I want to mention three wards. I don't know how Mukuyuni has just one Revenue Officer and a Collector. Then Luuya/Bwake has three. Mine has about 11, Lwandanyi has about seven. A Revenue Officer, three supervisors, and the remainder are collectors. So I'm wondering, are there some wards without supervisors? Three supervisors in Lwandanyi with no supervisor in Mukuyuni?

So I'm looking at Mukuyuni and Bwake geographically, a single collector, Mr. Speaker and we want to meet our Revenue targets, is in that note overworking that collector. I wanted to know if we have a ward revenue officer, why we have supervisors. Or it's just designations given out. I thought the ward revenue officer is the overall and he supervises his staff. Why should we have a Revenue Officer? Then we have a supervisor and collectors. Like the three in Lwandanyi they are supervising, I don't know, four collectors, surely. It has to be done equitably.

Then my concern now Mr. Speaker, is about the system. We were told in this House before about the system, I'm told the system has been in existence for three years. 2019/2020, we were told here we collected very well. I think the highest during the pandemic. Now, can we compare before and after we got this system? How have we been faring? Were we doing better before when we got this system? And if so, even the Chair of PAC has said, why don't we audit this system if we have been doing badly before when we got the system. Mr. Speaker, I would like also to know the cost of this system for this County. How much was it? You know, in even software, we have upgrades, it's done periodically. It has to be updated.

We want also to know if these upgrades cost us some money or it's for free. Though Mr. Speaker, we want also to know how much is for maintenance.

Any system has to be maintained. We have been told it's watertight. It cannot be attacked by viruses. It cannot be hacked. But we have seen even banks like Equity bank was recently hacked and some billions disappeared. If we don't audit this system, you have had this mathematical word called algorithm or something, where the system is programmed in such a way that a certain amount of money can be going the other side, then a certain percentage is going the other side. We want to know this system is administered by how many administrators. This system is hosted where? Mr. Speaker, when we pay by this automated system, it's like blood in our bodies.

But the domain server that hosts this system is like the heart. Who hosts this system? Is the supplier of the system the same person who hosts the domain server or the server is hosted by another entity? Is this server hosted in our country locally or abroad? You have seen some, even during IEBC, you had some servers in Germany in France. Where is our system hosted? Mr. Speaker, does this system, once we are paid....

Mr. Speaker: Order Hon. Members, Proceed,

Hon. Cornelius Makhanu: How does the owner of this system pay us back what we have paid? Is it automatically going as we pay? Is it going to our accounts or first it goes to the server, then the host calculates how much he remits back to the county? I want to know. We would like even to know the printouts, how this money streams are going to the system, how much we are getting. Because...

Mr. Speaker: Hon. Sudi, Oder! Proceed

Hon. Cornelius Makhanu: We have heard where the owner of the system pays himself. I don't know if it's the case with us. I have seen on social media, Machakos County they raised Kshs.1.7 billion. Of course, because of its proximity to Nairobi, they have some factories. But what are they doing better than us? A county that is number five in the republic, I don't know Machakos is number what. Why are we still struggling? We don't even have a billion and we have a system. We wanted this system to better our revenue collections. Have we achieved that? If we haven't achieved, why don't we revert back to the old system? Mr. Speaker I repeat, we need to audit this system.

(Applause)

How many admins are accessing that system? Is it our staff? If yes we have any staff that has been licensed to access that system, we need to know. Otherwise, maybe it's just the owner of the system who accesses and does anything with the system. We don't know. We are just waiting for the remittance, which is wrong, Mr. Speaker. So maybe the CECM will look into

that. I finish and say, we need to audit that system. If it's not working for us, we should not continue with it. We better leave it and look for other alternative ways.

(Applause)

Mr. Speaker: Thank you, Hon. Cornelius. Hon. Sudi,

Hon. Isaiah Sudi: Thank you, Hon. Speaker. I want to concur with the Hon. Cornelius. I hope the CECM has taken these points very seriously. Because you see, we have to know where the system is hosted. I don't think you can marry a wife, and then you take that wife to your brother's home. Then you are safe, you stay elsewhere and you call that your wife. It can't happen. Let us see where the system...

Mr. Speaker: Hon. Sudi that was not an example you could use?

Hon. Isaiah Sudi: No, but that is more practical, Speaker. Because you see, you know how important the marriage is. And it is equally important as what we are talking about, because we cannot allow our own revenue to be controlled from another point, from another county. We are not a lesser county, Speaker. The CECM must expertise on what the Hon. Cornelius has said. Let us know where it is. And it should be relocated. Let it be relocated to Bungoma because we know it is not in Bungoma.

Mr. Speaker: Hon. Sudi, that line of argument I think I will cut you short. You have asked the question please wait for the response.

Hon. Isaiah Sudi: Let me now have it rightly. CEC tell us.

Mr. Speaker: He is going to respond finish what you are going to ask first

Hon. Isaiah Sudi: when the system is going to be in Bungoma, if it is not in Bungoma, I have a question still on target, what the hindrance; that's question four. But looking at the budget that we give the Department of Finance and Planning, the answers that I have been given is that the budget is supposed to address all the hindrances that is mentioned here, even monitoring and evaluation has a budget. All the departments in finance, I don't see why we cannot hit the target, all because small units in finance have more money than a department in Agriculture, Cooperative, and others. Why is it that this money cannot be converted and give us what we want? Money and human capital put together will bring good results.

Secondly, this issue of casuals, if indeed we mean well, the governor recently employed 194, he converted the 194 casuals into Permanent and pensionable. Among 194, we want to say that we cannot get part of them and be re-designated as revenue collectors. And we look for a budget and pay these casuals and tell them to go home if we cannot absorb them. Let us not keep on saying casuals, casuals, casuals. If you have a wound, you treat it. You cannot just say I have a wound, I have a wound. Can we put money and do away with casuals? We pay them because they have worked for us, because if it is another activity, we could collect money. We could have a special 2nd supplementary for that activity. Why is it that we cannot have a supplementary specifically for casuals and deal away with this issue or sort it? They

don't because you see, there's no way you can somehow jump out with a stomach like mine here, I go work and I go home minus money. And I know very well that I'm not on salary.

In fact, these casuals are better. If I was the one, I would pocket everything, because I know I'm not on P&P, because you're not going to take me anywhere. You're not going to sack me. I will sack myself. So can we be sober enough, be candid enough and do away with this circus?

Mr. Speaker: I'm worried Hon. Sudi when you are saying we be sober enough, are you saying we are not in our normal state of being sober?

Hon. Isaiah Sudi: Let me withdraw it, Speaker.

Mr. Speaker: Yes, proceed.

Hon. Isaiah Sudi: Be candid enough and solve this issue of casuals so that we see who is eating our revenue. Hon. Speaker, recently as I finish I saw on the paper, Murang'a County when they installed gadgets, they are now getting one billion. Bungoma after installing the gadget is when our revenue went down. Let us do away with this gadget, because Hon. Speaker, I want when the CECM when he leaves here and his chief, do go and study the trend of our collection during Covid? It went up, then immediately after when people started handling money in their hands, the trend again went down. Can we study that and see? That one will advise us and it will give us another. We can now see which streams and how were we getting, the way we are receiving money during COVID will guide us, because the money went up because all of us were, and now money was being paid through the system. And even the person handling the system, he feared COVID. Yes, he was, he didn't touch the machine and now the system operated independently and it gave us the results.

Mr. Speaker: Hon. Members, as you do so, I want you people to be mindful of the time.

Hon. Sudi Busolo: Mr. Speaker, let me rest my case from there.

Finally, as I rest my case, the distribution has been talked, but now I want to be very specific. Now, like for me...

Mr. Speaker: Members, let me say one thing. Nobody invokes 33(2) so as you are saying, you have one thing in mind. CEC must reply to some of your questions. If you did not invoke number 33(2) if it reaches seven o'clock, we'll have to adjourn.

Hon. Sudi Busolo: Mr. Speaker, let me leave it there because what I wanted to say has been touched and I'm very sure the CEC has written it down. He is going to do the necessary. Thank you.

Mr Speaker: Hon. Members, he didn't talk about what he wants to raise now, that time when we were engaging in a...

(Loud consultations)

There is contribution, point of order and point of information. And above all, this is not a motion.

In a motion you are allowed to contribute again. Okay. So Hon. Nangulu be brief enough members. Chemion, you have two minutes. Yes, two minutes each.

Hon. Charles Nangulu: Thank you, Mr. Speaker. . I will not talk a lot because I'm always very brief. Speaker, I'll just go straight to where we were talking about matters revenue. Mine is more of a way forward. From all the members who have contributed to this motion today, it looks like our revenue system is failing.

Actually, I wonder how CEC say that we were rated number three in the country because of the system and yet it has a lot of loopholes. As the CEC answers, let him tell us the top ten, because it should be at your fingertips. So that also, maybe if we make a follow-up and see, we know very well like even the bus stations we have here, the Easy Coach, the Tawfig, the Coast Bus, they pay quite a lot of money, which is standard. Can you just tell us the best ten?

Mr. Speaker: Hon. Members, what was being sought by Cornelius and the other members can be found in the system. Now you're asking top ten payers in terms of?

Hon. Charles Nangulu: Hon. Speaker, I think that should not be a problem, because we have a system that will just tell you who last year, which one was given good rates. It's just a button, so that...

Mr Speaker: As he sits hear can he be able to find out?

Hon. Charles Nangulu: Hon. Speaker, I've been to the CEC's office and they have a big screen that shows everything that happens, he knows it.

Mr. Speaker: In the office, not in this House.

Hon. Charles Nangulu: Hon. Speaker, we have a smart CEC, he can remember some small things like those ones. Last year we had a printout and I'm sure he knows.

I don't know why you're speaking on his behalf and he's nodding that he's going to work on it. Hon. Speaker, mine would be like way forward. Since this revenue collection system is not giving us what we want, I just wonder, maybe way forward, why can't we have an agency that can collect on our behalf? Nairobi had the same issue.

KRA came in and they're doing very well. If we can grab a Bungoma County revenue agency that collects revenue from all quarters, other than putting it in departments, We have departments that have been complaining, as we speak.

Like Lands, you go there; they don't know where to get their revenue from. They don't have the 481 members of the revenue staff. Most of them have almost like a number that's not equal to what they collect.

Why can't we have a County revenue agency that actually collects revenue or we outsource it. And I'm sure we shall get over Ksh1 billion, even Ksh2 billion, if we've got that kind of an agency. Because this agency will not be interfered with and we cannot give them targets, other than giving ourselves targets which we cannot get. Because, this target we are talking about, although it was passed here in the assembly that it comes from 700 to 500, but Hon. Speaker, if we can give an agency and give them targets, I'm sure we can collect enough or more than what we're doing today.

Given that our location, Hon. Speaker, we are located between two cities. We have Eldoret, we have the border, and we have Kisumu. Whatever is transported here, there's a lot of activities that will go to revenue collection that can give us quite substantive amount.

Hon. Speaker, I've mentioned this many times, even now maybe the CEC should tell us, how do you penalize the defaulters of paying revenue? Because, as I know, we've tried it and we've mentioned many times that we need to have a County court, whereby if you fail not to collect revenue and you're find doing business, you should be penalized. There's no way we penalize our defaulters in this County. We only penalize them by having their bag of sugar and go with it at home. If it's a motorbike, you take a motorbike and you keep it. Let's have a system that those penalties can actually be part of revenue that we get. And as many Counties in this country, you go there, they have the courts.

Mr. Speaker: Members, let me get your position. Do you expect a response from the CEC Finance? If you expect a response from him, you only have fifteen minutes.

You only have fifteen minutes. If it's seven, we'll stand up and go away.

Hon. Charles Nangulu: Hon. Speaker, we have 15 minutes

Mr. Speaker: Fifteen minutes and Chemion is online, Katasi is online? There's no problem. Wind up.

Hon. Charles Nangulu: Hon. Speaker, let's have an agency that actually can take over our revenue collection because this system is so porous. And the same system...

Mr. Speaker: What is the information Hon. Ali Machani?

Hon. Ali Machani: I want to inform the House that under our Standing Order number 33(i and ii), it seems we still have more speakers and we want to get a response. I do propose that we extend time.

Mr. Speaker: You can't extend time after 6.30 p.m. You ought to seek extension of time before 6.30 p.m. After 6.30 p.m., you can't. That's the position. Look at the Standing Order. Let me read it for you. That's 33(ii). So members, it's very clear, it's before 6.30 p.m. So, Hon. Nangulu wind up.

Hon. Charles Nangulu: Thank you, Mr. Speaker. Actually, I was about to finish about the system that we are talking about. And also, as Waziri responds to this, maybe you should tell us, why do we have a problem with the system? Why do we have Ethics and Anti-Corruption commission and Office of Auditor General querying this? Where is the problem?

Mr. Speaker: Yes, Hon. Chemion. That one is indicating Hon. Orize, not you.

Hon. Francis Chemion: Hon. Speaker, I just want to ask two questions. Question number one, I want to inquire from the CECM and Chief Officer whether they have involved the Chief Officers from departments and other revenue collectors in ensuring that each department collects revenue the way they have been collecting, or they collect even more.

Number two, I want to request that for us even to be appraised with this, why don't we also have dashboards of the collections in real-time, in the County Assembly, so that the Speaker in his office can also monitor how money is coming to that system, if the system will continue being there.

Mr. Speaker: Hon. Katasi.

Hon. Bridgit Katasi: Thank you, Mr Speaker. Mine is short. We were told each department is going to collect its own revenue. How far is the process and when is the same going to be implemented?

Mr. Speaker: Yes, I'll give one minute to Hon. Ipara and the CEC. Hon. Sudi what's the problem

Hon. Busolo Sudi: Hon. Speaker, under Standing Order 33 (3) (a), to extend this sitting.

Mr. Speaker: Read 33 (IV), at least 30 minutes before the time for adjournments. Hon. Ipara, proceed.

Hon. Johnston Ipara: Thank you, Hon. Speaker. First of all, I want to thank the members for their contributions. Secondly, I also want to regret for those who said that the CEC is

wasting his time here. The CEC is not wasting his time. He is working and ensuring that he takes what we are giving him to make sure he corrects the way things are being done.

Two, when we did ask the numbers, we never asked the numbers just for the numbers. We asked the numbers so that we know whether we can have efficiency and we are able to effectively collect the taxes. Two, we wanted to know whether we have the relevant numbers of officers who can enforce tax laws effectively. Hon. Speaker, when I rush to number three, I want to ask the CEC.

In future, our targets must be realistic, achievable, and aligned with the financial goals and economic conditions of the County. Hon. Speaker, lastly, on the computer system and the targets, I want the CEC to go and look at the books and see which figure was collected during the financial year 2022/2023. Because one, we have Ksh504 million which was used as the baseline of setting up the automation system.

And two, there is Ksh379 million which is declared in the financial statement as money that was collected during that particular year. Hon. Speaker, I also want the CEC as requested by Hon. Nganga and Hon. Makhanu...

Mr. Speaker: Please avoid repetition.

Hon. Johnston Ipara: No, there is no repetition here. What plans does he have? Because now we are running away from the numbers and it seems like he's getting protection.

Mr. Speaker: Now, protection from where?

Hon. Johnston Ipara: From all of us, Hon. Speaker. Let him declare where the system clearly is hosted and who is the administrator and whether the third party is involved.

Mr. Speaker: Thank you, Hon. Ipara. CEC Finance, proceed.

CECM FINANCE: Okay, thank you very much, Speaker. First, I want to appreciate the concerns that have been raised because we agreed it is part of measures to enhance revenue. One, I want to confirm about the system that this system is web-based and you can access it online and that's why it can even be configured in your phones and access it. Backup, if you check, we have backups and one of the backup; you know is iColo, Nairobi. It is the most known backup centre in Nairobi. So we have our own backup here but also there's backup in Nairobi. So, our system is online. You can access it. So, that's one of the things that need to be known.

Secondly, this system, we have our copyright. We have a certificate. It's our copyright. No one can use it. We own it and we have a certificate for that.

Then, another issue that need to be clear about this system. This system has been audited the third time and one of my policy statement which I indicate every year, I've also indicated it has to undergo periodic audit just to bring an assurance that the system we have, has not been interfered with. So, it is not that we do it maybe because of pressure, no. Any system must be audited periodically to bring assurance and as I was reading 2020/2022, there was another re-evaluation of the system which I'll also share with you to understand where we stand and I want to indicate to Members we were rated number two when that task force was looking for a system to be cross-cutting for all the Counties by the National Treasury and that's why Kwale County got 90 points and we got 87, So we were number two and even when we appeared before the IBEC that was clearly mentioned.

So, what we need to do for this House is to bring that assurance by doing another periodic audit and that has been mentioned in my policy statement which I also forwarded to Assembly. The second thing that I have mentioned, revenue has been decentralized. When you look at section 157 of the PFM Act, I appointed a receiver of revenue who is the Chief Officer Finance and the Chief Officer Finance appointed the Collector of Revenue as per section 158 (i). So, we have collectors of revenue who are accounting officers as we are talking. And that is in line with regulation 61 up to 64 that collectors of revenue should be accounting officers and they must also report as they report expenditure, they must also report on revenue. So as we have done, we have already mapped decentralization.

The second point, on why we have decentralized revenue, is that Finance now becomes compliance. We now perform compliance checks. That's why you find the Ward Revenue Officers, they are in Finance at the Ward level, because they need to perform compliance and one of the compliances is when they are going to check, they now carry out the data stock.

Like for example, if you are in a Ward, we want to know what are the shops existing in that Ward. Then we want to compare what are the departments collecting. So we give them the existing shops that are in that Ward and we also want to know how many they have collected.

Like for example, right now we're establishing the 70,000 motorbikes that are in the County. We are doing a list, cross-checking from the system, give the department in charge of Boda Boda to confirm those that have not paid to pursue them, which means now the targets we give, we are pegging on the real information we have. Now as finance, we have enough time to establish our exact parameters for projecting revenue. So when we project revenue, we don't use estimates. We use actually the estimates we have data on. That is the difference now in terms of establishing.

Then on casuals, they actually compromise revenue collection across the County. And one thing we have done is we have already had discussion with the Service Board so that we have an exit strategy. We have written to them to indicate that yes, we can say they were not being paid, but they have been collecting. We cannot just release them like that.

We have an exit strategy and we have agreed, at least we appreciate what they have done as we release them, then get the staff, like what *Mheshimiwa* has said, the 194 that were there, how do we distribute them so that they cover that? That is part of the strategy that we have already discussed with the Board and we have agreed on that. The other issue that we have even suggested right now is that dashboards are going to be provided in all departments. And now even Assembly, if it will require it will also be provided for you to know and it can still be configured in your phone to access this revenue.

The other notion that has been there, Chair, which I want also to bring out very clearly, that perhaps during COVID, we collected the highest. But I want to confirm to you, the highest revenue we have collected is 2023/2024, Ksh443 million. That's the highest. And during COVID, the highest was Ksh395 million.

And if you can allow me, I can give you a chronology of all this so that you appreciate that we are moving. When you look at 2013/2014, we collected local revenue of Ksh182 million, 2014/2015 Ksh333 million, 2015/2016 Ksh311 million, 2016/2017 Ksh304 million, 2017/2018 Ksh294 million, 2018/2019 Ksh325 million, 2019/2020 Ksh310 million, 2020/2021 Ksh395 million, 2021/2022 Kshs368 million, 2022/2023 Ksh379 million, 2023/2024 Ksh443 million.

So when you look at that, 2023/2024 is a year that we have seen some sharp increase. But we have also indicated that the biggest loss in revenue has come because we need to establish exactly our revenue data streams. Once we identify that and that's the role we are doing now, we now use it to project revenue.

Two, we remove casuals from the ground so that we just engage the officers. The gadgets they have been using, is not to collect revenue. This system, you are supposed to pay using Pay Bill and also direct deposit to the account. You are not supposed to handle cash. Anybody is not supposed to handle cash anywhere.

Secondly, I want also to confirm, this system is not shareable.

This system is wholly owned by County Government of Bungoma and there is nowhere in this system that there is any shareable point with the owner. The owner is paid on invoice, on annual maintenance.

All that we collect through the system is for the County. And that's the position. And I've also attached the annual maintenance cost of Ksh11 million per year. That is 8% of the contract sum I indicated of Ksh138 million. And that is paid through what we call the Service Level Agreement, which is known across on how systems are managed.

So, Chair, I wanted just to close by indicating issues that have been indicated about where they are. On motorbikes, *Mheshimiwa*, I think it's indicated. Maybe the motorbike did not reach your Ward. All motorbikes are going to be distributed to all the Wards because we

already had existing 14 motorbikes and we added 33. So, we are only going to balance and then take it to the Ward that doesn't have.

Then I think the issue of casualties I've indicated. On the discipline, we have had meetings with all the Chief Officers.

We have had meetings even the last time we did it in Kamukunji here, where the Speaker joined us. I've also done a circular on decentralization and also indicating that the Municipality is supposed to collect revenue so that it becomes a point of projection. So, Chair, we have done what we are supposed to do as Finance and we will also capture this strategy you have put to us so that we will continue improving revenue. Thank you.

Mr. Speaker: Thank you CECM. Hon. Members of the Committee on Finance, you can still invite the CECM Finance and ask members to appear so that you can have things done in an open forum where you can be able to exhaust the remaining issues that has not been covered properly. Owner of the statement, Hon. Ipara, thank you very much. It's good for all of us because we want to have enough revenue to fund our Ward projects and be able to fund our recurrent projects.

ADJOURNMENT

We adjourn and resume our sitting next week Tuesday. In the meantime, we will allow the CEC to exit first because we cannot exit simultaneously.

(The CECM for Finance and Planning (Mr. Chrispinus Barasa) exits the Chamber)

We adjourn and resume next week on Tuesday 17th of September, 2024 at 2:30 p.m.

The House rose at 7:11 p.m.