

**COUNTY GOVERNMENT OF BUNGOMA**

**COUNTY ASSEMBLY OF BUNGOMA**

**COUNTY ASSEMBLY DEBATES**

**THE DAILY HANSARD**

**WEDNESDAY, 10<sup>TH</sup> JULY, 2024**

**Morning Sitting**

**3<sup>rd</sup> County Assembly**

**3<sup>rd</sup> Session**

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# **COUNTY ASSEMBLY OF BUNGOMA**

## **THE DAILY HANSARD**

**WEDNESDAY, 10<sup>TH</sup> JULY, 2024**

The House met at the County assembly Chamber at 9:30 a.m.

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

### **PRAYER**

#### **COMMUNICATION FROM THE CHAIR ALTERATION OF THE ORDER PAPER**

Hon. Members, in view of the Order Paper that we are having before us ,I wish to take out Motion number 8 ; The report by Public Investment and Accounts committee on the report of the Order General on Bungoma County Assembly, Hon. Members Car and Mortgage and scheme fund for the year ending 30<sup>th</sup> of June 2021, Bungoma County Assembly staff car loan and mortgage scheme fund for the year ending 30<sup>th</sup> June 2022 and the financial statement of Bungoma County Assembly for the year ending 30<sup>th</sup> June 2022 .

The said report will be taken back to the HBC for fresh allocation of the same on our Order Paper, so we will be having Motion Number 9, 10 and 11 on the vetting and approval of Chief Officers.

#### **PhD STUDENT ON RESEARCH**

Equally, I have a request from one friend Omuse Mang`eni; this is a student at Jaramogi Oginga Odinga University of Science Technology pursuing a Doctorate of Philosophy in History. He is conducting a study titled Political Parties and Coalition Politics and Consolidation of Democracy in Kenya between 1963 and 2022. The researcher has chosen the County Assembly of Bungoma - Hon. Members to be respondent in this study. The information provided will be used for the sole purpose of the study.

The researcher understands the ethics of research as in the sensitivity of the information that will be collected. I therefore request on his behalf that the respondents not to put any information that could reveal the identity. Those forms are basically in Sergeants Department. It is a questionnaire; just pick one and fill it. Don't disclose your name, your Id and just put the information they are seeking and be able to give it back to the sergeants.

*(Applause)*

## PAPERS

### REPORT BY THE SECTORAL COMMITTEE ON EDUCATION AND VOCATIONAL TRAINING ON THE HALF YEAR FINANCIAL STATEMENTS FY 2023/2024

**Mr. Speaker:** Hon Otsiula, proceed.

**Hon. Otsiula Benjamin:** Thank you, Hon. Speaker. I wish to lay to the table of this House a report by the Sectoral Committee on Education and Vocational Training on the half year financial statements for the FY 2023/2024.

*(Paper laid by Hon. Benjamin Otsiula)*

**Mr. Speaker:** Hon. Members, the report by the sector Committee on Education and Vocational Training on the half financial year for the year FY 2023/2024 is hereby tabled and accordingly, it becomes the property of the House.

Next,

### REPORT BY THE SECTORAL COMMITTEE ON ROADS, TRANSPORT, INFRASTRUCTURE AND PUBLIC WORKS ON THE HALF YEAR FINANCIAL STATEMENTS FOR THE PERIOD ENDING 31<sup>ST</sup> DECEMBER, 2023

**Mr. Speaker:** Hon. Simotwo

**Hon. Frankline Simotwo:** Thank you, Mr. Speaker. I rise to table a report by Roads, Transport, Infrastructure and public works period ended 31st December 2023.

*(Paper laid by Hon. Frankline Simotwo)*

**Mr. Speaker:** Hon. Members, the report by the sector Committee on Roads, Transport, Infrastructure and Public Works on the half year financial statements for the period ending 31<sup>st</sup> of December 2023 is hereby tabled and accordingly it becomes the property of the House.

## NOTICES OF MOTION

### REPORT ON EDUCATION AND VOCATIONAL TRAINING ON HALF YEAR FINANCIAL STATEMENTS FOR FY 2023/2024

**Mr. Speaker:** Hon. Otsiula, proceed.

**Hon Benjamin Otsiula:** Thank you, Hon. Speaker. I raise to notice of motion that this House adopts the report on Education and Vocational Training on half year financial statements for FY 2023/2024.

**Mr. Speaker:** Hon. Members, the committee on Education and Vocational Training has duly issued a notice on its report pertaining education and vocational training on half year

financial statements for the FY2022/2024 .I do urge the table clerks to share this reports in advance to the MCAs .The same it will be coming up as motion on our Order Paper once scheduled by the HBC accordingly.

**SECTORAL COMMITTEE OF ROADS, TRANSPORT, INFRASTRUCTURE AND PUBLIC WORKS ON THE HALF YEAR FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31<sup>ST</sup> DECEMBER, 2023**

**Mr. Speaker:** Hon. Simotwo, proceed.

**Hon Franklyn Simotwo:** Thank you, Mr. Speaker. I rise to issue a notice of motion by the report by the sector Committee on Roads, Transport and Infrastructure on half year financial statement for the period ended 31<sup>st</sup> December, 2023.

**Mr. Speaker:** Thank you, Hon. Simotwo. Hon. Members, a notice of motion has been duly issued by the sector committee on Roads, Transport, Infrastructure and Public Works on its half year financial statements for the period ending 31<sup>st</sup> December, 2023. The same be shared with Hon. MCAs as it is going to come up on our Order Paper as a motion once scheduled by HBC.

**SPECIAL MOTION**

**REPORT ON THE VETTING OF THE NOMINEE FOR THE POSITION OF CHIEF OFFICER - GENDER AND CULTURE**

**Hon. Jack Kawa (Chairperson - Gender and Culture):** Thank you, Hon. Speaker. I am on my feet to move a report on the vetting of the nominee for the position of Chief Officer - Gender and Culture. If you may allow me jump some pages and go direct to acknowledgement

That the committee is grateful to the offices of the Speaker and the Clerk to the County Assembly for the support received during the vetting exercise. Further, the Chairperson appreciates the committee members and secretariat for overwhelming participation in the entire process. It is their commitment and dedication to duty that...

**Mr. Speaker:** Hon. Kawa you may have a challenge, you are reading a document you are on 1.4, I thought even if we summarize, let's have the members of the committee on HANSARD, just give us 1.2 then you go to 1.4

**Hon. Jack Kawa (Chairperson Gender and Culture):** Thank you for your guidance Hon. Speaker.

**Committee membership**

The committee on Gender, Culture and Social Welfare as currently constituted is composed of the following members

1. Hon. Jack Kawa	-Chairperson
2. Hon. Abraham Obama	-Vice Chairperson
3. Hon. Joseph Juma	-Member
4. Hon. James Mukhongo	-Member
5. Hon. Godfrey Wanyama	-Member
6. Hon. Alfred Mukhanya	-Member
7. Hon. George Tendet	-Member
8. Hon. Jeremiah Kuloba	-Member
9. Hon. Metrine Nangalama	-Member
10. Hon. Eunice Kirui	-Member
11. Hon. John Wanyama	-Member
12. Hon. Florence Juma	-Member
13. Hon. Mildred Barasa	-Member
14. Hon. Maurine Wafula	-Member
15. Hon. Sheila Sifuma	-Member

### **Acknowledgement**

That the committee is grateful to the offices of the Speaker and the Clerk of the County Assembly for the support received during the vetting exercise.

Further the chairperson appreciates the committee members and secretariat for the overwhelming participation in the entire process. It is because of their commitment and dedication to duty that the work of the committee and production of this report came to completion.

Finally, the committee acknowledges the nominee for the presentation and cooperation throughout the approval exercise.

It is therefore my duty on behalf of Gender, Culture and Social Welfare committee to table this report and its recommendation for adoption by this House.

It is signed by Hon. Jack Kawa, the chairperson for the committee

### **Executive Summary**

As per section 45(1)(a) of the County Governments Act 2012 and section 6(1) of the Public Appointments County Assemblies Approval Act 2017, His Excellency the Governor nominated Mr. David Maling'a Chemayiek for appointment as Chief Officer Gender and Culture. The nomination was conveyed to the Speaker of the County Assembly through a letter reference number CG/BGM/GV/CA/Vol.1/005 dated 18<sup>th</sup> June 2024. The same day, Hon. Speaker conveyed the message to the House and committed the name to the committee on Gender, Culture and Social Welfare for vetting and reporting to this House.

In accordance with article 196(1) of the Constitution, section 7(5) of Public Appointments County Assemblies Approval Act 2017 and standing Order 56(3), the Clerk of the County Assembly placed an advertisement in the Daily Nation on Thursday 20<sup>th</sup> June 2024 notifying

the public and inviting them to the vetting session on Monday 1<sup>st</sup> July 2024 at 11:30am and submission of memoranda by way of written statement of sworn affidavit on the suitability or otherwise of the nominee.

By close of the submission deadline, Thursday 27<sup>th</sup> June 2024 at 5:00pm, the committee had not received any memoranda. The nominee appeared before the committee as scheduled on Monday 1<sup>st</sup> July 2024 for approval hearing on his suitability or otherwise for appointment to the position of Chief Officer Gender and Culture. The committee examined the nominee against the following criteria of Public Appointments County Assemblies Approval Act (5) of 2017:

- Leadership and Integrity
- Academic qualification
- Employment record and Work experience
- Professional affiliation
- Potential Conflict of interest
- Knowledge of relevant subject
- Overall suitability for the position
- Vision and leadership

He met all the requirements.

The committee having considered the nominee's curriculum vitae, nominee's filed questionnaire and having heard his oral submission, it unanimously agreed that this House approves the nomination of Mr. David Maling'a Chemayiek for appointment by His Excellency the Governor as the Chief Officer Gender and Culture for Bungoma County Government.

Hon. Speaker, I go straight to 4.2.

### **Committee recommendation**

The committee having considered the nominee's curriculum vitae, nominee's filed questionnaire and having heard his oral submission, recommends that pursuant to section 9 (2) of the Public Appointment County Assemblies Approval Act 2017 and Standing Order 217(5)(g) of Bungoma County Assembly Standing Orders, Committee unanimously agreed that this House approves the nomination of Mr. David Maling'a Chemayiek for appointment by His Excellency, the Governor as the Chief Officer for Bungoma County Government.

**Mr. Speaker:** Hon. Members, I think it is not even interference of the sitting, that is more than what you are doing. Hon. Kawa proceed.

**Hon. Jack Kawa (Chairperson):** Thank you, Hon. Speaker. The consultations can make someone to be confused. Up to that point with your permission we have the adoption schedule; we the undersigned members of the committee on Gender, Culture and Social Welfare append our signatures adopting this report with the contents therein...

**Mr. Speaker:** Hon. Tony, you are at liberty to go out there and consult. Hon. Tony and Hon. Orize, if you can't be able to consult in low tones, I will send you out. You can go out, stay there as you go to the washroom and consult. There is no problem with that and come back and give me a feedback on the consultations.

*(Laughter)*

**Hon. Jack Kawa:** Let me with your permission call upon my member who is also the Leader of Majority to second this report.

**Hon. Joseph Nyongesa:** Thank you. Mr. Speaker. First, let me appreciate my Chair Gender, Hon. Jack Zakayo Kawa for moving the report of the nominee Mr. David Maling'a Chemayiek. I appreciate my chair for giving me this opportunity to second this report.

For awareness and for those members who were not in the Committee on Gender and Culture, allow me try and open up so that at least members could know who David Maling'a Chemayiek is. The moment the nominee appeared before the committee, his appearance showed that he is fit for the position and members of the committee were impressed because the guy was very smart, focused and determined to answer any question that was before him.

The way we gauged him, he was a good listener, he could listen and pause and give answers as per the question being asked. David Maling'a comes from Kaptama, Mt. Elgon. He was born on 14<sup>th</sup> June 1965 and well brought up by his parents by then and a very respectful person as we could gauge from how he was answering the questions.

Now that it is the issue of Gender and Culture, the nominee also proved that he has a family and he could take care of his family and take care of other people who are near him.

In terms of Education, the nominee qualified and he gave us an assurance that the issue of delayed procurement, he has a degree and a masters in terms of procurement and that he will always try to ensure that the process of procurement will be properly handled. The nominee was very steady and focused and point when answering questions.

When the nominee was asked about the issue of cultural sites, having come from Mt. Elgon he could again name some cultural sites in other parts of this County apart from Mt. Elgon and he clearly told us that we have a cultural site at Sudi Museum, Sang'alo and other sites and he told us that through his own initiative, we have to ensure that he partners up with private cultural sites and the public to ensure that the people of Bungoma know their culture and he will ensure that all tribes including the Tachoni, Batura where Hon. Wakili Otsiula comes from also enjoy their culture. We were really impressed...

**Mr. Speaker:** Hon. Tony, you will be given a chance to report to the House publicly your discussion with Hon. Orize. So don't worry about that, I am aware, proceed

**Hon. Joseph Juma:** Hon. Speaker, there came a question on street children and the nominee was very clear on it and I wish Hon. Jeremiah Kuloba could be present because he was an interested person on that issue of street children, and when I say so, also Hon. Ali Machani

knows the challenges these people are going through and Hon. Mukhongo who is not here. The nominee was very clear on this and he told the committee that he will come up with a children center which will be owned by the County to ensure that these children are taken care of; they get education and other things. That assurance was there.

When it came to the challenges of the boy child and the girl child, the nominee was very clear and he said that he is aware given that he is a parent, he will have to ensure that these challenges are reduced to ensure that everyone gets what is due for them.

On the general score, the nominee scored 82 marks, the overall showing that the nominee was able and suitable for this position. Having reached there, allow me second and urge this House to consider this name and approve it. We also again thank the appointing authority who is His Excellency, Hon. Kenneth Makelo Lusaka for appointing such a focused person to assist this County in the department of Gender and Culture, I second.

**Mr. Speaker:** Hon. Members, allow me now be able to proceed and propose a motion for debate.

*(Motion proposed)*

**Hon. Francis Chemion:** Hon. Speaker, David Chemayiek Maling'a hails from Kaptama Ward, he is a very humble guy, and he has enough experience...

**Mr. Speaker:** Hon. Chemion, you know you are my friend but some words avoid them, when you say humble, the measure of humble cannot be determined by us here. You know it...proceed.

**Hon. Francis Chemion:** Thank you, Hon. Speaker. His experience what the Leader of Majority said is true. He has worked in various national level positions and he is a person who has assisted the community through pro bono work. Most of the time when we have issues at the Ward level, he will come in handy. He is a disciplined and hardworking individual. I know if he is given the chance, he will deliver on the mandate that he was nominated for. The nominee is a resident of my ward and I believe he will deliver.

Therefore, I urge the House to approve this report to enable the Governor to formerly appoint him.

**Hon. Jack Kawa:** Thank you, Hon. Speaker. First, allow me to appreciate my seconder and equally Hon. Chemion and the whole House. I have read the mood of this House, they have given me some hope that the nominee's name will be approved and as the Chairperson of the committee, I can confirm that the nominee deserves our approval. He is a person who respects other leaders and more so he has been engaged in giving back to the community as indicated by the Hon. Chemion.

I urge the House to approve this nominee to assist the Governor serve the county without any interference especially now that the CECM is on suspension. Thank you Hon. Speaker.

So I just want to ask this House that let us approve the name so that the work of His Excellency, the Governor for serving this county can go without any interference. When we approve this name, I'm very sure as a committee, the circuit will be completed.

*(Question put and agreed to)*

The House has approved the appointment of David Malinga Chemayiek for appointment by His Excellency, the Governor of Bungoma County as the Chief Officer in the said docket.

Hon. Members, subsequently Section 11(1) and (2) of the Public Appointments and the County Assembly Act comes into play where the Clerk shall notify the appointing authority of the decision of the County Assembly within 14 days of its decision. The appointing authority shall upon the approval of the nominee for appointment by the County Assembly and subject to the applicable written law, appoint the nominee within 7 days from the date of the notification of the decision of the County Assembly under sub-section (1).

Next item,

#### **REPORT BY THE SECTORAL COMMITTEE ON FINANCE AND ECONOMIC PLANNING ON THE WEIGHTING OF THE NOMINEE FOR THE POSITION OF CHIEF OFFICER ECONOMIC PLANNING**

**Hon. Violet Makhanu: (Member)** Thank you, Hon. Speaker. I am on my feet to read a report on the vetting of the nominee to the Office of the County Chief Officer in the Department of Finance and Economic Planning in Bungoma County. I move this report on behalf of the Chair and the Committee on Finance and Economic Planning.

#### **COMMITTEE MEMBERSHIP**

The Committee currently consists of the following members;

1. Hon. James Muhongo-	Chairperson
2. Hon. Orize Kundu-	Vice-Chair
3. Hon. Stephen Wamalwa-	Member
4. Hon. Evelyn Mutiembu-	Member
5. Hon. Vitalis Wangila-	Member
6. Hon. Jack Kawa-	Member
7. Hon. Violet Makhanu-	Member
8. Hon. George Makari-	Member
9. Hon. Everton Nganga-	Member
10. Hon. Godfrey Mukhwana-	Member
11. Hon. Aggrey Mulongo-	Member
12. Hon. Tony Barasa-	Member
13. Hon. Francis Chemion-	Member
14. Hon. Christine Mukhongo-	Member

**ACKNOWLEDGEMENT**

Hon. Speaker, may I take this opportunity to acknowledge the members of the Committee on Finance and Economic Planning for their input during the approval hearing and deliberation during the writing of this report. The Committee further appreciates the offices of the Speaker and the Clerk of this County for the logistics and technical support accorded to it during the exercise.

On behalf of the Committee on Finance and Economic Planning and pursuant to Section 9(1) of the Public Appointments Act 2027 and the provisions of Standing Order 2027, it is now my duty and privilege to present to the House the report on the Committee on Finance and Economic Planning on the approval hearing of the nominee for appointment to the position of County Chief Officer.

**EXECUTIVE SUMMARY**

Pursuant to Section 45(1) of the Account Governments Act 2012 and Section 4 of the Public Appointments Act No.33 of 2017, His Excellency the Governor nominated CPA Andrew Wamukoya Sikenyi for appointment of Chief Officer, Economic Planning. The nomination was conveyed to the Speaker of the County Assembly through letter, reference number CG-BGM-GVN/CA-VOL 1-005 dated 18th June 2024.

On Tuesday, 18<sup>th</sup> June 2024, and pursuant to Standing Order 45(3) (c) the Speaker of the County Assembly read the message from His Excellency, the Governor communicating the names of the nominees to the House.

Pursuant to Section 4 of the Public Appointments Act 2017 and Standing Orders 217(5) (g) the name of the nominee was committed to the Committee on Finance and Economic Planning for vetting and reporting to the House within 21 sitting days. Consequently and in accordance with Section 7(10) of the Public Appointments Act 2017, the Clerk of the County Assembly placed an advertisement in the print media on Thursday 20th June, 2024 inviting the public to submit memoranda by way of written statements on oath on the suitability or otherwise of the nominees in accordance with the Public Appointments Act 2017. The advertisement indicated that the submissions were to be received by Thursday 27th June, 2024 at 5 p.m.

By close of the submission deadline, the Committee had not received any memoranda touching on the suitability of the nominee for appointment. Further, in fulfilment of the provisions of Acts 196(1) of the Constitution, Section 75 of the Public Appointments Act 2017 and Standing Order 56(3) the Clerk of the County Assembly on Thursday 20th June 2024 notified the public through the print media that the Committee on Finance and

Economic Planning would conduct the approval hearing on Monday 1st July 2024 between 8.30 to 10.00 a.m. at the County Assembly Plenary. The nominee appeared before the Committee as scheduled on Monday 1st July 2024 for approval hearing in accordance with the provision of the Constitution, the Public Appointments Act 2017 and the County Assembly Standing Orders on his sustainability or otherwise for appointment to the position of County Chief Officer.

The Committee retreated for report writing and considered the suitability, capacity and integrity of the nominee as pursuant to Section 92 of the Public Appointments Act No. 5 of 2017 and Bungoma County Assembly Standing Order 201(7)(5) the Committee unanimously recommended that the County Assembly approves the nomination of CPA Andrew Wamukoya of Sikenyi and as Chief Officer in the Department of Economic Planning in the County Government of Bungoma.

All the details of the report; we have the annexures in the report and I hope Members have gone through. I now want to take this time to call upon Hon. Chemion to second the report.

**Mr. Speaker:** Hon. Violet, read to us 4.1 on page 15, on the Committee general recommendation.

#### **COMMITTEE GENERAL RECOMMENDATION**

Having considered the suitability, capacity and integrity of the nominee and pursuant to Section 92 of the Public Appointments Act No. 5 of 2017, the Bungoma County Assembly Standing Order 217 (5) the Committee recommended that the County Assembly approve the nomination of C.P.A Andrew Wamukoya Sikenyi as Chief Officer in the Department of Economic Planning in the County Government of Bungoma. I now want to call upon Hon. Chemion to second.

**Hon. Francis Chemion:** Thank you, Hon. Speaker. As a member of the Finance Committee, we participated in vetting the nominee by the name C.P.A Andrew Wamukoya Sikenyi who was born in 1966 in Bumula and is now a resident of Kimaeti. He is a certified public accountant.

He has a Degree in Political Science from Wichita State University. Therefore, in terms of academic qualifications he qualifies to be appointed to this position. Hon. Speaker, cumulatively he has worked for more than 23 years.

He has an experience of more than 23 years and he has also worked in International Companies like Christian Corps International Auroza Company, USA. He also worked at Hope, Wichita, Kansas, USA. He worked at Wichita State University, USA. He has worked at Windsor Hotels International, Nairobi and Stanley Winthrop, that is Glasko SmithKline, Nairobi. In terms of his net worth, brother Sikenyi had a net worth of 12,300,000 and main sources of his income were salary, pig farming and a posho meal in Ndengelwa.

He is a member of ICPAK which is a professional body. In terms of potential conflict of interest, the nominee said he would always recuse himself if there is an issue that affects him directly. Equally, he does pro bono work in his area. He pays school fees. There are students who are orphans at St. Magdalene Kimatuni Secondary School.

On integrity, he is a law-abiding person. There was no issue raised during the vetting or even before the vetting. So, this is a person that has enough experience to run the planning docket, because that is the area that we need a planner. He has vast experience in terms of; first as an accounting officer, he is a CPA. Secondly, he has worked in those international organizations has what it takes for a Chief Officer to be put there to be in charge of planning.

When we asked him about the documents that he will require as a Chief Officer of Economic planning, he mentioned several of them, meaning he has the knowledge about it. He mentioned the issues of sector plans, urban and city plans, mid-term documents, county integrated development plans, ADP, and all others.

So he's grounded in the area of planning, budgeting, and etcetera. We asked him about the definition of finance, what is a finance bill? And he was able to tell us, it is a revenue-raising instrument in a county or at the national level. So that actually is a correct definition of a finance bill that is done yearly.

And that is an issue that even the members of the public should also be taught that it is something that happens every year from the time we got independence to date. It is not a new thing. We asked him about how he was going to help us fix the issue of pending bills. And he said to fix the issue of pending bills; it was a question of early preparation of BQs, advertisement, and ensuring that the projects that are supposed to be implemented are done in time, So that most of the projects would be completed and paid in time..

There was an issue of KRA penalties. We asked him to tell us how he would help manage these penalties that come from KRA. And he was able to tell us that it is just a question of compliance. What brings all these penalties is because of compliance to timelines and compliance to law guiding expenditures. That one, if we comply to those two, he said we would be able to manage the KRA penalties.

On revenue leakages, because we have leakages in our revenue department, and he's one of them now there, he said the streams, the revenue can realize a lot of revenue if first, the welfare of the staff who are working in that department is taken care of. And he also said he would ensure the revenue collectors who are on casual engagement are employed on permanent basis. That was his answer. And he added that the Department of Revenue should embrace digital technology and cultural change, that there should be cultural change in the area of revenue collection, that everybody who is involved in revenue collection should have a culture change. There should be behaviour and culture. You know, the culture is already

there of leakages. So he said he will ensure that they are trained so that there is behaviour and cultural change.

On the issue of pressure, he said he is used to it having worked in the international level, the pressure there is too much, and he was able to handle. So he said he would handle the issue of that.

On Chapter Six, all availed, and they were all valid. And therefore, I want to urge this house, that this nominee has all the credentials he has all the education that is required.

He is well-versed with that docket. Currently, he's working as an economic advisor to the Governor. Therefore, he knows, because economic planning is related to that being an economic advisor to the governor. And he knows this county, every corner of Bungoma County; he has transferred to this entire county. He has been in company of big people in our County, in all these other areas. So I want to urge, and request, and implore, this Honourable House to approve the name of this very, very good person, C.P.A. Sikenyi. I second.

**Mr. Speaker:** Thank you, Hon. Chemion. Hon. Members, I allow me be able to propose a motion for debate. Hon. Members, a motion has been moved, and seconded, that this House adopts the report by the Sector Committee on Finance and Economic Planning on the vetting of the nominee for the position of the Chief Officer for Economic and Planning, and specifically, that pursuant to Section 9.2 of the Public Appointments (County Assemblies Approval Act, NO. 5 of 2017) and the Bungoma County Assemblies Standing Order No 217 5 G. The committee recommends the County Assembly approves the nomination of the C.P.A., Andrew Wamukoya Sikenyi, as the Chief Officer in the Department of Economic Planning in the Government of Bungoma.

I propose.

*(Question proposed)*

Hon. Sudi,

**Hon. Isaiah Sudi:** Hon. Speaker, thank you so much for giving me this opportunity also to add my voice on the report that has just been read, well read by Violet, Honourable Member for Mihu. From the report of the committee, and I also attended as a friend of a committee plus my Majority Leader. The nominee really was... I would say perfect in terms of answering questions related to financial matters, planning matters, is the best person in the Department of Planning, and we hope that we shall also support him so that the Planning Department can assist this county even to generate more revenue by coming up with other streams, revenue streams, by sealing the revenue linkages where we lose revenue unnecessarily, maybe because we entrust revenue to casuals, and yet we have enough staffs on P&P.

If we have proper planning, and if the staffs who are on P&P are catered for, I am very sure our revenue will go up, because those years when we were young, Bungoma used to be among the top states of county councils. It used to generate more revenue than even Kiambu,

which neighbours Nairobi. So we could wonder why now our revenue is ever going down, because we have put maybe people in the office that are not working very well with the other staffs.

Andrew comes from Bumula Ward, that is where he was born, and I am very sure most people, most of us in Bumula, be it churches, especially in my Muanda Catholic Church, he has been a frequent member supporting the church activities. Kimatuni, he is a man who is a down to earth he supports the community. I remember when he was in Djibouti and we were connecting, he was sending money through... there's a means of getting money from abroad, called Tapshil. You send money in dollars, and then you go to Tapshil shops. He used to send me money, even contributed to my election in 2017.

*(Applause)*

look at how the politics of the country is changing, that when you put people in office, put the people who understands politics, who can understand what the community wants, who can mingle with the community, who are freely, but if you just put people who believe just in themselves alone, they can put a county in a situation that like the Gen z...

*(Laughter)*

and you know, we are there, because people who advises the leaders do not say the truth, and are not even conversant of what the community wants. So to be called a CPA is not easy. You must...some of us have tried and we have not reached there. It is not easy. So, I think he is a very capable person, and we urge him to assist the county, especially the treasury, because our treasury s even now, why my colleagues are murmuring, is because of the delays in some services that are supposed to reach our communities, like the bursary like the scholarships, like some projects have not even started unnecessary pending bills, but if we have somebody who is willing and capable, you see, you can be willing and you are not capable. If somebody is willing and capable, maybe we can afford such a situation.

I also want to thank the Governor for choosing Andrew. You know, it is a lesson that we must also learn as politicians, because this was his political advisor, and now he has moved him a step ahead. It means the governor believes in growing people. So, governor, Your Excellency, I will thank you. On behalf of the people of Bumula and Bungoma at large, I say thank you so much for picking on Andrew. I want to urge this House; it's just the same way we have done to the nominee for culture and social services. Kindly, let us do the same.

**Mr. Speaker:** Thank you. Hon. Nganga then I will have Majority, Hon. Violet prepare to reply after Majority has spoken. Proceed.

**Hon. Everton Nganga:** Thank you, Hon. Speaker, for giving me to contribute towards the motion that has been moved. First, CPA Wamukoya, the way Hon. Sudi has mentioned,

professionalism is very important. And it's not easy for you to be called a CPA. When I was trying to also to be one, I remember I failed around four times. One paper in section five, that's financial management. It was a very hard paper. And when I looked at the CV ...

**Mr. Speaker:** sorry for failing please

*(Laughter)*

**Hon. Everton Nganga:** When I looked at the CV of one CPA Wamukoya, he is my senior in the profession. This is a person who learned in 1990s, and again, looking at his career advancement from one job to another, this person who has vast experience to assist our county of Bungoma.

This is person who has worked in different countries, that is Djibouti, Tanzania, with different companies. The challenges that may surround the Department of Finance in Bungoma County, this is person who is coming actually to assist the government to run and actually handle the challenges. Some of the challenges Hon. Sudi has mentioned.

Our Governor, His Excellency of Bungoma County, is supposed to be surrounded with professionals who are ready to advise in all situations so that the County Government can make proper decisions to assist our people of Bungoma County. Thank you. I support the motion.

**Mr. Speaker:** Thank you Hon. Joseph Nyongesa. Hon. Violet you prepare to reply from where you are.

**Hon. Joseph Nyongesa:** Thank you, Mr. Speaker. First, allow me also appreciate the chair who moved this report and the seconder. Actually, personally, I was in this plenary when the vetting was on. And indeed, he really proved, actually, he is a CPA holder. And I want to concur with Hon. Nganga that not all who say are CPA holders can articulate issues the way Wamukoya was articulating. And that is when I learned that, actually, some professionals may be doubted and he has proved that he actually failed four times.

*(Laughter)*

*(Applause)*

And you know, failing four times also gives us courage that he was in the course and that's why he is now called a CPA. It is called..

**Mr. Speaker:** Determination...

**Hon. Joseph Nyongesa:** Determination and being focused. So how I wish our senior Hon. Wambulwa could have been in this plenary now to support the issue of *Bumulians*, the way

he has been saying it, that Bumula we have been left out. Now they are having their own and specifically from Kimaeti Ward.

*(Applause)*

I personally support the nominee. The query that made me to attend this meeting was the issue of compliance and paying penalties to KRA and the nominee really proved that he will bring some changes in those issues. And therefore, I support it fully, knowing that he is the right person in that position to bring changes. I support.

**Mr. Speaker:** Hon. Violet, you have the honour of replying to the motion.

**Hon. Violet Makhanu:** Thank you, Honourable Speaker. I want to first appreciate...

**Mr. Speaker:** Hon. Nganga, if you want to consult Majority to pray for you for failing four times, you can follow him outside. Proceed, Hon. Violet!

**Hon. Violet Makhanu:** Mr. Speaker, I want to appreciate the seconder of the motion Hon. Chemion who did it so well and elaborated. I also want to appreciate members who have contributed to this motion.

During the vetting of the CPA-K, I was here, and the way he was responding to questions, it was so convincing that everybody knew he was capable and he could be able to do the work as the nominee for planning in the County Government of Bungoma. He's up to the task and I'm sure by considering somebody like Sikenyi, currently the way our Majority Leader has spoken, he's the governor's economic advisor, but he is very bright guy, the way he was creating issues and responding to most of the questions that were somehow tough, was so encouraging and that's why as a committee we say he's capable of doing that job .

I want to appreciate all the contributors to this motion and urge this House that let's pass this report as it is, and I'm sure at the end of the day, Sikenyi will be able to take Bungoma far together with his Excellency the Governor.

**Mr. Speaker:** Thank you, Hon. Violet for the reply to the motion. Hon. Members, allow me now proceed and be able to put a question to the motion before the House. Honourable members, a motion has been moved and seconded and debate having ensued that this House adopts the report by the sector committee on Finance and Economic Planning on the vetting of the nominee for the position of the Chief Officer of Economic and Planning pursuant to section 9(2) of the Public Appointments ( County Assembly's Approval Act number 5 of 2017 and the Bungoma County Assembly Standing order 217(5)(g), the committee recommends that the County Assembly approves the nomination of CPA Andrew Wamukoya Sikenyi as the Chief Officer in the department of Economic Planning in the County Government of Bungoma

*(Question put and agreed to)*

The ayes have it

*(Applause)*

Hon. Members, this County Assembly has approved the nomination of CPA Andrew Wamukoya Sikenyi as the Chief Officer in the Department of Economic Planning in the County Government of Bungoma for now formal appointment by the appointing authority. Subsequently Honourable members, section 11(1) come into play; the Clerk shall notify the Appointing Authority of the decision of the County Assembly within 14 days of the decision.

The Appointing Authority shall upon the approval of the nominee for appointment by the County Assembly and subject to the applicable written law appoint the nominee within a period of 7 days from the date of the notification of the decision of the Assembly under subsection 1

### **REPORT BY THE SECTORAL COMMITTEE ON EDUCATION AND VOCATIONAL TRAINING ON THE VETTING OF THE NOMINEE FOR THE POSITION OF CHIEF OFFICER, EDUCATION AND VOCATIONAL TRAINING**

**Mr. Speaker:** Hon. Otsiula, for the committee of Education and vocational Training, you proceed!

**Hon. Benjamin Otsiula:** Thank you, Hon. Speaker. I wish to move a motion on the report on the vetting of nominee for appointment to the office of the County Chief Officer in the Department of Education and Vocational Training in Bungoma County. Immediately after the table of contents is the executive summary.

#### **EXECUTIVE SUMMARY**

In accordance with Section 45(1) of the County Governments' Act, 2012 and Section 4 of the Public Appointments (County Assemblies Approval) Act No. 5 of 2017, His Excellency the Governor nominated one Mr. Sam Nalwa Wanjala of ID No.20120804, for appointment as Chief Officer Education and Vocational Training. The nomination was conveyed to the Speaker of the County Assembly) through letter Ref. No. CG/BGM/GVN/CA/VOL.I/ (005) dated 18th June 2024 (Annexure 1). The nominees' curriculum vitae and testimonials were enclosed in the letter.

On Tuesday, 18<sup>th</sup> June, 2024 at 2.30p.m, and pursuant to Standing Order 45 (3)(c), the Speaker of the County Assembly read the Message from His Excellency the Governor communicating the names of the nominees to the House. Pursuant to section 4 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 45(3) (c) the name of the nominee was committed to the Committee on Education and Vocational Training for vetting and reporting to the House within twenty-one (21) sitting days.

Consequently, in line with Section 7 (10) of the Public Appointments (County Assemblies Approval) Act, 2017, the Clerk of the County Assembly placed an advertisement in the print media on Thursday 20<sup>th</sup> June, 2024, inviting the public to submit memoranda by way of written statements on oath (affidavits) on the suitability or otherwise of each of the nominees in accordance with the Public Appointments (County Assemblies Approval) Act, 2017. The advertisement indicated that the submissions were to be received by Thursday, 27<sup>th</sup> June, 2024 at 5.00 P.M. By close of the submission deadline, the Committee had not received any memoranda touching on the suitability of the nominee for appointment.

Additionally, in compliance with the provisions of Article 196 (1) of the Constitution of Kenya 2010, section 7 (5) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 56(3), the Clerk of the County Assembly on Thursday 20<sup>th</sup> June, 2024, notified the public through the print media that the Committee on Education and Vocational Training would conduct the approval hearing on Monday, 1<sup>st</sup> July, 2024 at 10:00 a.m.

The nominee appeared before the Committee as scheduled on Monday, 1<sup>st</sup> July, 2024 for approval hearings in accordance with the provisions of the Constitution, the Public Appointments (County Assemblies Approval) Act, 2017 and the County Assembly Standing Orders on their suitability or otherwise for appointment to the positions of County Chief

The Committee having considered the nominee's curriculum vitae, filled Questionnaire and having heard his oral submissions, it unanimously agreed that this House approves the nomination of Mr. Sam Nalwa Wanjala for appointment by H.E the Governor as a Chief Officer, Education and Vocational Training for the County Government of Bungoma.

I will skip chapter one on the mandate of the committee.

**Mr. Speaker:** Give us 1.2

**Hon. Benjamin Otsiula:** Committee Membership

The committee currently is constituted by the following members.

1. Hon. Benjamin Otsiula	-	Chairperson
2. Hon. Stephen Kaiser	-	V/Chairperson
3. Hon. Joan Kiron'g	-	Member
4. Hon. Angeline Rugut	-	Member
5. Hon. Ali Machani	-	Member
6. Hon. Jack Kawa	-	Member
7. Hon. Timothy Chikati	-	Member
8. Hon. Jeremiah Kuloba	-	Member
9. Hon. Christine Mukhongo	-	Member
10. Hon. Abraham Obama	-	Member
11. Hon. Aggrey Mulongo	-	Member

12. Hon. Jacob Psero	-	Member
13. Hon. Mildred Barasa	-	Member
14. Hon. Johnston Ipara	-	Member
15. Hon. John K. Wanyama	-	Member
16. Hon. Allan Wanyama	-	Member

**Mr. Speaker:** Hon. Otsiula, are we reading the same book? Who is the last person there?

**Hon. Benjamin Otsiula:** Hon. Allan Wanyama. I think it's a typographical error.

**Mr. Speaker:** Read what is there!

**Hon. Benjamin Otsiula:** Hon. Allan Wanyama

**Mr. Speaker:** Proceed! If it's the work of the secretariat messing up, leave that one to me and the administration.

**Hon. Benjamin Otsiula:** Thank you, Hon. Speaker. Well guided

### **Acknowledgement**

May I take this opportunity to acknowledge all the Members of the Sectorial Committee on Education and Vocational Training for their input and valuable contributions and time during the approval hearings and deliberations during the writing of this report.

The Committee also takes this opportunity to thank the Offices of the Speaker and of the Clerk of the County Assembly for the logistics and technical support accorded to it during the exercise.

On behalf of the Committee of Education and pursuant to section 9(1) of the Public Appointments (County Assemblies Approval) Act, 2017 and the provisions of Standing Order 202 (7), it is now my duty and privilege to present to the House, the Report of the Committee on Education and Vocational Training on the approval hearings of the nominee for appointment to the position of County Chief Officer.

The report is duly signed by the Chairman Hon. Benjamin Otsiula. Chairperson, Education and Vocational Training

The report contains two annexures; one, the date of notification from His Excellency The Governor nominating the nominee, two, advertisement inviting submission of memorandum from the public notifying the public of the approval hearings and inviting the nominees for approval hearing.

**Mr. Speaker:** Hon. Otsiula, give us 4.0

**Hon. Benjamin Otsiula:** 4.0

**Mr. Speaker:** Chapter four!

**Hon. Benjamin Otsiula:** Yes Hon. Speaker, I am just moving there.

**Mr. Speaker:** Where have you reached?

**Hon. Benjamin Otsiula.** I am now on 4.0

**Mr. Speaker:** Proceed!

**Hon. Benjamin Otsiula:** Yes Hon. Speaker.

### **Committee General Recommendation**

Having Considered the suitability and integrity of the nominee and pursuant to Section (9) (2) of The Public Appointments (County Assemblies Approval) Act N.O 5 of 2017, The Committee recommends that the County Assembly approves the nomination and subsequent appointment of Mr. Sam Nalwa Wanjala; as Chief Officer in the department of Education and Vocational Training in the County Government of Bungoma.

It is now my pleasure to call upon Hon. Ali Machani, the member for Maraka Ward a senior member of the House to second.

**Mr. Speaker:** Thank you Hon. Otsiula for moving the motion. Hon. Ali Machani you do have the honour of seconding the report of the committee. Kindly, proceed!

**Hon. Ali Machani:** Thank you, Hon. Speaker. First of all, I want to thank the Chair Hon. Otsiula for taking us through the report on this nominee Nalwa who has been earmarked for the position of Chief Officer Education.

While in that committee, the members were very keen on the suitability of the nominee. The committee having considered the nominee filled questionnaire pursuant to section 7,8 of the public Appointments County Assembly Approval Act 2017,his curriculum vitae and having heard his oral submission during the approval hearing made the following observations on his suitability for appointment as a Chief Officer Education and vocational Training.

Within that spirit, we observed that;

1. THAT, the nominee meets the requirements of Chapter Six of the Constitution of Kenya 2010 on leadership and integrity.

2. THAT, the nominee has never been dismissed from office under Article 75 of the Constitution for Contravention of the Provisions of Article 75(1) of the Constitution of Kenya 2010 (conflict of interest) and Article 76 (financial probity).

3. THAT, from his submission during vetting he demonstrated knowledge, skills and experience in leadership and institutional management. He was also conversant with the roles of the County Chief Officer as well as laws and policies related to his position.

4. THAT, in accordance with Article 78(1) and (2) of the Constitution of Kenya, the nominee is eligible for appointment to State Office since he is a Kenyan citizen in Bungoma County and does not hold dual citizenship.

5. THAT the nominee satisfied the Committee on his suitability and was awarded an average score of 80% as illustrated in the following table

In work experience he scored average of 22 marks, Education/training relevant to the position 21 marks, Interest in knowledge relating to specific position 11marks, communication skills 8 marks, Presentation (promptness, neatness or resume/application, appearance) 8 marks, Decision making/problem solving skills 10 marks then that one gives him 80%. As a member of that committee and as a seconder of the same report, I do propose to this House that they adopt this report to qualify one Mr. Nalwa to become the Chief Officer Education. I second.

**Mr. Speaker:** Thank you. Honourable members, allow me be able to propose a motion for debate.

*(Motion proposed)*

**Hon. Joseph Nyongesa:** Thank you, Mr. Speaker. I first stand to appreciate the Committee, under the leadership of Hon. Otsiula and the seconder Hon. Ali Machani. Personally, I support the nominee and again, I was here when he was being vetted. If there is a Department which needs a lot of keenness is this Department of Education. We are having a lot of challenges and I think if Mr. Nalwa will be approved and bring some changes in that Department then as a County we shall be lucky. Though there is one great weakness that Mr. Nalwa has and I think the working environment will shape him up, that at least he knows this is a County and not a school.

*(Laughter)*

**Mr. Speaker:** Members, you know honesty is a virtue. Let's proceed.

**Hon. Joseph Nyongesa:** You know Mr. Speaker the way I was brought up may be somehow different but I will always call a spade a spade but not a big spoon. As I said, we have a lot of confidence in him and I know he will transform that Department.

The VTC section is almost dying and we need technical people, especially directors to handle this department keenly so that at least we see value in our devolved functions. As I said, we are supporting him, and we are lucky that the liaison officers are here and they will inform him that that weakness, which I can't disclose now, let him try and improve on it, otherwise, he may find it rough. I support it 100%.

**Hon. Hentry Nyongesa:** Thank you, Hon. Speaker. I stand to support the motion which has been moved by the Chair Education and seconded by Hon. Ali Machani. I have only listened to the mover of the motion, I didn't participate in the vetting but this House is a House of procedure which has been followed keenly. We are just looking at the suitability of the

candidate and the record that has been put on the floor justifies that Mr. Nalwa can perform as per the records.

The Department, as the Leader of Majority has put it has a lot of challenges and from the word go, it has been held mostly by the teaching fraternity. Even as we are talking, the CEC was a Lecturer and the Chief Officer was a teacher by profession so all of them are from the teaching fraternity.

Mr. Nalwa is coming from the school and he is very aware that one of the challenges facing the department is how we can face out this issue of subsidy by the County in terms of Bursaries and scholarships which is still a menace in the department. As he is coming, we can't say that we are going to write off those things but the department is a bit rotten. I'm saying this because we are here looking at it critically, we were giving very stern warnings on how we are supposed to expedite on bursary issues but you realize that the Chief Officer is going ahead to take care of himself in terms of administrative cost and yet he has not even paid the money to the bursary.

I'm thinking loudly, that, Mr. Nalwa is coming to change that narrative; he is not supposed to put his interest before he looks at the community. Let him not think that he is carrying the classroom to the office of the Chief Officer Education. Squarely, this Department's mandate is to look at the ECD and Vocational Training so as he comes, let him focus on those two things which is also becoming a hard nut to crack in this County.

This government was very clear that it was going to focus VCTs that have been forgotten. As he comes, let him not also think that he is coming to handle administrative fees, which has been handled in a very funny way, that he takes vetting in the hotel and yet this work has been done from our Wards, so that people who are doing donkey work are being left to walk on foot when they come to present the list in Bungoma County offices and yet they have the money which they have already pocketed.

I support this candidate, but as the leader has said, he has come in the forest where there are monkeys, so let him not join the monkeys but Let him come and focus on the Education sector more so the devolved function. Otherwise, we shall look at the subsidy but if he concentrates on subsidy because he wants to benefit, we shall also rattle with him seriously. Otherwise, I support the motion.

**Mr. Speaker:** Thank you, Hentry Nyongesa. Hon. Sudi,

**Hon. Isaiah Sudi:** Thank you, Hon. Speaker. I also want to support the committee for approving the nominee. In the Education Department, we have a lot of challenges and let's hope that the nominee that we have just approved will try to solve some of them. As we speak here, just as I had said earlier, e members especially the re-elected once are moving up and down because of the bursary issue. There is a rumour that part of the bursary money has been slashed; there is a rumour that there is no money for the scholarship students.

We have had a department which even when you ask how many students we have on scholarship they don't know. If you ask them how much money has been disbursed for the scholarship students, they can't tell. So, let's hope this Chief Officer will bring some sanity in the department. Even when you look at the budget Speaker, you have been here long enough, our co mandate in counties you know very well what we are supposed to do. There is no single budget that we have seen being put in VTCs until this honourable House will think

otherwise through our leaders, so that we look for small money and empower our VTC, which is our co mandate.

There is no single budget that has come here putting money on ECDE`S. We all rely on CEF, the community empowerment fund which does not only cater for ECDE`s because there are other functions. We want the department now to come up with a master plan on how they are going to improve the ECDE`s, how they are going to improve our VTC`s because, the instructors if you go there, like last month the Leader of Majority took me to one of his VTC`s. If you go there you won't even want to be seen because the *boda bodas* are much better than the instructors.

The *boda bodas* riders in this County are better than the instructors in VTCs, for the last seven months they have not been paid, how much are they paid? Kshs.4000 to 7000, How do you pay an instructor Kshs.4000 and you expect that person to deliver, he is a carpenter who can make a bed and sell, and in addition you don't pay; that person requires some timber and a few items to start making beds, chairs and sell them to get income. I will urge this House, as we do the budget we must look at the welfare of these instructors.

We have managed to put up ECDEs and they are isolated, standing alone in their own compounds. We don't have a policy that guides on how ECDE`s should be constructed because, you put one it's just standing alone then maybe you go round if you are lucky to get re-elected again you put another one that stands alone again. The two of them in one compound and they are not attached to each other and even the finishing Speaker they have left everything to public works. If you ask the Chief Officer who was once a principal, he has never moved around to see how the contractors construct the ECDE`s that we have managed to put in our budget. I want to urge this House as we pass the name of Nalwa, let him now style up. I'm told that he is a very serious gossip...

*(Laughter)*

We urge him to be now a team player. Let him put aside gossiping and be a team player because as an alumni of Friends School Kamusinga where he once taught, there is a rumour he was forced...that is a rumour and many others. We urge him to impress team work in order for all of us to take this County forward and improve on our education sector and leave gossiping for those people who do marketing because we know when you do marketing you gossip.

We have the Governor's representative in the public gallery. That is the concern of members that he is not a team player, but we are going to approve his name. If he doesn't behave we are the same authority which shall recall him. We cannot allow someone to come and increase the messes that are in the Education Sector in Bungoma. I leave it there Mr. Speaker. Otherwise, I urge the House to approve the name of Mr. Nalwa as Chief Officer Education.

**Mr. Speaker:** Thank you, Sudi Busolo. Hon. Stephen Wamalwa,

**Hon. Stephen Wamalwa:** Thank you, Hon. Speaker. Sometimes contributing after Hon. Saudi has spoken is a challenge because he is normally brutally honest and straight to the point.

I rise also to first of all appreciate the Committee on Education for the work done and subsequently for bringing the report for approval of one Mr. Nalwa. Education Department is one of the very key areas that were devolved and it's an area that each and every County Government keen on nurturing and fostering continuity has to be very, very careful about. I want to believe that this time around we are going to see a rejuvenated department, a department with a new blood to steer it to greater heights and glory.

Where we stand and sit today, we cannot have anything to celebrate about the department of Education because of the personnel that has been there, it's been a disappointment. As we speak today, the department has not dispensed with the issue of issuance of bursaries to various Wards around the county reason being, not being hands on and being focused. We believe that one Mr. Nalwa is going to change the face of this department.

There is a problem which needs to be made known, that County Government spaces are not reserved for people who think they will come to running away from their former vices to come and perpetuate the same vices there. County government is a serious entity where we need functions and services to our people at the grassroots. This is the area where we need the best services ever, and therefore, members and officers who are appointed, given a chance to serve at the County Government should be officers who are hands on, who know the reasons why they are coming to the County Government to serve.

One Mr. Nalwa as it has been said, it's true, we are hearing that he is a very professional gossiper; we are saying this without fear because it is out there but as he prepares to take up that office, let him come to build bridges and not to construct walls. Let him come and bring people together and not to distract people. That is a department that has to be keen on nurturing young lives. We need to see Mr. Nalwa coming to tell us and to revamp the department of ECDE.

I am a teacher like Mr. Nalwa himself, in fact, I am an alumni of Friends School Kamusinga and I want to say this; if ECDE was well-natured and put at the same level across the county, then we can produce pupils, candidates, students at the grade where they are living primarily to compete effectively with us in private schools. If we have officers who can come and address properly the need of putting the pedestal of ECDE at a proper level, then Bungoma, after some time, will produce very, very well-natured and polished people.

When an officer is appointed in that department of Education, they come with a certain mind of bursary and scholarship at Class 8 and Form One level, they forget that if we nurture ECDE to come up well, every child will perform very well and will join a good school or at the end of the day, even if this student is joining Namachanja, still they will perform very well because of the foundation. ECDE is the foundation, it is the solid foundation on which we can have well-prepared people. We concentrate on secondary schools which is not our function. It's like we are putting a heavy platform on a quicksand which can collapse anytime.

I want to support the nomination. I want to support that we approve his name, but as he comes, let us see what he's going to offer and the Chief Officer should take this very seriously, that he has to address the issues of Vocational Training Centres. He has to address it and make sure that we have a revamped vocational training center department.

He should ensure that we have a revamped ECDE department that this county after some time is going to be a home county of well-prepared people going into the future to facilitate our presence on the map for the right reasons. No county can come to benchmark here if we are promoting activities and functions that are not devolved. As I sum up, I want to urge the House that let us approve this name, but Nalwa shall come, devoid of gossip and ready to do what is devolved. I support.

**Mr. Speaker:** You are protected, that's why you sit here. Those are your special privileges that can't be taken away. Hon. Otsiula you have the honour of replying to the motion. Proceed.

**Hon. Benjamin Otsiula:** Thank you, Hon. Speaker. Once more, I want to appreciate the seconder of these motions, the honourable Members who have positively contributed towards the same for their positive criticism and input to the motion before the House.

First of all, a concern rose on the weakness of the nominee by the Leader of Majority, it is well noted, and also the sentiments were echoed by Hon. Isaiah Sudi and the Deputy Speaker. We note the weakness, however, the nominee, in realizing this and in his response during the vetting as already evidenced in this report, is keen to create a good and symbiotic working relationship to ensure that the department is functional and realizes its dream. He also talked about ensuring that there is a smooth working relationship between the two arms of the government; that is this County Assembly and the Executive, to ensure that all the policies are implemented.

I believe that concerning the weakness raised by the members and the Leader of Majority, the nominee is aware of his past record and is keen to ensure that he brings a different picture to the department.

I also wish to appreciate the members who have been contributing. If you listen to them, we all agree that education is a devolved function and most of them are concerned with the ECD and the VTCs. We agree with the challenges that we have been facing in the Department of Education in this county. The Chief Officer has confirmed that he understands his functions under Section 45 of the County Governments Act, once he is confirmed and as evidenced by the report, he must operate within the set-down guidelines to ensure that the resources in that Department are channelled towards the ECDs and the VTCs because that is a co-function of the county.

As I wind up, just reflect on what Hon. Isaiah Sudi said that during the budget-making process, this Honourable House must redirect and ensure that they make budgetary

allocations to the Department of Education to cater for the ECDs and VTCs. I believe this is a collective responsibility for all honourable members in this House so as to ensure that the Department is running well.

Finally, the Department of Education has faced numerous challenges and as Hon. Members in this House are aware, we have a new CEC and now the intended new Chief Officer, going forward and to avoid going back into chaos or exaggerating these challenges, the Government must do well to ensure that we have consistency.

Otherwise for the concerns that are raised and the delays in disbursement of bursaries, the nominee was aware and responded well, and he must be keen if his name is approved today to ensure that our children are kept in school, to work well as the Deputy Speaker put it, to avoid complacency in the Department. I wish to implore the honourable Members in this House to support the report and to have the name of the nominee approved for consideration of employment as the Chief Officer in the Department of Education and Vocational Training in Bungoma County. I rest my case.

**Mr. Speaker:** Hon. Members, allow me now to proceed and be able to do the last portion of this motion by putting up a question for the House to make a determination of the same.

*(Question put and agreed to)*

Subsequent Hon. Members, section 11(i) will come into play, notification of the decision, the Clerk shall notify the appointing authority of the decision of the County Assembly within 14 days of the decision, and (ii), the appointing authority shall upon the approval of the nominee for appointments by the County Assembly in subject to the applicable written law appoint the nominee within a period of seven (7) days from the date of the notification of the decision of the County Assembly under subsequent 11(i) of this Act.

#### **ADJOURNMENT**

**Mr. Speaker:** Hon. Members, that was the last motion on our Order Paper for this morning session, we will now adjourn and resume our meeting today at 2:30 p.m. in our normal sitting. We adjourn accordingly.

***The House rose 11:23 a.m.***