

**COUNTY GOVERNMENT OF BUNGOMA**

**COUNTY ASSEMBLY OF BUNGOMA**

**COUNTY ASSEMBLY DEBATES**

**THE DAILY HANSARD**

**WEDNESDAY, 27<sup>TH</sup> NOVEMBER, 2024**

**Afternoon Sitting**

# COUNTY ASSEMBLY OF BUNGOMA

## HANSARD OFFICIAL REPORT

WEDNESDAY, 27<sup>TH</sup> NOVEMBER, 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

### QUESTION

1. STATEMENT NUMBER 34 OF 2024 BY THE MEMBER FOR WEST BUKUSU WARD, HON. JOB MUKOYANDALI

**Mr. Speaker:** At this juncture I am told the officer who is supposed to be responding is within. Let him be brought in so that as Hon. Job asks in his presence then he can respond.

*(CECM, Education Engineer Agnes Wachiye and Chief Officer Sam Wanjala ushered into the debating chamber)*

I am told you ought to have the responses on your gadgets; just check... Honourable Members, before us we have our CECM for Education Engineer Wachiye and Chief Officer for the Department that is Sam Navaa Wanjala. I will invite Hon. Job to read your statement and allow the Accounting Officer to answer the statement sought before us.

**Hon. Job Mukoyandali:** Thank you Hon. Speaker. Pursuant to Standing Order No. 49, CECM and Chief Officer for Education and Vocational Training will reply to the following questions.

1. Provide an expenditure utilisation of three per cent allocation of bursary of the last Kshs1 million disbursed for every ward.
2. Provide an expenditure utilisation of three per cent allocation of the Kshs80 million for Scholarship Fund.
3. From the Scholarship Fund of Kshs80 million, how much has been disbursed so far?
4. Are there any balances not disbursed? If yes, how much and why?

Thank you Hon. Speaker.

**Mr. Speaker:** I think this is the work of the Accounting Officer... we allow Sam to start. So, we go very systematically. Question No. 1 once you exhaust the question No. 2 then end. Kindly proceed. You will have the mic from this side.

**Chief Officer, Education:** Thank you Hon. Speaker...

**Mr. Speaker:** You can't address the House while seated; you will have to stand here. We have forgiven you. We could have punished you severely. So, use that one or if you are comfortable with that one there is no problem. I will give you the second mic.

**Chief Officer, Education:** Thank you Hon. Speaker. The first question on an expenditure utilisation of three per cent allocation of bursary, I have been able to table documents to confirm how we have been able to spend that money. I want to believe the documents are in the House. Out of the Kshs45 million, three per cent of 45 million amounts to Kshs1,350,000 which was distributed as follows:

There was facilitation for the Ward Bursary Committee meeting where we have been able to give Kshs720,000 to the committees at the Ward. The second distribution of that amount is a facilitation to the headquarter team to facilitate collection and disbursement of funds to the various schools which amounts to Kshs542,000. Then, that is appendix one. We will be able to confirm that.

Then item number three on the same, there is an amount of Kshs88,000 which was a borrowed amount from the three per cent that the department used to facilitate ECDE and VTC coordinators. The attachment is also there on appendix two.

**Mr. Speaker:** Now, I am trying to follow up. I only see appendix 1A and 1B. So which one are you relying on?

**Chief Officer, Education:** Thank you Hon. Speaker. We have had two communications from the Assembly. The attached appendixes of 2A to 2B were meant for the first question which came from the Assembly but the one we are responding to; there is another attachment that we have also submitted to the House.

**Mr. Speaker:** Let us be very clear here. We are dealing with a statement sent by Hon. Caleb.

**Chief Officer, Education:** Yes.

**Mr. Speaker:** So, the first item we are discussing here is the three per cent from the Kshs45 million. I have all your booklets here. I am trying to get the one you are talking about appendix one... It is not here.

**Chief Officer, Education:** Thank you Hon. Speaker. The documents you are having were meant for the first communication where we received from the desk of the Clerk. Then we also received another communication that we are now handling and that is what I am just going through.

**Mr. Speaker:** That is what I am trying to avoid is that. Stop so that we don't get confused. If there was a communication from the Committee seeking clarification, that one is at the committee level; the one we are handling here is very specific. The one sought by the Hon. Job! That is why you are here on item number one of three per cent. So, which appendix are you relying on?

**Chief Officer, Education:** Thank you Hon. Speaker. The document that I have is the one I have submitted to the Assembly and this is my copy. The one that...

**Mr. Speaker:** Was it received?

**Chief Officer Sam Wanjala:** Yes, it was, Hon. Speaker.

**Mr. Speaker:** Does it have a rubber stamp?

Just verify because none of the document we are having is received. Can the Sergeant give me the document? What you have done, you have sneaked in a document today. Are you getting me? Your letter talks of 26 and the document you are talking about has come today and I am very sure it has come at 2:00 p.m. because I was in the office and I didn't have this document.

**Chief Officer, Education:** Hon. Speaker Sir, it was brought at 10:00 in the morning.

**Mr. Speaker:** 10:00 in the morning?

**Chief Officer, Education:** Yes.

**Mr. Speaker:** We will verify. Members can you see the questions on that item first before we proceed? Yes. So, we will be able to handle it this way. We will do question one, get responses. Question two; get responses so that we don't get mixed up. So, Chief Officer, resume your seat. Take note of some questions, then we will be able to... Hon. Tim you are the first one to go.

On item number one only.

**Hon. Timothy Chikati:** Yes, item number one, Hon. Speaker. Thank you so much. I would like the Chief Officer to explain when was the last time that the Bursary Committee and at

what level was it paid because I just held a meeting I think it was last week with them and they have said that for the last three months, they have not received anything.

The second question is about the Kshs88, 000 that was used to facilitate the ECDE and the VTC teachers; who authorised this amount? This is a Bursary Fund. Then the Chief Officer is saying it was used to facilitate the ECDE and the VTC teachers. Who gave those authorisations?

**Mr. Speaker:** That is on item number one, anybody on item number one? Leader of Majority...

**Hon. Joseph Nyongesa:** Thank you Speaker. First, I want to appreciate the CECM and the Chief Officer for coming. It means they have respect for this House. On the issue of the three per cent, I have heard from the Chief Officer that the Bursary Committee got Kshs720, 000. In my ward, I was told that every member last Friday got Kshs3, 000 shillings and we have five members. That is a total of Kshs15000.

When you take 15,000 multiply by the 45 wards; that is approximately Kshs675, 000. So I don't know what criteria he was using to now give the committees at the ward level 50 per cent of the allocation and 50 per cent to the County Executive team that did nothing because vetting and cheque-writing was done by the Ward Committee.

**Mr. Speaker:** Members allow me allow the Chief Officer to answer that first question by Hon. Chikati Tim and the Hon. Leader of Majority. Chief, you will have the microphone please.

**Chief Officer, Education:** Thank you Hon. Speaker. On the first question, the last time when payment to the Committee was made was last week as from Friday and the process is going on. A few committees have not yet signed for their monies.

The second question, about the Kshs88, 000 that was paid to ECD and VTCs and who authorized; when we had the meeting of the coordinators who are members of the department, the meeting was a crucial meeting and we didn't have funds and therefore the technical team in the department gave guidance that in such a case where we are unable to meet expenses, we can make an internal borrowing and therefore the technical team in charge of ECDE wrote a letter to me. As an Accounting Officer I made an approval of the Kshs88, 000.

That money was withdrawn. We were able to pay Kshs2, 000 shillings each to the members. The attachments are here and the schedules to show how members signed.

Then question number three. How did we disburse the Kshs720, 000? We have 45 Ward Admins. We were giving Kshs4, 000 per every Ward Admin. We have 108 committee

members; four members per ward. 45 wards by four is 180. We were giving Kshs3, 000 each. So the amount we gave the Ward Admins totals to Kshs180, 000 and the amount given to the committee members totals to 540 which gives a grand total of 720.

**Mr. Speaker:** Yes, I will hear from the Hon. Stephen Wamalwa, Deputy Speaker and I see Job wants to ask something. Deputy Speaker, you are the first one to go.

**Hon. Stephen Wamalwa:** Thank you Hon. Speaker. The Chief has given figures here on how they have managed to pay the committee at the ward level and he also mentioned the headquarters. I wish to say this from a personal perspective, but which touches and maybe many members will be with me on this; that those committee members at the ward level have no pay! They don't earn anything and they go round. They went round the villages trying to vet during those days. So I don't know with which wisdom Chief, you felt that each one of them, after all this long time can only be given Kshs3, 000; and I want to say this, the Ward Admins earn. They earn a salary and sometimes allowances. These committee members do not earn anything and these little coins they wait for quite a long time.

What wisdom informed that this money three per cent can be spent in the manner which you have explained? Are we really feeling that we want to encourage those committee members going forward to do a good job if this is how we are going to do it?

**Mr. Speaker:** Hon. Job, you have the mic; after Hon. Job, I saw Hon. Milliah Masungu was online. I think she has moved from her official sitting place. Hon. Job you proceed.

**Hon. Job Mukoyandali:** Thank you Hon. Speaker. Thank you, Chief for appearing, thank you, Waziri, for appearing. You have talked of some internal borrowing. Does it mean that money will be returned back to the kitty after maybe some time?

**Mr. Speaker:** Yes, Hon. Milliah Masungu. Let me give you the mic. Proceed now.

**Hon. Milliah Masungu:** Thank you, Hon. Speaker. I am very much interested in the Chief's, answers because when they had planned meetings for the Ward Administrators and VTC managers, in the budget we have always given an allocation for boards and conferences. Why they choose taking money meant for school fees is a serious question to be answered by the by clear answers about what happened.

Secondly, about the Kshs88 million from internal borrowing; he should also come out clear and tell us how he is going to recover that money and from which budget and which vote head he is going to recover that money to pay the school fees for the children who did not benefit. I have more questions. I will come back again.

**Mr. Speaker:** Honourable Members, on item number one only Hon. Chemion, proceed.

**Hon. Francis Chemion:** Hon. Speaker, I just want to inquire. I don't see the response in our gadgets. You can organize so that we see them so that we are able to ask the questions. I have not seen the response.

**Mr. Speaker:** Now I will have to find out what is not happening in your gadget. Hon. Lusenaka, proceed. Then the Leader of Majority, then we will have the Chief Officer responding.

**Hon. Anthony Lusenaka:** Thank you Hon. Speaker. Let me appreciate the Chief for the response and arising from that, I share a ward Admin with Hon. Nganga and this Ward Admin was involved in some fraud and I think he was suspended. I wonder who took the money basing on what we have been told.

Every committee member I think got Kshs3, 000. That is Kshs12, 000. So if Kshs16, 000 was sent to my ward, who took the Kshs4, 000? Because even the first committee allocation they never received. It was through the Ward Admin who disappeared with the money. At least for the second allocation, they picked the money from the office. So, for the first allocation and the last one who took that money?

**Mr. Speaker:** Leader of Majority? As you respond, Chief, beware that some of these Wards are sharing Ward Admins. So when you say there are 45 and you are doing by 180, beware that some of the wards and from where I sit as the Speaker, I am aware we may only be having 36 Ward Admins. Some are acting in other wards. So do your mathematics. Hon. Otsiula, wait!

**Hon. Benjamin Otsiula:** Thank you Speaker.

**Mr. Speaker:** Hold your horse Hon. Otsiula.

**Hon. Joseph Nyongesa:** Speaker, I am also looking at the time frame because we disbursed our bursary should be in August or September but up to now, some wards have not received anything. I don't know, suppose Hon. Job had not raised this issue, how sure are we that the Department could release these funds to these committees?

**Mr. Speaker:** Thank you. Chief Officer, proceed. Respond to those ones first.

**Chief Officer, Education:** Thank you Hon. Speaker. The first question is on the percentage at which we were able to allocate funds to the committee members and also retain funds in the headquarters. Kshs720, 000 given to the committees of a total of Kshs1, 350,000; it was around 60 per cent... not exact but around 60 per cent.

Way back when we disbursed Kshs90 million, we were here on the Floor and we gave a report and from that report, we were able to give Kshs8, 000 to every Ward Admin and we did at a flat rate for everybody... whether an Admin or committee member.

After that exercise, complaints of course came up from the Ward Admins. They kept on moving to the County headquarters to sort out issues to do with lists and bursaries and many other issues that arose. From the many complaints, we decided as a department that we slightly make a difference so that as human beings they can also feel that we have taken care of them and that is why we made a variation of Kshs1, 000 so that the Ward Admins get four and the other members of the committee get Kshs3, 000. That is how we disbursed.

The second question about borrowing of Kshs88, 000; the reason as to why we borrowed is the members who come had travelled all the way from Tongaren and others from Mt. Elgon and we did not have immediate funds that we were to disburse to them. Therefore, we thought making a borrowing would enable us get immediate funds and so that we are able to facilitate the members. After that we got back to the vote line of allowances so that we could return that amount; it was not drawn from the school fees money, it was drawn from the three per cent allowance which is going to be returned.

Why money for school fees? Okay, I have already mentioned we took money from the three per cent administration.

**Mr. Speaker:** Chief, with due respect, you know you have not answered the question on refunds. The question was where are you going to get this money from? Which vote head? Then out of curiosity let me also know for Hon. Chikati's Ward Admins from Ndaluni/Taabani. You said you were giving Kshs1, 000; even the one for Hon. Makhanu from Khalaba and Township got Kshs1, 000 to go to the county headquarters! Do your mathematics... proceed, please.

Yes, Hon. Deputy Speaker, what is the issue?

**Hon. Stephen Wamalwa:** Hon. Speaker, I think it would be important if the Chief also captured this very well so we move from one point to another. When you talk about the issue of giving money to ward Committee members, you should attach it. I asked why you thought that out of Kshs1 million and something, 700 was to go to the committees and the rest to remain.

You should give us the criteria used to have that amount of almost have 40 per cent remaining here yet a lot of work was done. So as you answer, move with it so that we get to understand.

**Mr. Speaker:** So you hold on, or is it the same thing? Or it is so burning that you cannot... Why can't you remove so that we are able to move? Hold on, please, Chief.



**Hon. Milliah Masungu:** Hon. Speaker, when I was just entering, I heard the Chief Officer answering my question and he clearly said that he borrowed the money, the Kshs88, 000, from the three per cent administrative costs.

I wonder where was the money that was meant for administrative costs; or when was the money meant for administrative costs spent and cleared so that again, he goes ahead to borrow. I am getting confused. Where does the borrowing come from? When he already has the administrative costs to sort out the issues of the committees and all that, why did he borrow this money and the money was meant for the staffs or the committees from our wards? This is money that was already there. I am not getting it clear.

**Mr. Speaker:** Chief, clarify because you know when you are talking of the money for the VCTs, it is part of the disbursements.

So clarify as we proceed. Members, let us finish this one and move on to the next question. We have a report ahead of us.

Proceed. Sorry, let me give the microphone back. Proceed.

**Chief Officer, Education:** Thank you Hon. Speaker. Three per cent of 45 million is Kshs1, 350,000 and this is how that money was utilized. One, Kshs720, 000 allocated to the Ward Advisory Committee, Kshs542,000 is the money allocated to the Headquarters staff and expenses, Kshs88,000 from the same amount is a borrowing that we used to pay to facilitate ECDE and VTC. That is the attachment I have submitted to this House.

**Mr. Speaker:** Yes, Chikati? We will be going to the next question after Chikati's question. Please, members.

**Hon. Timothy Chikati:** Thank you Hon. Speaker. Let the Chief Officer not evade the question that the Minority Leader Hon. Lusenaka asked because you reiterated the same. That we have some wards like I and Hon. Stephen who share the Ward Admin and you are giving them Kshs4, 000. So can you just tell this House, did you give Kshs8000 to one Admin under Soysambu/ Mitua and the same...

**Mr. Speaker:** What we don't want Chief is to demand for the list of the Ward Admins in Bungoma County vis a vis the disbursement. Let us make it very clear... move quickly! Sorry, have the mic please

**Chief Officer Education:** Thank you Hon. Speaker. Among the two attachments I have tabled in the House is the list of beneficiaries that is the Ward Committee members. I have already tabled and showing how they signed for that money.

There are four wards. Ward Admin for Ndalun shares with another ward. There is a Ward Admin for Khasoko he also shares with another ward, East Sangalo shares with Bukembe

West. So what we did from our desk we informed the Ward Admins that they cannot sign for two wards. They only sign an allowance once because it will cause audit queries and therefore we were firm on it as a Department. We did it to allow....

**Mr. Speaker:** Chief you are not answering our simple question. You told us 45 multiply by 4 is 180 are we together?

**Chief Officer, Education:** Yes

**Mr. Speaker:** I have told you some of the wards share Ward Admins; there are 36 Ward Admins meaning we are less by eight or nine Ward Admins. So they are asking a very simple question. Where did money meant for those who are not there go?

**Chief Officer, Education:** Thank you Hon. Speaker. The process is continuing we began on Friday last week. Even yesterday there were members who were signing for money. Even today members signed so I have indicated in my submission the process is continuing.

**Mr. Speaker:** They will come back to ask that question; I am trying to assist you.

**Hon. Joseph Nyongesa:** Speaker you know Chief may think that we are wasting time. We disbursed bursary in September; why are you holding this money and he should know that the sharing of this three per cent was not wrong. Money was meant for the committees not for the staff of the County. So why are you still holding this money?

**Mr. Speaker:** I think you are getting the concerns. Next question?

**Hon. Meshack Wekesa:** Asante Ndugu Spika. Swali langu ni kwanza pesa za Wadi kwa mfano kama mimi mtu anatoka Kapkateny' anakuja Chebukaka kufanya kazi lakini ukifanya hesabu kwa huu muda wote kwa shilingi elfu tatu ni kidogo sana. Swali ni kwamba ni nani alikupea ruhusa ya kupeana pesa ya watu hawa kwa wale ambao tayari wako na mshahara?

**Hon. Jack Wambulwa:** Thank you Mr. Speaker. I want the Chief Officer to come out clear because there are things you can defend and turn against you. Be clear on this report because it is not the first time it is coming here; we know how funds have been misappropriated. You are trying to fine twist and make sure that may be somebody is exonerated when we already have the record on the HANSARD that his money was misappropriated. My concern is that you are talking about internal borrowing, who authorized? You are indicating that you sat down as a committee; who gave you the powers? Unless you are allowed to re-budget because once the budget has been passed, you respect it until during either the first or second supplementary. You cannot tell us that it was borrowed but yet to be refunded. Who is to refund?

The last issue is that you saying that this money was released in December and Members have not received up to now. I thought when they are requesting for the same it comes together as bursary or scholarship and allowances. How do you continue holding this money whereas these people are suffering? These are our own sons and daughters who have sacrificed their time to be to be away and make sure they represent the communities. They walk for long distances using *boda boda* to go and do the vetting and what they are paid is peanuts. Would it be proper for us to continue holding these funds instead of clearing with them? Already we are in the new financial year for bursaries and scholarships. Do you want us to forget about the past or what is happening?

**Mr. Speaker:** Hon... do you want to speak on the same question or something else because we want to go question two.

**Hon. Wafula Waiti:** Mr. Speaker, I rise to seek for a clarification on the headquarter committee usage of the Kshs514, 000. I have two concerns over the same; first, were these committees from headquarters delivering cheques to various schools or the money was wired to accounts of various schools to justify the expenditure of Kshs542, 000.

Secondly, how did the Department pay or settle the photocopies and the paper work by committees at the Ward level; because they spent money to come up with those lists. Who settled?

**Hon. Benard Kicheki:** Thank you Hon. Speaker. Mine is an observation. I have sat here listened to our Chief Officer respond to various issues raised by Members of this House and I have a feeling that it is like somebody prepared answers for the Chief Officer to come and stand here and read to the House. The way he is coming out, he is not even sure. I could request Chief Officer Nalwa; I know you are new in that Department and if you don't have facts, don't fumble to answers things you are not sure about.

**Mr. Speaker:** Let us allow now the Chief Officer to respond before we move to the next question.

**Chief Officer, Education:** Thank you Hon. Speaker. The issue of Ward Administrators for Bukembe West and East Sangálo- officer by the name Obed has a case and because of that I declined to pay him money until that case is sorted.

**Mr. Speaker:** Chief Officer you are complicating yourself. I am trying to assist you but you want to sink in the sand. I told you that this county has 45 wards and we only have 36 Ward Administrators. If you paid out money you did so for only 36 people. If you paid 36 and not 45, where did the difference go? Are you getting what I am saying? Answer this simple question and we move on unless you want to be grilled here for the entire evening.

**Chief Officer, Education:** Thank you Mr. Speaker. I submitted a figure indicating the much that has been paid the much that has not been paid.

About the usage of Kshs542, 000; from my submission, we have been able to process money for the ward committees, we are yet to process money for headquarters but the approval is already made and we still in the process. How it is supposed to be utilized is that officers were to be facilitated for making reports concerning the bursaries and scholarships funds for verification of documents that we were able to roll across the County and also schools from other regions to confirm on the exact beneficiaries. That work took us almost one and a half months and that is why we indicated verification of results. At the same time, we usually go to schools to collect returns and officers who usually file records indicate facilitation and I am yet to do that myself.

**Hon. Anthony Lusenaka:** Thank you Hon. Speaker. We are talking about bursary; we are not talking about scholarship which equally has three per cent administrative fee. We are talking about three per cent of the Kshs45 million. How do you use administrative fee for bursaries on scholarships?

**Mr. Speaker:** Chief Officer, stick to the first question on bursary; when we move to scholarship, you will have a chance to respond. Yes Deputy Speaker? Hold on I give you the microphone please.

**Hon. Stephen Wamalwa:** Hon. Speaker there is another issue surrounding the responses. Those acknowledgements from schools are never collected by staff from the headquarters. That is an outright lie Chief Officer. Those acknowledgements are not collected by staff from headquarter. When you come kindly clear this.

**Mr. Speaker:** Clear this and we move. I tried to guide you to be sure of what you are telling us. I see where you are heading to and they will ask for the circular you are using to pay your staff at the headquarters.

**Chief Officer, Education:** Thank you Hon. Speaker. I want to confirm that I sent officers to the field across all schools and the reason I did that is to establish the true number of students in our schools who are still on scholarship so that we can facilitate them...

**Mr. Speaker:** Chief Officer we are now dealing with Kshs45 million meant for bursaries, a question on scholarship will be asked later. Avoid responding on issues to do with scholarships at this level.

**Chief Officer, Education:** I am well guided. About the Kshs45 million, the expenses that we were supposed to incur from the three per cent allocation was on preparation of the report and office expenses involving stationary.

**Mr. Speaker:** Chief Officer, take your seat because when you mention about stationary and the Chairperson, Budget Committee is getting what you are saying. Every officer has an allocation for office operation. Proceed, Hon. Job.

**Hon. Job Mukoyandali:** Thank you Hon. Speaker. I wish to thank the Chief Officer for being honest. Question two; provide an expenditure utilization of the three per cent allocation on the Kshs80 million, Scholarship Fund.

**Mr. Speaker:** You can now respond on item two.

**Chief Officer, Education:** Thank you Hon. Speaker. The total administrative cost on Kshs80 million is Kshs2, 400,000 of which we incurred expenses totalling to Kshs2, 041,964; which I have submitted. Of the Kshs2, 041, 964, there was an amount for the facilitation of the consultative meeting which was held in Busia to discuss education matters in the Department; where the headquarter staff and the Sector Committee attended. We spent Kshs1, 470,000. I have attached an appendix to confirm this expenditure. An amount totalling to Kshs101, 430 was spent to facilitate verification, collection of returns and reporting of the documents relating to Scholarship Fund. There is also an amount of Kshs50, 000 and the appendix has been attached we used to acquire stationary in the department to assist in processing and submission of the documents. Another expenditure totalling to Kshs112, 555 was paid to officers from the field that came for a meeting at the head quarter. Five is an amount totalling to Kshs211, 205 facilitated two meetings by the Bungoma County Education Support Scheme committee members; one meeting at Kshs104, 000 and another meeting of Kshs106, 000. I have attached and appendix.

**Mr. Speaker:** I want you to assist us, open appendix three. Go through people who went to Busia from item one up to item 16 vis-a-vis the attached attendances.

**Chief Officer, Education:** Thank you Mr. Speaker. The following are the participants;

1. Benedict Emachar- CECM
2. Sam Nalwa- Chief Officer
3. Christine Masibo
4. Erick Ratimoi
5. Julius Wafula
6. Selina Nyongesa
7. Geoffrey Masika
8. Gerald Wekesa
9. Alexina Simiyu
10. Pricilla Wasike
11. Messina Nalonja
12. James Mafuta
13. John Wafula
14. County Assembly Education Committee Members

## 15. County Assembly Committee Clerk

**Mr. Speaker:** You have attached attendance list; is there one for MCAs who went for the Busia meeting from your appendix

**Chief Officer, Education:** The attendance list is not there Hon. Speaker.

**Mr. Speaker:** Hold on! Therefore when you say you paid my Members without evidence, how do I confirm? What I am trying to say is that the the expenditure of Kshs1, 470,000 cannot be proven. Yes Hon. Milliah, but we will allow the Chairperson, Education to speak on this. Chief, hold on for a question from a Member.

**Hon. Miliah Masungu:** Hon. Speaker I want the Chief Officer to prove to this House that the expenditures he is mentioning before this House is totalling to the approved budget for the Department; that we passed on the Floor this House.

**Hon. Jack Wambulwa:** Hon. Speaker, I appreciate the way the Chief is trying to defend the Department. I wish the technical team that assisted in preparation of this report could have advised him. You should not read a response for purposes of reading, you are a professional. When you tell us that you took leadership team from you department and the Members of the Assembly to Busia; we are not against this, but are you supposed to divert money from scholarship whereas you have money for boards and conferences. If you did not have money for boards and conferences, who gave you the powers to divert this money meant for scholarship committees at War level and those at headquarter. Was there money under boards and conference that could have been used to finance this activity?

**Hon. Francis Chemion:** Hon. Speaker mine will be simple. Based on the information that we have received out of the three per cent that we allocated for administrative cost, do we have money for purchase of stationary at the ward level? Because committees at Ward level go to vet, bring the names, prepare the lists both in hard copy and soft copy and eventually they are only paid allowances. Where do we get money to buy stationary? Because in most of our Wards, it is us who come in to take care of the stationary using our own money yet we have three per cent that can take care of stationary at ward level.

The last issue is now that it is clear that this money is not meant for bonding, how are we going to get back the money that you used for bonding because this money was supposed to pay allowances to the committees at Ward level and the county level. We have an appendix of people who are not part of those two terms who have been paid substantial amount of money against the regulations. How are we going to get back this money so that it is given to ward committees?

**Mr. Speaker:** Chief, you will now respond but as you do so, I was also to seek clarification on (d) on temporally borrowing which means you are supposed to refund the money. Appendix 6 (d) once refunded, where will this money be taken to? Kindly respond.

**Chief Officer, Education:** Thank you Hon. Speaker. The temporary borrowing of Kshs112, 000 we are supposed to return to the vote line where we charge for allowances and meetings.

The other question about money being diverted from school fees to conference; Mr. Speaker Kshs1.4 million that was spent out of the Kshs2.4 million, the balance of Kshs400, 000 is intact and will be allocated to officers to facilitate the work done.

The issue of stationery has come up repeatedly and I am guided; that we should allocate funds to cater for officers in the field, which has not been done before.

**Mr. Speaker:** Next item? Hon. Job hold on, your Leader of Minority is on his feet.

**Hon. Anthony Lusenaka:** I want to confirm from the Chief Officer that money meant for committees has not been paid. If it is still available and you have not paid kindly consider what we are proposing here. Don't go and utilize it before we finalize.

**Hon. Job Mukoyandali:** Thank you Hon. Speaker. Three from the Scholarship Fund of Kshs80 million, how much has been disbursed so far.

**Mr. Speaker:** Give us the breakdown Chief before reactions and we will set you free.

**Hon. Job Mukoyandali:** I was saying that question three and four are related. Question three; from the Kshs80 million, how much has been disbursed so far. Question four; are there any balances yet to be disbursed? If yes how much and why?

**Mr. Speaker:** You will answer both before we proceed.

**Chief Officer, Education:** Thank you Hon. Speaker: A total amount of Kshs77, 953, 022 has been disbursed to schools which comprise of;

1. Kshs61,243,022 which was the first disbursement of the Kshs80 million
2. Kshs14, 920,000 as the second disbursement of the Kshs80 million bringing a total of Kshs76, 163,000.

On the same an allocation, Kshs1, 790,000 was partly paid to Kapkateny' Ward students and another Kshs70, 000 borrowing from Bokoli Ward.

**Mr. Speaker:** Members any reactions? Hon. Job?

**Hon. Job Mukoyandali:** Hon. Speaker, I am worried about the Kshs.1.7 million which the Chief is not clear about. Is it a borrowing or what is it? You are also talking about Kshs70, 000 to Bokoli Ward. Kindly clarify on the same.



**Chief Officer, Education:** Thank you Hon. Speaker Sir. Kshs1, 790,000 that went to Kapkateny' Ward has repeatedly mentioned and we have made several requests to treasury to facilitate the Department with the said amount. Up to the time when we were paying, we had not received that money and I have attached several reminders on the same. We were guided by the Sector Committee that the students from Kapkateny' are suffering and the Member for Kapkateny' made a request that we draw Kshs.1.79 million to pay for students from Kapkateny'; and when the Treasury will disburse the money to the Department, the same will be taken back to the Scholarship Fund...

**Mr. Speaker:** Why they are asking for a clarification is because they don't have an appendix. Basically this borrowing was for university students in Kapkateny' and bursary and scholarship is meant for secondary schools. When doing borrowing from a fund meant for secondary schools to pay for university students fees, how do you refund it?

**Chief Officer, Education:** The refund will be done by the Treasury once we get the requested amount.

**Mr. Speaker:** Scholarship and Bursary is for high school as per the regulations, but you are using the same to pay university fees. Are we together?

**Chief Officer, Education:** Yes, Mr. Speaker. It came as a borrowing which indicates that the money is supposed to be returned Hon. Speaker.

**Hon. Milliah Masungu:** Mr. Speaker, we need clarity, just a simple clarification and you know the Chief Officer is on the HANSARD. You know mentioning a member of a ward claiming to have borrowed money from the Department; surely, it beats logic? How? Can we just get clarity on how the Kshs1.7 million came in so that we can understand and even the Honourable Member is here? Now that she is being mentioned, she can also explain to us what... You know, mentioning somebody's ward means that the member of the ward is here. Hon. Joan is from Kapkateny' Ward, you pretend you are not seeing and the ward is being mentioned here.

**Mr. Speaker:** Honourable Members, this issue of bursary scholarships across the 45 counties is not in the ward of somebody but what they are trying to seek clarification here is that in the annexures, we have a request from the Admin- one Selina Nyongesa Fund Admin, borrowing money for bursary in Kapkateny'. That is the thing. So, you clarify we move on. Yes.

**Hon. Job Mukoyandali:** Hon. Speaker maybe let me rephrase my question so that it is clearer; I would like to request the Chief to explain to us what this Kshs1.7 was meant for.

Was it maybe put as development maybe in that ward but it was for bursary or what was it about? You see I am the one who has asked this question, so it is good that Hon. Milliah allows me to...



**Mr. Speaker:** Hon. Milliah, allow your member... you know you are the Chief Whip of the minority coalition. If you are talking, allow him to ask, please.

**Hon. Job Mukoyandali:** Thank you Hon. Speaker.

**Mr. Speaker:** Hold on Hon. Jack. Hon. Job, wind up. I will allow you to speak. Proceed.

**Hon. Job Mukoyandali:** The only thing I wanted to know about this amount of Kshs1.7 that went to Kapkateny Ward is how come that they are borrowing Kshs1.7 to go to Kapkateny Ward yet every ward was receiving the same amount of money? Was this extra, or how did it come that actually we had this Kshs1.7 as a borrowing?

**Mr. Speaker:** Yes, Honourable Leader of Majority!

**Hon. Job Mukoyandali:** Is it CEF or what is it?

**Mr. Speaker:** Leader of Majority; I want to take all of them then he answers as we wind up.

**Hon. Joseph Nyongesa:** Though he is always skipping my question Mr. Speaker because I still wonder why he is still holding onto that money but has not answered. Does it mean that we are over-budgeted in terms of scholarship because I see some borrowing from the Kitty? Does it mean that up to now the students have no debts in school or why is it that we have these borrowings yet we have debts?

**Mr. Speaker:** Yes, Hon. Jack!

**Hon. Jack Wambulwa:** Thank you Hon. Speaker.

**Mr. Speaker:** Hon. Otsiula, hold your horse.

**Hon. Jack Wambulwa:** Yes Hon. Speaker. Thank you for protecting me. Hon. Otsiula is behaving like we are in a court of law where he does not want me to ask questions but mine is not about a question but colleague members, let us be sincere with some of the information we are trying to seek. Money that went to Kapkateny' was allocated by the member as extra.

*(Loud Consultation)*

Come on, Members!

**Mr. Speaker:** Honorable Members, allow Hon. Jack to wind up his question. Honourable... I will give you a chance to speak, but allow Hon. Jack to respond.

Chair, Education, why are you so jittery? Resume your seat! Hon. Otsiula! Kindly resume your seat. Hon. Jack, proceed! Hon. Job, you are out of order!

**Hon. Jack Wambulwa:** Specifically to Hon. Job, you are a member of West Bukusu. You normally get your yearly allocation of Kshs24 million. Out of that, you can decide which departments, what activities to do in your wards. So, it would be improper for us to start discussing a member here when she has allocated money towards her students in education.

*(Applause)*

**Mr. Speaker:** If that is not information; that is more than information. Let us allow Chief to speak then we move on, please. What is the issue Hon. Job? This is your statement; we ought to get answers for him. Yes.

**Hon. Job Mukoyandali:** Hon. Speaker, I want to say thank you to Hon. Wambulwa. That is the kind of response I wanted to get from the Chief because I do not sit on the Budget Committee and also I am not an Honourable Member for Kapkateny' Ward. So, that one answers everything.

**Mr. Speaker:** What I know my member from Kapkateny' is a female so you cannot be one.

**Hon. Job Mukoyandali:** That is it Hon. Speaker. That one answers everything, there is no problem. That is the only response I wanted. Hon. Kikechi, what is your problem?

**Hon. Bernard Kikechi:** Hon. Speaker, I think there is a problem somewhere.

**Mr. Speaker:** There is no problem, please.

**Hon. Bernard Kikechi:** I don't understand why the Honorable Member for Kapkateny' is here, unless she is sick. Why is she not speaking for herself?

*(Applause)*

**Mr. Speaker:** Honourable Members, speaking here is one's choice. If she has not requested to speak... Order members! When you speak here you request. If you don't request, I won't force you to speak. If the request has not come from her to speak, do I have to coerce her to speak? I cannot. So, since I have seen she is been able to request, Chief, you will take a seat shortly.

Let us hear Hon. Kirong', then Cornelius, then we close that discussion, we allow Chief to answer. Hon. Kirong', they have mentioned your ward several times.

Yes, Hon. Kirong'.

**Hon. Joan Kirong':** Thank you Mr. Speaker. I think we have missed the point because if I was supposed to answer some question then you would have invited me the way you invited the Executive.

*(Applause)*

**Mr. Speaker:** Hon. Kirong'!

**Hon. Joan Kirong':** Yes Mr. Speaker; I am not part of the Department.

**Mr. Speaker:** Hon. Kirong', resume your seat. You are properly protected. Hon. Cornelius after Cornelius, I will go back to the Chief and we wind up.

**Hon. Cornelius Makhanu:** Thank you Hon. Speaker. I have listened keenly to the responses from the Chief and there is a question you asked. From the expenditure that went to bonding in Busia, I heard the Chief mention that the Sector Committee was among the attendees and when the names were read, I have not heard any member.

**Mr. Speaker:** Now, Hon. Otsiula, today, what is happening with you?

**Hon. Cornelius Makhanu:** Now Honorable Members. I see.

**Mr. Speaker:** Hon. Kikechi, hold on. Hon. Cornelius, proceed.

**Hon Cornelius Makhanu:** You know we cannot be brought responses.

**Mr. Speaker:** No, hold on Kikechi

*(Loud Consultation)*

Honourable Members, whatever you took for lunch today, I suspect or something else. Proceed, Hon. Cornelius, you are protected.

**Hon. Cornelius Makhanu:** Thank you Mr. Speaker for protecting me. Is there something sinister that they are hiding because just being listed there and signing; it is not bad. Otherwise, I seek a response for those members who have been read here. I want to know how much they were receiving.

**Mr. Speaker:** Order! Order! Hon. Cornelius order! Can I give guidance, please? Order!

One, if the Committee Members are not complaining, why do you complain?

*(Applause)*

Hon. Cornelius, when they said Members of the Committee were taken out, I never heard anybody denying that he/she was never taken out. What was paid is.

*(Loud Consultation)*

**Mr. Speaker:** Hon. Cornelius, Order members! Order!

If the Committee was taken out, then it is none of our business... not even me! To the last question? So, avoid that line...

**Hon. Cornelius Makhanu:** Fine. Well guided Mr. Speaker. The last question,

*(Loud Consultation)*

**Mr. Speaker:** Order, Hon. Kirong'

**Hon. Cornelius Makhanu:** The last question Mr. Speaker. This three per cent maybe it is now upon this House to put a caveat because it is like its being taken everywhere. I wish this money...

**Mr. Speaker:** Hon. Cornelius, have you heard a chance to look at the regulations governing the Fund?

**Hon. Cornelius Makhanu:** Yes.

**Mr. Speaker:** It is okay, they will respond accordingly!

**Hon. Cornelius Makhanu:** Now, if the regulations have not been followed, it is upon this House now to take a step.

**Mr. Speaker:** Hon. Cornelius, you are at liberty to bring your statement and seek what you want to sanction but you cannot joyride on somebody's statement here. Hon. Milliah! Members, I think we are winding up. I allow the Chief to respond then we move on! Yes Hon. Milliah Masungo!

**Hon. Milliah Masungo.** Mr. Speaker, I have one last question to the Chief Officer. Now that we are on scholarship; Honorable Members, we are aware that we have students who transferred from their original schools. They joined... I need protection. There is a lot of murmuring.

**Mr. Speaker:** Yes, Proceed.

**Hon. Milliah Masungo:** There are students who transferred from their original schools, some from national schools because of the delay of paying school fees; they transferred to day schools within our ward. I want the Chief Officer to inform this house on how they have handled such like cases because the money allocated to each child was as per the schools they originally joined or if they have had measures to make a follow-up on the students that transferred and again how they have utilized the extra money they allocated to these students. Because a child transferring from a national school was allocated around Kshs40, 000 to a day school that pays Kshs10, 000 per year. It means that extra money is still with the Department.

Can the Chief Officer tell us or inform this Honorable House on how they utilized the extra monies meant for those children who transferred from their original schools they were admitted to?

**Mr. Speaker:** Yes, Job. Then I think Job will be the last person. Can we have some order members? If you want to speak, you request. It is not here. Or you can come and check. If I say it is not here, it is not there. Yes, proceed.

**Hon. Job Mukoyandali:** Thank you Hon. Speaker. That last bit of question four has not been answered. Are there any balances not disbursed and if yes, how much and why? Maybe the

Chief will come clean on that. Then just on the same, at some moment they appeared here and they said that there are some schools which had not been captured on IFMIS and you see these schools still receive our County funds. So I don't know how much has been paid by now off IFMIS. Lastly, Chief, I am meant to understand that the form fours have left school. How many students do you still have on scholarship?

**Mr. Speaker:** Hon. Job, I will leave that out. Bring it as a separate question because it is not part of what we are having here.

**Hon. Job Mukoyandali:** Obligated, Hon. Speaker.

**Mr. Speaker:** Leave it out. Hon. Caleb, you will have your time then Museveni and we will close it.

**Hon. Caleb Wanjala:** Mine was similar to what Hon. Milliah asked because the Chief said that we send out a team to collect data to ascertain how many students on scholarship are still in those schools.

I wanted to know if he has that data. At what time did those students transfer to other schools because there is a possibility that we were paying money to schools that students already transferred from and if that is the case, those schools need to reimburse that money to the County? That was my question.

**Mr. Speaker:** Yes, Hon. Meshack. Sorry, proceed.

**Hon. Meshack Simiyu:** Spika asante. Nilikuwa nataka kumuuliza *Chief* (afisa mkuu). Kuna mtoto kutoka wadi yangu alikuwa Shule ya upili ya vijana ya Kamusinga na wakambadilisha akapelekwa Teremi kwa sababu hawakuwa wamelipa ada. Niliandika barua nikapeleka kwa ofisi ya Chifu. Hadi sasa sijapata jibu na mtoto huyo ako Teremi na hajawahi kulipiwa pesa.

**Mr. Speaker:** Yes, Chief. You will respond. Members have the response. If there are any other pending questions that you may want clarification upon, I will urge that you write them down and you will be given a chance at the committee level with the Chair in a way that the concerned chief officer and CECM will direct us. Seek clarification at that level. For today, I think we are done. Let us allow the chief to respond.

**Chief Officer, Education:** Thank you Hon. Speaker. Students, who have been transferred from scholarship benefiting schools to sub-county schools, have been captured in our records and they receive a payment.

We look at the payment schedule; So many schools are day schools. Other schools are sub-county schools. They receive payments. So, that one has been taken care of.

On IFMIS money of 3.68, that money has been disbursed to students. I have been able to submit a sheet in Annex 8 showing how money that had not been given to students as a result of not having IFMIS in data was disbursed.

We provide data on students on scholarship. I have been able to also table data on students still on scholarship. When we disbursed Kshs8 million, we had 638 Form ones still on scholarship, 821 Form twos, 1,575 Form threes, and 1,464 Form fours, totalling to 4,496. I have been able to submit that and of this, they had an allocation of Kshs61, 243,022.

On the same, after disbursing part of that, we also disbursed the remaining amount, which therefore, as at now, we do not have any amount to give out to students on scholarship. The total beneficiaries stand at 4,996.

The issue on Friends School, Kamusinga in line with the transfer to Teremi, we have handled that issue.

In the office here, I carried the individual student beneficiary lists, and if that name was mentioned here, we could quickly confirm from my records that that name is there, and we have been able to pay funds for that student.

**Mr. Speaker:** Thank you Chief Officer for your fast response and before I close that discussion, allow me to invite Chair Education, one word!

**Hon. Benjamin Otsiula:** Thank you Hon. Speaker. I know today you really pressed me so hard and ensured that I don't come in to interfere when my members of the Department of Education are facing questions. I also want to appreciate your directions and I want Honourable Members to know that I did not want to pre-empt and you have already given your direction.

My brother raised a statement which is touching on an activity that the Committee on Education and Vocational Training is already writing a report on; but because it was for the benefit of the House, I allowed it to proceed. Next time when they raise a statement, they should also consult the relevant Committee because we are doing our report and it is already halfway and we are supposed to table it before the House.

Therefore, all the concerns as you have directed, I want also to agree with you and the Honorable Members that any questions that are not answered and captured in this response, they bring to our attention, so that when we shall be availing the report before the House, we capture everything for the benefit of the House.

Otherwise, thank you, but next time when I am pressed so hard, allow me to exercise my powers as the Chair of this Committee.

Finally, Hon. Cornelius is becoming overzealous, and I think he was overexcited but you directed him otherwise because any other committee in the House cannot be limited in its oversight mandate.

**Mr. Speaker:** It is allowed to conduct consultations with the Executive.

**Hon. Benjamin Otsiula:** Yes, Hon. Speaker and therefore the Committee on Education, on behalf of my members, Education and Vocational Training, we are not an exception.

**Mr. Speaker:** Thank you Members. Allow me on behalf of all of you appreciate our Madam CECM Agnes Wachiye and our Chief Officer Sam Nalwa first and foremost for honouring the summons to appear here to clarify some of the issues. I think they have done well. Any pending issue before any members' doubts, I will urge that through the Committee on Education, to go through them so that at their own level, they can to clarify and prepare the report and bring it back.

Thank you, Madam CECM and our Chief Officer. You are at liberty to leave at your own pleasure so that... Honourable Members, I have closed that chapter, you can go out there and say thank you. Honourable Members, they said greetings were done out there. We are done.

*(Applause)*

Luckily you are off HANSARD.

Members, we will go back to the Business of the House, I will urge you that we go to the next item on our Order Paper.

*(CECM and Chief Officer exit the debating chamber)*

## MOTION

### 1. REPORT BY THE LIAISON COMMITTEE ON THE ACTIVITIES OF COUNTY ASSEMBLY COMMITTEES

**Mr. Speaker:** From this report, I expect the mover is Hon. Deputy Speaker Stephen Wamalwa. Sorry, you proceed with that.

**Hon. Stephen Wamalwa:** Thank you Hon. Speaker. I am on my feet to move this report of the Liaison Committee on the Assembly Committees in the First Quarter of Financial Year 2024-2025; that is July to September, 2024.

## PREFACE

This report is a culmination of the operations and activities of the Committees of the County Assembly of Bungoma in the first quarter of the FY 2024/2025 that commenced 1<sup>st</sup> July- 30<sup>th</sup> September, 2024 including their expenditure in the period under review.

It is worth noting that the report covers the following areas: Committee meetings (both Internal and External), Consultative meetings, Interrogations and External Engagements, public hearings and participation, investigations and inquiries, vetting, Statements/Questions, Fact Findings, Pending Businesses, Committees' expenditure, Observations and Recommendations.

The Liaison Committee provides guidance, coordination, operations, apportionment of annual operating budgets for Committees, consider schedule of the programmes of Committees, and



ensure Committees submit reports as required by other statutes and the Bungoma County Assembly Standing Orders.

Honorable Speaker, 1.1 is Committee mandate, which is as per the Standing Order No. 216 (2) and (3) which I make reference for members to note.

### **Committee Membership**

The following are the Members of the Liaison Committee:

<b>Name</b>	<b>Designation</b>
1. Hon. Stephen Wamalwa	Chairperson – Liaison
2. Hon. Christine Mukhongo	Vice chairperson – Liaison
3. Hon. Emmanuel Situma	Member – Chairperson – Powers/HBC/Rules/Speaker's/Appointments
4. Hon. James Mukhongo	Member -Chairperson – Finance
5. Hon. Jackson Wambulwa	Member -Chairperson – Budget
6. Hon. George Makari	Member -Chairperson – Health Services
7. Hon. Jack Kawa	Member -Chairperson – Gender and Culture
8. Hon. Joseph Nyongesa	Member -Chairperson – Selection
9. Hon. Franklin Simotwo	Member -Chairperson – Roads
10. Hon. Tony Barasa	Member-Chairperson–Public Administration
11. Hon. Hentry Nyongesa	Member – Chairperson -Labour Relations
12. Hon. Francis Chemion	Member – Chairperson – Lands,
13. Hon. Benard Kikechi	Member – Chairperson – Trade, Energy
14. Hon. Benjamin Otsiula	Member – Chairperson – Education & VT
15. Hon. Violet Makhanu	Member – Chairperson - Youth Affairs
16. Hon. Waiti Wafula	Member – Chairperson – Agriculture
17. Hon. Edwin Opwora	Member – Chairperson – Tourism
18. Hon. Jacob Psero	Member – Chairperson – Justice
19. Hon. George Tendet	Member – Chairperson – Delegated



- |     |                     |                                      |
|-----|---------------------|--------------------------------------|
| 20. | Hon. Aggrey Mulongo | Member –Chairperson - Implementation |
| 21. | Hon. Everton Nganga | Member- Chairperson – PAIC           |

## **Acknowledgement**

Mr. Speaker Sir, May I take this opportunity to thank your Office and the Office of the Clerk for facilitating the Committee while it discharged its mandate.

In addition, I wish to appreciate the Honorable Members and the secretariat to the Liaison Committee for their support and dedication.

Mr. Speaker Sir, it is therefore my pleasant duty on behalf of the Committee to present this report on Liaison Committee report on the activities of County Assembly Committees in the First Quarter of Financial Year 2024/2025 (July –September, 2024) for approval by this Honourable House.

Signed by the Chair, myself

## **CHAPTER TWO**

### **Committees' Activities**

#### **Committee Meetings**

Mr. Speaker Sir,

The Liaison Committee places control on the times during which Committees can meet. In exercising its mandate, it prepares internal Committee sitting schedules to facilitate Committees sittings. When the House is in session, Committees sittings occur on Mondays (morning and afternoon hours), Tuesdays (morning hours) and Thursdays (morning hours) and when the House is on recess, Committee meetings take place on Tuesday and Wednesday. Despite the internal meeting schedules, committees can hold meetings outside the schedule. It should be noted that Committees do not meet when the House is in session, except on a written permission by the Speaker pursuant to Standing Order No.188 (2). This is in obedience to Standing Order No. 33 on hours of meeting. The external committee meeting schedule is also prepared by Liaison Committee on a quarterly basis.

#### **Internal meetings**

Pursuant to Standing Order No. 42, the schedule of sittings of various committees with the agendas to be considered, place, date and time for the meeting is prepared and published on the County Assembly website not later than Friday of the week proceeding such business.

According to the Liaison internal Committee sitting schedule, each Committee was expected to have at least one Committee sitting per week translating to four per month. All Committees attained the required number of meetings (12) in the period under review.

### **External meetings**

The Liaison Committee appropriated funds for Committees' operations in July, 2024 which enabled committees to retreat and write reports on various activities as per their mandate and work plans. Further, the Committee prepared schedules for the retreats (from July – October, 2024). Each Committee had been scheduled to hold at least one external sitting with approval of the Speaker. Committees are expected to produce a report for tabling after the external meeting and some committees came up with more than one report during a retreat (Attached find a copy of Committee Schedules for external meetings).

There was one retreat for all Members (Whole House) of the County Assembly to compile reports on the vetting of the six nominees appointed to the positions of Chief Officers for the following Departments;

- i. Youth and Sports,
- ii. Gender and Culture,
- iii. Housing, Municipalities and Urban areas,
- iv. Economic Planning,
- v. Education and Vocational Training and
- vi. Livestock, Veterinary Services and Fisheries.

The table below shows the number of meetings each Committee had and reports prepared;

NO	NAME OF COMMITTEE	Internal meetings	External meetings	Number of Reports
1.	Lands, Housing and Physical Planning	26	1	2
2.	Public Administration and ICT	17	1	2
3.	Agriculture, Livestock, Fisheries, Irrigation & Co. development	16	1	2
4.	Gender, Culture and Social Welfare	22	1	2
5	Youth and Sports	22	1	2
6	Tourism, Water, Environment & Nature Resources	15	1	1
7.	Trade, Energy and Industrialization	26	1	1

8.	Roads, Infrastructure and Public Works	15	1	1
9.	Health Services	23	1	1
10.	Labour Relations, Members Service and Facilities	19	1	1
11.	Finance and Economic Planning	15	1	2
12.	Education and Vocational Training	20	1	2
13.	Budget and Appropriations	15	1	1
14.	PAIC	21	1	3
15.	Implementation Committee	16	1	1
16.	Appointments	0	0	0
17.	Delegated County Legislation	17	1	1
18.	Selection	14	1	1
19.	Powers and Privilege	18	1	1
20.	Procedure and House Rules	19	0	0
21.	Justice, Cohesion and Legal Affairs	20	1	1
22.	House Business	14	1	1
23.	Liaison	14	1	1
24.	Speaker's Panel	13	1	0

From the table above, it is observed that;

- I. All Committee retreated in the period under review, save for Procedure and House Rules Committee
- II. Public Administration and ICT Committee and Public Accounts and Investments Committee submitted two and three reports respectively from one retreat
- III. The following committees submitted report on the vetting of the nominees for the position of Chief Officers; Youth and Sports, Gender, Culture and Social Welfare. Finance and Economic Planning, Lands, Urban Physical Planning and Houses and Agriculture, Livestock, Fisheries and Irrigation.

### **Consultative meetings, Interrogations and External Engagements**

The County Assembly Committees held consultative meetings with other stakeholders among them the departments in the Executive Arm of the County Government, donors/ NGOs, Civil Societies and Government Agencies like the Auditor General's Office.

During the period under review, all Sector Committees held interrogations on the Annual Development Plan FY 2025/26 with their respective Departments. Other engagements with the Executive and other stakeholder included;

- a) The Committee on Education and Vocational Training engaged in two key meetings: one with Save the Children regarding the county pre-primary education stakeholders' dialogue from July 2<sup>nd</sup> to 4<sup>th</sup>, 2024, at Siritamu Resort, and another consultative meeting with the Department about the status of ECDE teachers, scholarships, and bursary issues from August 24<sup>th</sup> to 26<sup>th</sup>, 2024, in Busia.
- b) Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development had a consultative meeting with the department on the status of cooperative societies on 28<sup>th</sup> August, 2024 at the County Assembly.
- c) Public Accounts and Investments Committee had interrogation of the Executive on the audit reports on 9<sup>th</sup> September, 2024 at the County Assembly
- d) The Committee on Public Administration and ICT held two consultative meetings at the County Assembly: on August 20<sup>th</sup>, 2024, with the CECM for Public Service Management to discuss the status of construction for the Milima and Kapkateny Ward offices, and on September 9<sup>th</sup>, 2024, with the County Secretary to address the transfers and realignment of County staff who had been in their positions for over three years.
- e) The Committee on Roads, Transport Infrastructure and Public Works held consultative meetings with the Department on two occasions: first, on August 6<sup>th</sup>, 2024, to discuss a statement by Hon. John Kennedy Wanyama regarding lorries and trucks at the Kanduyi Sang'alo junction dual carriage road; and second, on August 27<sup>th</sup>, 2024, to review the status of the Memorandum of Understanding between the County Government of Bungoma and West Kenya Sugar Company at the County Assembly.
- f) Committee on Delegated County Legislation had a consultative meeting with Board of Bungoma Municipality on status of Municipality Charter On 30<sup>th</sup> July, 2024 at the County Assembly.
- g) Committee on Implementation had a consultative meeting with the Departments of Health and Sanitation and the Department of Education and Vocational Training on status reports on the implementation of House resolutions within their departments on 16<sup>th</sup> of September, 2024 at the County Assembly
- h) The Committee on Gender, Culture and Social Welfare held two consultative meetings during the period under review at the County Assembly. The first meeting occurred on 29<sup>th</sup> July, where they discussed several key policies, including the Disability Mainstreaming Policy, 2023, Group Registration Policy, 2023, Culture and Heritage Policy, 2023, and the Bungoma County Children Policy, 2023, with the

CECM for Gender, Culture, Youth, and Sports. This was followed by a second meeting on 28<sup>th</sup> August, also focused on these policies. Subsequently, on 10<sup>th</sup> September, the Committee met with the Chief Officer for Gender and Culture to discuss the status of the Sang'alo Cultural Center.

- i) The Committee on Trade, Energy, and Industrialization held two consultative meetings: the first on August 3<sup>rd</sup>, 2024, to discuss the status of markets in Bungoma County at the County Assembly, and the second on September 2<sup>nd</sup>, 2024, in a joint session with the Committee on Lands and Urban Physical Planning, focusing on the construction of a REREC energy center in Lunakwe.
- j) Committee on Youth Affairs and Sports had three consultative meetings with the department and the consultant on Youth and Sports Policies
- k) The Committee on Land and Urban Physical Planning held a series of three consultative meetings with the department during the period. The first meeting took place on 6<sup>th</sup> August, where the focus was on an update regarding the recruitment of the County valuer. Following this, on 20<sup>th</sup> August, the committee convened to address a statement concerning parking issues faced by business owners and the obstruction caused by trucks and lorries along the Kanduyi- Sang'alo Junction dual carriage road, discussing its current status. Finally, on 2<sup>nd</sup> September, the Committee met to discuss the allocation of land for the establishment of the Bungoma County Energy Centre.
- l) The Committee on Health Services conducted several consultative meetings throughout the period to address various issues. On July 17<sup>th</sup> they met with the Department regarding a statement by Hon. Johnston Ipara about the lack of clear information on the current position of the Director of Medical Services in the County. This was followed by a meeting on August 8<sup>th</sup> to discuss the procurement of non-pharmaceuticals in Bungoma County Referral Hospital (BCRH). On August 22<sup>nd</sup>, the committee engaged with the County Public Service Board regarding an internal advert in the Department of Health. Lastly, on September 30<sup>th</sup>, they held a meeting with the Department to discuss the KDSP project. These meetings reflect the committee's commitment to improving health services and addressing key concerns within the County.

### **Consideration of Papers Laid**

**Mr. Speaker Sir,**

The County Assembly receives reports from the County Executive Departments, Auditor General, Controller of Budget, County Assembly Committees, stakeholders and other government agencies. The Papers are laid on the Table of the House and committed to various Committees and/or the House for consideration.

In the period under review, the following papers were laid and committed to the relevant committees to processing and reporting back to the House;

1. Report from the Office of the Auditor General on the Bungoma Municipality for the year ended 30<sup>th</sup> June, 2023
2. The Nzowasco De-Clustering Taskforce Report
3. Report by the Bungoma Civil Society Forum (BCSF) on the Citizen Led Survey on Own Source Revenue in Bungoma County, 2024
4. Fourth quarter financial statements for the established County Funds for the Financial year ended 30<sup>th</sup> June ,2024:
  - i. Youth and Women Fund
  - ii. Disability Empowerment Fund
  - iii. Education Support Scheme
  - iv. Climate Change Fund
  - v. Disaster Management and Emergency Fund
  - vi. Trade Development Loan Fund
5. The Health and Sanitation Task Force report on review and amendment of Bungoma County Health Service Act No. 5 of 2019
6. The Local Physical Development Plans for Nang'eni informal settlement in Webuye Town 2023 - 2027

### Statements/Questions

Members of the County Assembly raised various issues of concern to County Departments as part of their representation and oversight roles, through statements/questions on the floor of the House. These questions were directed to the respective County Executive Committee Members or Chairperson who provide responses.

Five Statements and Questions were responded and one pending as at 30<sup>th</sup> September, 2024 as summarize in the table below;

No	Requested by	Statement directed to	Subject of statement	Date requested	Date responded to	Status
1.	Hon. Johnston Ipara	CECM; Tourism, Water, Environment and Natural Resources	Unclear operation of the County Water rig	30/04/2024	04/06/2024 24/07/2024	Response was satisfactory

2.	Hon. Johnston Ipara	CECM; Education and Vocational Training	Lack of financial support for Vocational Training Centres	02/05/2024	25/07/2024	Response was satisfactory
3.	Hon. Johnston Ipara	CECM; Finance and Economic Planning	Low revenue collection in the County	02/05/2024	30/07/2024 12/09/2024	Response was satisfactory
4.	Hon. Anthony Lusenaka	CECM- Finance Chief Officer- Finance CECM-Education Chief Officer- Education	Response by the CECM and Chief Officer Finance and the CECM and Chief Officer Education on Matters County importance in relation to County Scholarships, bursaries and VTCs	23/07/2024	25/07/2024	Response issued but not satisfactory
5.	Hon. Kennedy Wanyama	Chairperson Roads, Transport and Infrastructure  Chairperson Lands, Urban Physical Planning and Housing	Response in relation to lorries and trucks along Kanduyi Sang'alo junction dual carriage road and its current status.	09/07/2014	5/09/2024	Response was satisfactory
6.	Hon. Kennedy Wanyama	Chairperson Committee on Health and Sanitation	To seek a response in respect to the 300 bed capacity medical facility at the County headquarters	04/09/2024		Response not availed

## Fact Findings

In exercising the oversight role of the County Assembly, various Committees undertook fact finding activities on programs implemented by various departments in the County Executive. The following Committees undertook fact finding activities in the period under review;

	Name of committee	Fact finding activity
1	Agriculture, Livestock, Fisheries, Irrigation & Cooperative Development	The Committee tasked the Research department to carry out fact finding on its behalf on the status of Cooperative societies in the County.
2	Roads, Transport, Infrastructure and Public Works	The Committee through the Research Office conducted fact finding on the status of implementation of ward based projects FY 2023/24
3	Finance and Economic Planning	Visited various revenue streams to evaluate how they perform.
4	Gender, Culture and Social Welfare	Visited to Sang'alo Cultural Center
5	Trade Energy and Industrialization	Visited various markets in the County to establish their status.
6	Health Services	Visited Maternal and child Health units at BCRH, Bumula, and Sirisia by KDSP to find out their status of construction and completion
7	Health Services	Visited Sirisia and BCRH construction and completion of maternal and child Health units.
8	Health Services	fact finding visit to Bumula Sub-County Hospital
9	Health Services	Fact finding visit to Naitiri and Mt. Elgon Hospitals on status of development projects by KDSP

## Exchange program

Committee on Roads, Transport Infrastructure and Public Works hosted the sister Committee from the County Assembly of Kakamega who benchmarked on the successful implementation of the MOU between the County Government of Bungoma and West Kenya Sugar Company Limited on 9<sup>th</sup> September, 2024.

## Pending Businesses

Mr. Speaker Sir,



As at 30<sup>th</sup> September, 2024, the following businesses had been committed to the respective Committees but were yet to be concluded;

1. Education and Vocational Training Committee

- The Bungoma County Education Support Scheme report and financial statements for the period ended 30<sup>th</sup> June, 2024

2. Public Accounts and Investments Committee

- 11 reports from the Auditor General

3. Finance and Economic Planning Committee

- Annual Development Plan for FY 2025/26
- Finance Bill for 2024
- Fourth quarter financial statements for Disaster Management and Emergency Fund for the Financial year ended 30<sup>th</sup> June ,2024

4. Tourism, Environment, Water and Natural Resources

- The Bungoma County Water Policy
- Fourth quarter financial statements for Climate Change Fund for the Financial year ended 30<sup>th</sup> June ,2024

5. Trade, Energy and Industrialization Committee

- The Bungoma County Trade Development Loan Fund Financial statements and reports for the period ended 30<sup>th</sup> June, 2024

6. Youth Affairs and Sports Committee

- The Bungoma County Youth Fund financial statements and reports for the period ended 30<sup>th</sup> June, 2024

7. Gender, Culture and Social Welfare Committee

- The Bungoma County Women Fund financial statements and reports for the period ended 30<sup>th</sup> June, 2024
- The Bungoma County Disability Empowerment Fund financial statements and reports for the period ended 30<sup>th</sup> June, 2024

8. Health Services Committee

- The Health and Sanitation Task Force report on review and amendment of Bungoma County Health Service Act No. 5 of 2019

## 9. Justice, Cohesion and Legal Affairs Committee

- Consideration of the two petitions from Milima and Kapkateny Wards that were committed to the Committee.

### CHAPTER THREE

#### Committee Expenditure

In the FY 2024/25, the allocation for committees' operations was Kshs**130,595,784** out of which Kshs**35,322,000** has been spend translating to 27.05 per cent leaving a balance of Kshs**95,273,784** which is equal **72.95 per cent**. The table below shows the allocation, expenditure and running balance for each committee.

S/N o	County Assembly	Estimate for FY 2024/2025 (Kshs)	Total Expenditure	Running Balance	Budget Utilization (%)
1	Agriculture, Livestock, Fisheries and Co-Operative Development	4,401,078	1,264,000	3,137,078	28.72
2	Liaison Committee	8,396,588	4,204,000	4,192,588	50.07
3	Selection Committee	2,300,000	1,154,400	1,145,600	50.19
4	House Business Committee	4,401,078	1,717,600	2,683,478	39.03
5	Health Committee	4,401,078	1,351,200	3,049,878	30.70
6	Committee on Implementation	3,227,647	1,000,000	2,227,647	30.98
7	Budget And Appropriations Committee	8,187,647	1,132,000	7,055,647	13.83
8	Delegated Legislation Committee	3,227,647	975,200	2,252,447	30.21
9	Education and Vocational Training Committee	4,401,078	1,152,000	3,249,078	26.18
10	Finance and Economic Planning Committee	6,561,078	1,297,600	5,263,478	19.78

11	Youth and Sports Committee	4,401,078	1,310,400	3,090,678	29.77
12	Lands, Urban, Physical Planning.	4,401,078	1,318,800	3,082,278	29.97
13	Public Accounts and Investment Committee	7,187,647	1,219,200	5,968,447	16.96
14	Powers and Privileges Committee	3,227,647	1,136,400	2,091,247	35.21
15	Public Administration and ICT Committee	4,401,078	1,392,400	3,008,678	31.64
16	Roads, Infrastructure and Public Works	4,401,078	1,352,400	3,048,678	30.73
17	Rules and Procedures Committee	1,758,000	603,600	1,154,400	34.33
18	Gender and Culture Committee	4,401,078	1,258,400	3,142,678	28.59
19	Labour and Social Welfare Committee	4,401,078	1,144,800	3,256,278	26.01
20	Tourism, Environment, Water and Natural Resources Committee	4,401,078	1,200,800	3,200,278	27.28
21	Justice and Legal Affairs Committee	3,227,647	1,012,400	2,215,247	31.37
22	Trade, Energy and Industrialization	4,401,078	1,244,400	3,156,678	28.27
23	Speakers Panel Committee	1,681,300	-	1,681,300	0.00
24	Committee on Appointment	2,300,000	-	2,300,000	0.00
25	Committee Whole-House	26,500,000	5,880,000	20,620,000	22.19%
	<b>Grand Total for Committees</b>	<b>130,595,784</b>	<b>35,322,000</b>	<b>95,273,784</b>	<b>27.05%</b>

## CHAPTER FOUR

### Observations and Recommendations

#### Observations

It was observed that;

1. The Bio-metric Attendance Register (BAR) has improved Members' attendance of committee meetings.
2. All Committees developed their work plans for the financial year 2024/2025.
3. The Committees actively engaged with various departments and stakeholders, reflecting a collaborative approach to governance. The meetings cover a broad spectrum of topics, from education and health to agriculture and public administration.
4. Members actively engaged with the County Executive on various issues, demonstrating their commitment to addressing citizens' concerns. The range of statements and questions, from water operations to financial support for vocational training, reflects the Committee's diverse oversight responsibilities.
5. Most statements received satisfactory responses, indicating that the County Executive is responsive to inquiries. However, there are instances where responses were deemed unsatisfactory, such as the one regarding scholarships and bursaries. This suggests that while engagement exists, there is a need for improved clarity and detail in responses to ensure accountability.
6. The fact-finding activities undertaken by various committees of the County Assembly demonstrate a proactive approach to oversight and accountability in governance. Each committee focused on specific areas pertinent to their mandate, such as the status of cooperative societies, implementation of ward-based projects, revenue performance, and the condition of health facilities. This targeted inquiry reflects a commitment to understanding and evaluating the effectiveness of programs within the County Executive, ensuring that resources are utilized efficiently and that community needs are met.
7. There is a significant backlog of pending reports and documents across committees, highlighting an urgent need for timely resolution to ensure effective governance and service delivery.
8. The utilization rates among committees vary considerably demonstrating differences in operational needs and priorities across committees.
9. Some of the Committee activities that were carried out were not as per their approved work plans during the period under review.

10. It was noted that, several reports from Committees have been considered by the House; however there were no response towards the implementation status of the said reports.

## **Recommendations**

We notably recommend the following:

1. **THAT**, members are commended for attending Committee meetings on time and surpassing the require number of meetings in the period under review.
2. **THAT**, all Committees with pending reports should fast-track their finalization and in case of any impediments they should report to Liaison Committee for necessary action.
3. **THAT**, Hon. Members are urged to come up with SMART (Specific, Measurable, Attainable, Realistic and Time bound) statements and questions seeking information and pressing for action with a view to enhance accountability from the relevant County Departments.
4. **THAT**, the Chairpersons should ensure all the Committee activities are carried out as per their approved work plans.

## **Conclusion**

It is now my humble request to this House to approve this report by the Liaison Committee on the Liaison Committee Report on the Activities of County Assembly Committees in the First Quarter of FY 2024/2025 (July - September, 2023) and Retreat Schedule for Second Quarter FY 2024/25.

I move.

**Mr. Speaker:** Can you call the seconder of the report

**Hon. Stephen Wamalwa:** Hon. Speaker, I now call upon Hon. Waiti, the Chairperson, Agriculture to second the report.

**Mr. Speaker:** Hon. Waiti you have the honour of seconding the Liaison report, proceed...Honourable Member, we are full, I see Hon. Mulongo, Hon. Kikechi, Hon. Waiti, Hon. Opwora, Hon. Otsiula, Hon. Psero, Hon. Tendet, Hon. Stephen and myself, we are full house

**Hon. Waiti Wafula:** Thank you Hon. Speaker for allowing me to second this motion for the Liaison committee. First of all, I wish to laud the able Chair of the Committee who has stood for quite some time in moving the report. As Liaison Committee, we are the mother of all committees of this Assembly and it is the Committee that encourages and provides; and if you may allow me use this term, it overlooks the Assembly committees where most Honourable Members chair.

Looking at how the Chair who has moved the report, he has been moving item by item on a particular and specific committee and every other committee was handling its individual committees as pertains that committee as per the mandate stated in the Standing Orders. I want to urge Honourable Members and especially the Chairs of those particular committees to adhere to the observations and recommendations made by the Committee so that moving forward we consider how we run our committees.

I second the report, thank you.

**Mr. Speaker:** Honourable Members, allow me propose a motion for debate

*(Motion proposed)*

*(Question put and agreed to)*

### **ADJOURNMENT**

Honourable Members, looking at our Order Paper that was the only motion available. Thank you very much for sitting up to such an hour. We adjourn now and resume tomorrow the 28<sup>th</sup> of November, 2024 at 2:30 p.m.

*The House rose at 4:51 p.m.*