

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

DAILY HANSARD

THURSDAY 27TH JANUARY, 2022

Afternoon Sitting

COUNTY ASSEMBLY OF BUNGOMA

HANSARD OFFICIAL REPORT

THURSDAY 27TH JANUARY, 2022

The House met at 2:30 p.m.

(Mr. Deputy Speaker [Hon. Stephen Wamalwa] in the Chair)

PRAYER

COMMUNICATION FROM THE CHAIR

I have two communications to make. One is from the committee of Public Administration and ICT dated today 27th January, 2022 and is in reference to the election of Hon. Joan Kirong as Vice chairperson to the committee. Following the committee meeting held on 27th January, 2022 at 10:00 a.m. in the County Assembly plenary, Hon. Joan Kirong' was elected unopposed as the Vice chairperson, Public Administration and ICT committee pursuant to the Standing Orders.

This communication is for purposes of notification and communication for further necessary action. Attached is the notice of the meeting. I take this opportunity to congratulate the Hon. Joan Kirong'

(Applause)

Another communication is from the Clerk, Committee on Housing and Sanitation. Reference is made pursuant to election of Hon. Chrispinus Wamusai Simiyu as the Chairperson, Housing and Sanitation Committee. Reference is made to the committee meeting held on the 27th of January 2022 at the Assembly tent and the position of the Chairperson of the committee was declared vacant. The committee as per Standing Order 163 conducted elections where the Hon. Wamusai Simiyu was elected as the chairperson of Housing and Sanitation Committee unopposed.

(Applause)

Again I take this opportunity to congratulate the Hon. Wamusai for being elected Chairperson of Housing and Sanitation Committee.

I therefore want to ask the table clerks here seated that you should make communication to the relevant offices, that is, Human resource and Accounting section, so that these Honorable members can start enjoying their benefits as soon as tomorrow.

(Applause)

PAPERS

REPORT BY SECTORIAL COMMITTEE ON AGRICULTURE, LIVESTOCK, FISHERIES, IRRIGATION AND COOPERATIVE DEVELOPMENT

Hon. Joan Lutukai: Thank you, Mr. Speaker Sir. I just want to thank God for giving me this opportunity again after my operation. Now I take this opportunity to report on behalf of the Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development on the key achievements in the implementation of the ADP for FY 2020/21 by the department of Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development.

Mr. Deputy Speaker: Thank you, Hon. Joan Lutukai. Now Honorable members, a report having been laid, it is now the property of this House.

NOTICES OF MOTION

NOTICE OF MOTION BY COMMITTEE ON AGRICULTURE, LIVESTOCK, FISHERIES, IRRIGATION AND COOPERATIVE DEVELOPMENT

Hon. Joan Lutukai: Thank you once more. I stand to give a notice of motion by Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development committee report on the key achievements in the implementation of the ADP for FY 2020/21 by the department of Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development.

Mr. Deputy Speaker: Thank you honorable members, a notice of motion having been issued, I thus direct that it be circulated to all honorable members of this House and will form basis of part of the business to be conducted and considered by this honorable House.

MOTION

REPORT BY BUDGET AND APPROPRIATIONS COMMITTEE ON THE BUNGOMA COUNTY FIRST SUPPLEMENTARY BUDGET FY 2021/22 RESUMPTION OF THE INTERRUPTED BUSINESS UNDER STANDING ORDER

29

Mr. Deputy Speaker: I now call upon the mover of the motion to begin from where he paused yesterday, the Hon. Sospeter Erastus Nyongesa.

Hon Sospeter Nyongesa: Thank you, Mr. Speaker. I just want to thank you for the direction you gave yesterday that the report be shared to the members at the right time for them to go through. It was done as you directed and members have gone through the report. Mr. Speaker Sir I don't think I again need to read the report because the members have read it throughout the night. You may allow me just to call a seconder to the adoption of this report.

Mr. Deputy Speaker: Hon. Sospeter Erastus Nyongesa, you will be out of order what you are trying to mean. I want to call upon you to be orderly and start reading from exactly where

you stopped, where the comma or full stop was. Where you paused is where you begin, so members will be flowing along with you. That is the reason why they went to read and understand, be guided.

Hon Sospeter Nyongesa: I stand guided, Mr. Speaker. I thought they had gone through it. Anyway as by yesterday, we had reached on page nine on pending bills.

The pending bills totaling to Kshs. 598,033,859 captured in each department is as illustrated below. The amount does not include outstanding commitments under the ward based projects.

No.	Department	Recurrent	Development
1	Agriculture	0	61,363,542.00
2	Water	0	66,854,099.00
3	Tourism	0	10,362,562.00
4	Roads	2,818,284.00	219,551,703.00
5	Health	86,700,000.00	0
6	Education	0	32,737,719.00
7	Trade	0	3,235,741.00
8	Governor	0	0
9	Gender	0	4,171,000.00
10	Public administration	10,380,519.00	0
11	County Secretary	2,005,069.00	0
12	Finance & Economic Planning	80,000,000.00	0
13	ICT	8,914,028.00	0
	CPSB	0	0

DEPARTMENTAL EXPENDITURE HIGHLIGHTS

AGRICULTURE, LIVESTOCK, FISHERIES AND CO-OPERATIVE DEVELOPMENT

Agriculture and Irrigation

The department has a net addition of Kshs. 11,712,236 on the approved Kshs. 215,647,413 on recurrent Budget.

The changes are from the following vote items.

- Basic salary has an addition of Kshs. 5,900,000. The money is earmarked to provide for deficit in salary arising from annual increments and net differences from promotions.
- Field operation allowances have an addition of Kshs. 1,312,236 to provide for Ward Based Projects monitoring and assessment activities.
- Training expenses (Research allowance) has an addition of Kshs. 2,000,000, to provide for Sector Plan 2023-2032 and CIDP III preparation activities.
- Temporary committee Expenses has an addition of Kshs 2,500,000 to provide for assessment of FISP projects and vetting Committee' activities.

Development;

The department has a net addition of Kshs. 198,046,505. The following are the changes on the vote items;

- Other capital grants and transfer (NARIGP) had a carry forward of Kshs 234,416,505. This is NARIGP amount brought forward from previous FY and County Government counterpart contribution.
- Purchase of certified crop seed has a reduction of Kshs. 6,880,000 out of the approved budget of Kshs. 28,626,400. This is part of budget reallocations to provide for pending bills and other priority areas by the County treasury. The amount was reinstated by the committee since the programme has already been implemented.
- Other infrastructure and civil works (Chwele Agri-business) has a reduction of Kshs. 41,420,000 out of the approved budget of Kshs. 44,560,000. This is part of budget reallocations to other priority areas by the County treasury.
- Supplier of credits has an addition of Kshs. 15,870,000 out of the approved Kshs. 45,493,542. To provide for Development pending bills.
- Purchase of Agricultural Machinery and Equipment has a net reduction of Kshs. 4,040,000; the whole amount was removed as part of budget reallocations to provide for pending bills and other priority areas by the County treasury.

The Committee submitted that the said amount was meant for purchase of irrigation rain gun kits, incubators and a stand-by generator at Mabanga ATC.

Mabanga ATC and AMC

The department has a net addition of Kshs. 26,198,490. The following are changes on the vote items;

- Committee boards and conferences has a net addition of Ksh.13, 000, 000. To provide for pending payments to the ATC.
- Pre-feasibly, feasibility and Appraisal Studies has a net addition of Ksh. 1,486,254. To provide for development of a 10 year Plan for the ATC.

Cooperatives Development

The department has an addition of Kshs. 2,000,000 under recurrent budget.

The following are the changes on vote item;

- Research allowance has an addition of Kshs. 2,000,000. To provide for field cooperatives monitoring activities.

Development;

The department has a net reduction of Kshs. 5,800,000. The following are the changes on the vote items;

- Other infrastructure and civil works has a net reduction of Kshs. 3,200,000. As part of budget reallocations to provide for pending bills and other priority areas.
- Purchase of Certified crop seed has a reduction of Kshs.2, 000,000. The whole amount was removed as part of budget reallocations to provide for pending bills and other priority areas by the County treasury.
- Purchase of Agricultural Machinery and Equipment has a reduction of Kshs. 600,000. The whole amount was removed as part of budget reallocations to provide for pending bills and other priority areas by the treasury.

The Committee submitted that the said amount is meant for purchase of the Sieves for Musese Coffee Mills.

Livestock and Fisheries

The department has an addition of Kshs. 2,000,000 under recurrent. The following are the changes on the vote item;

- Research Allowance has an addition of Kshs. 2,000,000. To provide for Sector Plan 2023-2032 and CIDP III preparation activities.

Development

- Supplies for production have a reduction of Kshs. 4,000,000. This is part of budget reallocations to provide for pending bills and other priority areas.
- Other infrastructure and civil works has a reduction of Kshs. 20,000,000. This is for budget reallocations to provide for pending bills and other priority areas.

- Purchase of Agricultural machinery and equipment has a reduction of Kshs. 63,200,000. This is part of budget reallocations to provide for pending bills and other priority areas.

The Committee indicated that the said amount is for equipping of the Milk processing plant at Webuye.

- Other capital grants and transfer (ASDAP 11) has a carry forward of Kshs. 15,411,495 ASDSP II additional grant amount.
- Supply for credit has a total allocation of Kshs. 61,363,542 towards payment of development pending bills.

EDUCATION AND VOCATIONAL TRAINING

A total of Kshs. 1,655,012,577 comprising of Kshs. 1,425,182,219 recurrent and Kshs. 229,830,358 development was appropriated for implementation of various programmes of the department in the financial year 2021/22.

Recurrent expenditure;

The total net recurrent expenditure has been proposed for increase by Kshs. 45,842,673.

The salary vote has a proposed reduction by Kshs. 14,157,327. The amount was for half year allocation for the employment of ECDE teachers who had been employed as at the time of the 1st Supplementary.

The Scholarship programme which had an approved allocation of Kshs. 350 million has been proposed for increase by Kshs. 60 million to make a new total of Kshs. 410 million. The amount is to cater for the class 8 who are to join Form One in May. This committee however noted lack of planning for the bursary kitty and the unwillingness of the County Executive to disburse bursary funds going by the current year performance.

Development expenditure;

The total proposed net change on the development expenditure component is Kshs. 10,903,624.

The department has proposed an increase of Kshs. 30,200,005 towards pending bills in the item code of Supplier's credit which had an approved amount of Kshs. 2,537,714. However, the schedule provided gives a pending bill worth Kshs. 222,330,624 giving a deficit of Kshs. 189,592,905. The pending bills relates to Ward based projects.

Other capital grants and transfers vote (Conditional grants from the National government towards Village Polytechnics) has been increased by Kshs. 32,040,997 being balance brought forward from financial year 2020/21.

The department has also proposed to drop two critical programmes from their budget as shown below;

- a) Other infrastructure and Civil works (Construction of VTC workshops) with an approved allocation of Kshs. 47 million has been dropped.
- b) Other infrastructure and Civil works (Purchase of tools and equipment for VTCs) with an allocation of Kshs. 4,337,378 has equally been dropped from the budget.

LANDS, URBAN AND PHYSICAL PLANNING

The Committee made the following observations in the submitted 1st Supplementary Budget FY2021/2022 in respect to the department of Lands, Urban, Physical Planning, Bungoma and Kimilili Municipality.

Lands, Urban and Physical Planning department

The recurrent budget has a reduction of Kshs. 4,463,298 out of the approved Kshs. 58,689,763 while development budget has a net reduction of Kshs. 3,060,407 out of the approved Kshs.21, 700,000 the changes proposed are as follows:

Supplier for credit has an additional Kshs. 8,939,593 yet the submissions and the details provided by the department amounts to Kshs. 13,379,780 hence a deficit of Kshs.4.4 million.

Subsequently, the department has the dropped the following projects:

- Purchase of land for construction of a Fire station at Kapsokwony Kshs. 4million which is at land identification stage.
- Purchase of land for land bank at Kshs. 4 million which is at land identification.
- Procuring & Installation of real Time Kinematics at Kshs. 4 million.

The Ward based projects retained at Kshs. 9,700,000.The projects are at land valuation stage. Pending bills relating to Ward based projects from the FY 2017/18 to 2020/21 totalling to Kshs46.3million has no funds allocated towards them.

Kimilili Municipality

Kimilili Municipality has additional Kshs. 8,673,639 on the boards, committee, seminars and conference votes which was considered bringing the total recurrent budget to Kshs. 23,829,692

Development vote has KUSP grant brought forward of Kshs.173, 862,655.

Bungoma Municipality

The committee recommends the allocation of additional Kshs. 9,100,118 on the boards, committee, seminars and conference votes making the total budget to 25,638,374.

Development;

Development vote has a grant (KUSP) brought forward of Kshs.88, 988,658.

TRADE, ENERGY AND INDUSTRIALIZATION

A total of Kshs. 140,890,813 comprising of Kshs. 58,486,816 recurrent and Kshs. 82,403,997 development was appropriated for implementation of various programmes of the department in the financial year 2021/22.

Recurrent expenditure;

The total net recurrent expenditure had been proposed for increase by Kshs. 15,000,000. The amount will fund the electricity expenses vote to cater for the electricity bills which caused disconnection of power in most County offices.

Development expenditure;

Total proposed net reduction on the development expenditure component is Kshs. 44,322,256.

The department has proposed a reduction of Kshs. 18,780,506 from the approved amount of Kshs. 22,780,506 meant for purchase of Lighting Equipment.

Other infrastructure and Civil works (Architectural designs and BQ preparation for development of Modern Market Infrastructure) with an approved allocation of Kshs. 25,541,750 million has been dropped.

HOUSING

A total of Kshs. 86,619,093 comprising of Kshs. 26,443,443 recurrent and Kshs. 60,175,650 development was appropriated in the annual budget.

Recurrent expenditure;

The total net recurrent expenditure has been proposed for reduction by Kshs. 491,034 to cater for pending bills

Development expenditure;

Total proposed net reduction on the development expenditure is Kshs. 9,684,616.

The department has proposed to drop the following key programmes from their approved budget;

- a) Other infrastructure and Civil works (Security fencing of residential houses -2,000 linear meters for one estate) with an approved allocation of Kshs. 2,175,650
- b) Construction of Governor's and Deputy Governor's official residences) with an approved allocation of Kshs. 8,000,000 has been dropped.

GENDER AND CULTURE

The department has total increase of Kshs. 8,544,581 on recurrent and decrease of Kshs. 6,863,899 on development. All the funds appropriated for development were removed.

Under code 2110100, Basic Salaries –Permanent Employees, there was a decrease of Kshs. 1,455,419. This amount had been appropriated for recruitment of directors in the department, however this was not implemented as the intents submitted to the CPSB by the department were not honored. The decrease was allowed to carter for deficit in other votes.

Increase of Kshs. 10,000,000 under code 2210309 for Field Allowance (KICOSCA) which had an approved budget of Kshs. 7.4 million. The committee was informed that owing to directives from H.E the Governor, an additional Kshs 10million was reallocated from other vote heads in the departmental budget to ensure all the participants were catered for during the KICOSCA games in Embu. However, the sector committee report shows the Chief Officer did not submit a breakdown of the specific vote heads where the funds were accrued from. The increase was not approved since it did not follow the correct approval process on reallocation.

Pending bills had no allocation yet bills amounting to Kshs. 24,147,219.50 were submitted including the bills relating policies.

The sector committee strongly advocated that the pending bills of Kshs. 14,851,192 50 owed to Value Partners for Consultancy Services on Preparation of the five policies namely; Disability policy, Children Policy, Youth Policy, Gender Based Violence policy and Group Registration policy be appropriated as first charge to enable the department to implement most of its programs.

Under code 3110504, other infrastructure and civil works, there was a decrease of Kshs. 6,863,899 for construction of the Sang’alo perimeter wall

YOUTH AND SPORTS

The department had an approved budget of Kshs. **270,650,066** that is Kshs. **52,113,712** on recurrent and Kshs. **218,536,354** on development budget.

The recurrent budget did not have any changes proposed in the 1st Supplementary.

Development estimates has additional Kshs. 59,207,667 distributed on the following items:

- Supplier of credit- Kshs. 4,171,000.
- Kanduyi Stadium Kshs. 55,036,667.

On supplier for credit, only Kshs. 4,171,000 has been allocated for payment of ward based project in Mbakalo ward that has a pending bill of Kshs.3,895,785, the sector committee report shows the list of its pending bill that amounted to Kshs. 26,330,286 hence a deficit of Kshs. 22,159,286 (*see the attached list of pending bills*). The pending bill is in respect to the High Altitude Training centre, Nalondo stadium and Maeni Youth Centre.

The Committee upheld the additional Kshs. 75,036,667 for Kanduyi Stadium.

TOURISM, ENVIRONMENT, WATER AND NATURAL RESOURCES

Tourism and Environment

Recurrent budget has proposed budget net increment of Kshs. 62,829,982. The proposed changes are enumerated below:

- Basic salaries has a reduction of Kshs. 10,000,000.
- Domestic travels reduced by Kshs. 900,000
- Trade show and exhibition reduced Kshs. 400,000
- Hospitality services reduced Kshs. 800,000
- Cleaning services has a net increment of Kshs. 75,156,912 in addition to Kshs. 152,729,272 in the annual budget hence a total of Kshs. 227,886,184.

Development;

The development budget of 30,592,446 has a net reduction Kshs. 7,379,180 as changes proposed as below:

- Supplier of credit- additional amount of Kshs. 5,326,930.
- Other infrastructure and civil works (construction of Kaberwa gate) the entire allocation of Kshs. 12,706,110 removed by the county treasury

Water and Natural Resources

The recurrent budget of Kshs. 102,763,609 has a net increment of Kshs. 15,445,567. The proposed changes are:

Reduction on;

- Salary for contractual employees Kshs. 3,000,000.
- Domestic travels Kshs. 800,000
- Training expenses Kshs. 1,000,000
- Hospitality services Kshs. 1,400,000
- Plant Insurance Kshs. 292,000
- Office and general supplies Kshs. 110,853
- Fuel Kshs 800,000
- Routine Maintenance Kshs. 2,800,000 on the approved Kshs 8.4 million
- Engineering design Kshs. 600,000

Increment;

- Water & Sewerage Kshs. 6,248,420. The amount had been requested to pay NZOWASCO for the damages caused by the construction of the dual carriage way. This committee declined since the repairs of damaged pipes should be borne by the contractor not the County Government of Bungoma.
- Legal fees Kshs. 2,000,000. Following the sector committee recommendation Kshs. 7.8 million will be reallocated from dumpsite construction and reallocated to sort out litigation matters in the department.
- Climate change co-funding Kshs. 18 million. The allocation was declined because there was no co-funding agreement submitted to the committee to substantiate the allocation.

Development;

The department has a net reduction of Kshs. 80,194,625 on the approved 287,571,082 by the County Treasury.

The affected projects are as shared below:

- Purchase of workshop tools, spares and small equipment (drilling tools and accessories, borehole casing removed the whole amount of Kshs. 19 million.
- Overhaul of water supplies the whole amount of Kshs .27, 590,304 dropped. The allocation was meant for Rehabilitation and augmentation of Kaberwa, Maeni, Kamenju, Chesamisi and Kamukuywa water supply project.
- Overhaul of other infrastructure and civil works has the whole amount of Kshs. 26,896,278 removed affecting the following projects:
 - Upgrading of Mareba Sipaki bore hole (Bumula) 4,000,000
 - Upgrading of Syekumulo water project(Bumula) 4,000,000
 - Upgrading of Sitikho Sec School bore hole (Webuye) 2,000,000
 - Upgrading of Karima hospital of borehole(Tongaren) 4,000,000
 - Upgrading of Sibumba borehole(Sirisia) 4,000,000
 - Upgrading of Namutokholo bore hole(Sirisia) 4,896,278
 - Upgrading of Lurare borehole(sirisia) 4,000,000

Rehabilitation of civil works allocation has the entire allocation of Kshs. 23.2 million removed by county treasury affecting the following projects:

- Rehabilitation of Masielo water project(Bumula sub-county) 4,000,000
- Rehabilitation and upgrading of Khulwanda and Syombe Boreholes 3,000,000

- Extension of Kapsogom – Chepchabai – Cheptonon Water project 3,000,000
- Rehabilitation and upgrading of Lugulu Borehole 3,200,000
- Rehabilitation of Masasabi water project (Sirisia sub-county) 5,000,000
- Rehabilitation and Augmentation of Muyayi water Project (West Nalondo Ward) 5,000,000

Water Supplies and sewerage allocation of Kshs. 27,590,305 removed affecting:-

- Extension of Chesikaki water project to Sirisia and Bumula Sub-County 17,000,000
- Water intervention measures for Bumula sub-county 10,590,305.

CEF projects code has retained an allocation of Kshs. 99,473,500

There is a new grant allocation of Kshs. 41,048,858 whose documentation was not provided.

Supplier for credit has a total allocation Kshs. 66,854,099.

ROADS AND PUBLIC WORKS

A total of Kshs. 1,594,868,523 comprising of Kshs. 180,736,077 recurrent and Kshs. 1,414,132,446 development was appropriated for implementation of various programmes of the department in the financial year 2021/22.

Recurrent expenditure

The total net recurrent expenditure has been proposed for increase by Kshs. 32,746,346. The department has proposed an additional allocation towards the following budget lines;

- | | |
|---------------------------------------|---------------------------------|
| a) Fuel and Lubricants | Kshs. 4,928,062 |
| b) Supplier credit | Kshs. 2,818,284(List attached) |
| c) Maintenance of Plant and Machinery | Kshs. 24,000,000 |

The additional allocation on Fuel and lubricants was declined since the Kshs. 35 million allocated in the annual budget was not accounted for and the need for the addition was not supported.

The maintenance of plant and machinery was also not honored since there was allocation of Kshs. 25 million in the approved budget which had not been absorbed. Submission from the chief officer showed that most of the machines were still grounded and a firm had been sourced to start the maintenance.

Development expenditure;

The total proposed net change on the development expenditure component is Kshs. 303,245,932. The amount is broken down as follows;

- a) Suppliers' credits (Pending bills) of Kshs. 27,253,654. The outstanding pending bill list provided totals to Kshs. 103 million hence there is deficit on the supply for credit vote.
- b) RMLF has balance b/f of Kshs. 50,992,278. The list of projects was provided.
- c) Overhaul of Roads programme (Dual carriage way) has been proposed for increase by Kshs. 285,000,000. (Kshs. 60 million was sourced from the Misikhu –brigadier road by the roads department.)

HEALTH

The Committee interrogated the 1st Supplementary Budget for the FY 2021/2022 in respect to the Department of Health and Sanitation with the Executive Department Members who appeared before the Committee.

Having scrutinized the submissions from the Department on each of the items to be supplemented, the following were noted and recommendations towards the same agreed unanimously by the Committee.

Recurrent vote

Basic Salaries has a request of an additional Kshs. 126,225,145

The Department did not receive full allocation for the salaries in the main budget and therefore, the need to find more funds in the supplementary budget. In its submission, a soft copy of the departmental payroll was provided supporting the deficit.

MES Equipment-Kshs. 206,024,838

This are carry over funds from the previous financial years being funds unutilized for the lease of equipment grant. The Department has not received the MES Equipment since FY 2017/2018 due the pending issues at the Senate regarding the programme.

Boards, committees and conferences Kshs. 5,000,000.

The budget line has an increase of Kshs 5,000,000 with activities have been lined up including facilitation of the County Public Service Board recruitment and promotion meetings.

The Committee declined the proposal from the department funding CPSB activities, since CPSB had its own budget to carry out its mandate. Further the Committee recommended that, the amounts be supplemented in the same vote head but rechanneled to fund departmental meetings and conferences.

Motor Vehicle Insurance Kshs. 3,000,000

The funds provided in the main budget were not enough to insure all the vehicles in the department, therefore the need to increase this allocation. The department has a total number of 27 vehicles. The Committee acceded to the request and the allocation was allowed.

Refined fuel and lubricants Kshs.7, 800,000

The funds allocated on the budget line cannot run the department for the entire year hence an additional allocation. There is equally already consumed fuel at SHELL and MBIG Fuel stations at a cost of Kshs 6,500,000 this amounts are to clear the outstanding bill consumed.

Medical expenses Kshs. 8,500,000

The allocation was to fund outstanding legal dues and fines as per several court orders including court awards to staff injured while on duty.

The Committee recommends the funds to be allocated on the right vote line 2211308- Legal Dues/fees, Arbitration and Compensation Payments ad not medical expenses.

Supplier for credit 86,700,000

These funds are to cater for recurrent bills outstanding at the Headquarters and Hospitals as at close of the financial year. A list is attached

Maintenance Motor Vehicle Kshs. 3,000,000

The increases will partly be funded by an additional AIA worth Kshs. 150 Million bringing the total AIA in the Department of Health to Kshs. 692,823,421.

The Committee sort to know the ability of the Department to raise AIA to a tune of Kshs. 692 million. A status report on 1st half year (July-December) collection was requested and was availed (as attached) giving a deficit of Kshs.100 million.

The analysis shows the Department will not be able to meet its AIA targets.

The committee added Kshs. 30 million to drugs and non-pharms to reduce the deficit on the vote

Development;

Development budget has a net reduction of Kshs. 163,585,133 as illustrated above: You can see the table.

The Committee sought to know why there was no allocation for pending bills associated to development projects. From the submissions from the Department shows development pending bills including Ward based projects run to a tune of over Kshs 200 Million but due to the budget cuts, the Department was not able allocate funds. The list of the pending bills was however not shared.

PUBLIC ADMINISTRATION

The committee noted that there were no changes in the recurrent and development votes of the department.

The pending bills in the department are outlined below:

1. Recurrent: Kshs. 41,976,907 accrued from the financial years 2013/14, 2018/19, and 2020/21; (as per attached list)
2. Development: Kshs. 4, 484,126. 52 for construction of ward offices and partitioning of county offices;
3. Security and Cleaning Services :(FY 2021/22) Kshs.16, 280,537

The committee noted that there was no proposed allocation for the above pending bills in the supplementary budget.

COUNTY SECRETARY

The recurrent budget for the department has an additional allocation of Kshs.103, 409,463 which relates to Kenya Devolution Support Program- Kshs. 45, 789,000 and Medical Cover (NHIF) Kshs. 57,623,468.

The committee notes that additional Kshs.45M for the KDSP program was meant for procurable items but the procurement process was yet to be completed.

In addition the sector committee report shows that the Kshs. 112, 815,048.00 appropriated in the FY 2021/22 and meant for equipping of the 300 bed capacity maternity wing was yet to be used as the approvals to enable the procurement process to commence were yet to be done by the Ministry of Devolution. The committee was further informed that there was a proposal to have the funds (Kshs.112M) re-voted to Bumula Sub County Hospital for 100 bed capacity maternity wing, 30 bed capacity maternity wing and equipment of Kshs. 13M at Naitiri Hospital.

The committee emphasized on the need to have the 300 bed capacity maternity wing operationalized as soon as possible; hence the proposed re-voting of the Kshs.112M was rejected.

With regard to the increased allocation of Kshs. 57,623,468 for NHIF Medical Cover, the committee was informed that the total contract sum for the cover was Kshs.159M for the 5,074 staff under the county government. The contract for the medical cover is yet to be finalized. The committee therefore approves the increase on condition that the fully signed contract and a comprehensive report on the impact of the program is submitted to the County Assembly for scrutiny.

On the development vote, the department has a grant brought forward of Kshs. 185,572,372 which was approved for appropriation and further directs that the status report on the devolution support program be submitted to the Assembly.

ICT AND RECORDS MANAGEMENT

The department did not record any changes on its recurrent budget. On the development budget, there was a reduction of Kshs.20, 933,873 meant for development projects for networking and LAN installation at Tongaren, Sirisia, Bumula, Kabuchai and Mt.Elgon sub

counties and upgrading of the server and server room. Kshs. 8,914,026 was retained for pending bills which are cumulatively reported under the Office of the County Secretary.

COUNTY ATTORNEY

There were no changes in the Office of the County Attorney.

THE GOVERNOR'S OFFICE

The Office of the Governor had a proposed addition of Kshs. 94,314,012 on the following votes:

- a) Domestic travels: Kshs.6, 000, 000
- b) Hospitality: Kshs. 6,064,751
- c) Maintenance of Motor Vehicles: Kshs. 3,000,000
- d) Gratuity; Kshs79, 249,261.

The committee noted that gratuity had a total allocation of Kshs.46, 456,661.00 appropriated in the annual budget which had not been absorbed. The proposed increase of Kshs. Kshs79, 249,261 brings the total to Kshs. 125M. The list of the beneficiaries was provided omitting the 3 Officer that missed out in the in the previous regime. Human resource practice dictates that gratuity should be paid together with the monthly salaries hence it should have been spread in the 5 financial years as opposed to loading the entire amount on 1 FY through a supplementary.

The Office submitted a list of pending bills amounting to Kshs. 71,233,083.89 cumulative from the FY 2013/14 to 2020/21 with no allocation in the supplementary budget. Majority of the pending bills accrued due to insufficient supporting documents and inadequate budget allocation.

THE DEPUTY GOVERNOR'S OFFICE

The Office has a proposed addition of Kshs.4M on the hospitality vote, hence increasing the approved budget from Kshs. 14,619,266 to Kshs. 18,619,266.

COUNTY PUBLIC SERVICE BOARD (CPSB)

The Board has a proposed addition of Kshs. 7,490,615 on the approved Kshs.33, 714,920. As per the submitted document, the additional allocation proposes changes on the following:

- a) Reduction of Kshs. 2,800,000 for Basic Salaries; Kshs.939,045 for legal dues and Kshs. 90,615 for Maintenance of Motor Vehicles; and
- b) Addition of Kshs. 2,500,000 for Domestic Travel subsistence, Kshs. 808,764 for printing, Kshs. 2,500,000 for Training expenses Kshs. 4,918,827 for Hospitality and Kshs. 411,454 for general office supplies.

With regard to the reduction on basic salaries, the Board had earlier proposed to promote its secretariat, however this was not fully realized since only three of the officers qualified for promotions; thus the proposed Kshs.7, 991,250 was deemed sufficient for salaries up to the month of June 2022. The Board further shelved the proposal to recruit five additional Board secretariat as the period left is insufficient to carryout recruitment process to conclusion and as a measure to curb the increased County wage bill.

During the interrogation the Board submitted a petition for additional funding of Kshs.27, 860, 580 to enable it to carry out the following activities: Facilitate Sensitization and audit on Values & Principles, stakeholder’s participation on HR policies and code of conduct trainings and signing and pending bills. Due to budget constraints Kshs. 18 million was allocated towards the activities.

COUNTY ASSEMBLY

The recurrent budget did not have any additional funding except for reallocation within the votes. The committee made further reallocation as follows:

Code	Program	Decreases	Increases
2211308	Legal Dues /fees		5,000,000
2211310	Contracted professional services		5,000,000
2210701	Training Allowances (Training)		7,000,000
2210705	Field Training Attachment (Training)		3,000,000
2210504	Adverts, awareness and publicity Campaigns		5,000,000
2210403	Daily Subsistence Allowance	6,000,000	
2210310	Field operation allowance (CASA)		8,700,000
2210303	Daily Subsistence Allowance (Afri-City)		8,000,000
2211309	Management fee		8,000,000
2210802	Committee expenses		6,300,000
	Total	31,000,000	31,000,000

The committee noted that the County Assembly did not absorb all of its funds in the FY 2020/21; hence the need to re-vote the amounts to ensure completion of projects. The report submitted by the County Treasury however did not bring forward the funds from the previous financial year.

The committee is in receipt of a petition from the County Assembly requesting for re-appropriation of the following votes:

- a) Recurrent vote for Car and Mortgage for the MCAs; Kshs. 54,397,656
- b) Completion of the new administration block contract sum of Kshs. 47,050,360;
- c) New administration block provision for variation of Kshs. 65,501,467;
- d) Fixed Asset register automation; Kshs. 10,000,000;
- e) Team mate Audit Management system pending bill of Kshs. 3,550,418.57; and
- f) Hansard System pending bill of Kshs. 2,709,406.29.

The budget committee considered the petition and allocated 87 million towards the completion of the new block and the variation.

FINANCE AND ECONOMIC PLANNING

A total of Kshs. 1,117,976,284 comprising of Kshs. 1,117,976,284 recurrent and Kshs. 0 development was appropriated for implementation of various programmes of the department in the financial year 2021/22.

A few changes on the approved budget are proposed in the first supplementary budget as enumerated below;

Recurrent expenditure;

The total net recurrent expenditure has been proposed for increase by Kshs. 196,033,403. The breakdown of the total per directorate is as indicated here below;

a) Administration	Kshs. 182,587,674
b) Revenue	Kshs. 2,000,000
c) Planning	Kshs. 4,000,000
d) Budget	Kshs. 5,845,729
e) Audit	Kshs. 1,600,000
Total	Kshs. 196,033,403

Development expenditure

Total proposed net change on the development expenditure component is Kshs. 8,769,449 being retention funds.

COMMITTEE OBSERVATIONS, RECOMMENDATIONS AND CONCLUSION:

COMMITTEE'S OBSERVATIONS

Most of the pending bills have not been captured in this Supplementary budget especially pending bills relating to Ward based projects. There is no goodwill in the implementation of ward based projects by the County executive departments.

Own Source Revenue Increment of Kshs. 246 million and 150 million on Own source revenue and AIA were unrealistic which can bring about a possible budget deficit which can result to unbalanced budget.

The COB approved expenditures for the May and June Salary FY 2020/21 contravened PFM Reg .119 and PFMA 149 bringing about alot pending bills.

Gratuity payments have not been effected despite budgeting for it in the previous Financial Years.

COMMITTEE RECOMMENDATIONS

Upon scrutiny of the First Supplementary budget FY2021/22, the committee recommends as follows:

1. THAT all departments to strictly adhere to the approved budget while implementing their programmes.
2. The County Executive should adhere to Fiscal responsibility principles as outlines in the PFMA 2012 and PFM regulation.
3. All the gratuity and pension arrear for the public officer should be captured in the CFSP 2022 and prioritized in the FY 2022/23 budget
4. THAT, the county government should abide by the PFM laws that guide preparation of the supplementary budget.

BUDGET COMMITTEE'S PROPOSED DECREASES AND INCREASES ON DEPARTMENTAL BUDGET IN THE 1ST SUPPLEMENTARY BUDGET FY2021/2022

The following are the committee's proposed decreases and increases on the departmental Budget in the first supplementary Budget for FY 2021/2022 as annexed;

Behind there are the annexures of the Budget total.

Adoption schedule and annexures;

We the undersigned members of the Budget and Appropriation committee append our signatures adopting this report with the contents therein.

You can see down there are the members who appended the signatures for the adoption of this Budget;

May call upon the Vice chair of the Budget and Appropriations committee to second this report for adoption.

(Applause)

Mr. Deputy Speaker: Thank you, Hon. Sospeter Erastus Nyongesa for that wonderful eloquent move.

Hon. Erick Wapang'ana: Thank you, Mr. Speaker. I want to appreciate the member to the Budget Committee Hon. Sospeter Nyongesa for taking us through the report of Budget committee. I also appreciate the members of the Budget committee County Assembly of Bungoma through the Speaker, the Clerk and the Secretariat who enabled us to come up with such a flowing report.

I want to second the report and urge members to approve the document before this House. As the Vice Chair, I want to urge members to go through the report and understand the parameters that we have based on to have this supplementary budget. We went as per the resolution from the sector committees and looking at the resource envelope, we have also seen that actually the County Government of Bungoma is one of the Counties that cannot fund its own budget to 100%.

You have seen the areas where the projection was too high and realising on the first quarter, it means that we cannot achieve or support our own budget. I want to appreciate the areas of the cuts which we have seen through the report and I think it was not initiated by the Budget committee.

Most of the recommendation came from the sector committees and the executive. Most of the cuts were done by the County Treasury. I second the report as moved by Hon. Sospeter Nyongesa.

(Applause)

Mr. Deputy Speaker: Thank you, Hon. Erick Kimingich Wapang'ana for your secondment. Honourable members, I now propose the question that this House adopts the report by Budget and Appropriations Committee on the Bungoma County First Supplementary Budget FY 2021/2022. I propose,

(Question proposed)

Hon. Chrispinus Wamusai Simiyu: Thank you, Honourable Speaker. I am on my feet in support of the motion and first of all allow me appreciate the good work done by the Committee on Budget and Appropriation chaired by the able Chair Hon. Jack Wambulwa as moved ably by Honourable Sospeter Nyongesa.

As it is a norm, supplementary budgets are usually made informed by in most cases circumstances unforeseen, circumstances un dictated and therefore it comes a time where there are shifts in expenditures, on priorities because of budget gaps and therefore in line with

this supplementary budget, I want to believe that as it has been seen, the committee on Budget has done its work. It's now incumbent upon us looking at the fact that we do not have time on our side.

We are late to be processing supplementary budget at such a time and therefore it's prudent for all of us and this House to support this motion such that any pending issues, any matters unresolved can be able to be done and dispensed with. I support and urge the House to support the motion.

Hon. Francis Chemion: I just want to thank the Budget committee for the work they have done. There is only one annexure that I am not seeing. The annexure on the list of Roads. You have quoted very well that there was a carryover of 54million for RLMF and the report states that we have the list of Roads that are supposed to be captured. We need that annexure to be provided so that we have a complete document.

Otherwise this report according to me has done a disservice to my ward especially the issue of the high altitude training centre that is at the final stage.

The contractors have almost cleared everything. They need some little money just to complete that project and the sectoral committee on Youths and Sports had made a recommendation we also as people from that area wished that that project is completed so I support all that has been done by the Budget committee. I know it was not a simple activity.

Secondly, there is an issue that we have shared with our members and we are saying lets also look at how the KRA issue will be covered. We have KRA issue within our Assembly and I know the Budget Chair is seized of the matter and he knows how he is going to handle that issue. Otherwise, I support this report.

Hon. Henry Majimbo: Thank you, Mr. Speaker. I stand to support this motion with the following further submission that I would wish to put forth.

This first supplementary budget was supposed to have been submitted in the first quarter in this Financial Year. Unfortunately, it has been the tendency by the Executive to delay submitting this first Supplementary Budget and the main objective of the first supplementary budget is to roll over development funds that have been carried over from the previous Financial Year.

We have many firms that have undertaken works in this County Government and the delay in considering a first supplementary Budget is like justice delayed. We are doing more harm to the citizens of this country who have committed themselves to some bank advances to undertake works and by delaying to consider the first supplementary budget, some of them have been given show course by various Financial institutions. I think it is not fair to the public.

I was looking at the reasons for this first Supplementary Budget and one of them was declaration of pending bills and allocation of funds for payment. It is saddening to learn that under Community Empowerment Fund, we have pending bills of over half a billion shillings.

We do not know how we are going to come out of that quagmire. We have pending bills for the previous financial years 2017/2018, 2018/2019, 2019/2020 and 2020/2021.

We should also look at this issue of the pending bills. The guidelines in Budget making are very clear. That pending bills should be given first charge. Now what is emerging is that we as a County Government are not complying with those guidelines and that is why and I am afraid that by closure of this Financial year, we could be having pending bills of over 2 billion shillings cutting across all sectors. How will we come out of this quagmire? We should also ask ourselves how we have reached at that point of having these pending bills because having CEF pending bills of over 500 million shillings is really not fair to the public. Now when you go through the principles of Public Finance as enshrined in the Constitution, it is stated very clearly that public funds will be expended in a fair, transparent and prudent manner.

We should ask ourselves as an oversight institution, what we are doing to offer guidance to the executive or not? I have been looking at some of the projects that have been dropped and I was curious that under education, they have proposed to drop two critical programs from their budget as shown below. Other infrastructure and civil works construction of VTC workshops with an approved allocation of 47 million has been dropped.

b) Other infrastructure and civil works purchase of tools and equipment for VTC's with an allocation of 4,337,378 has equally been dropped from the Budget.

This one brings me to the case of the 300 bed capacity hospital and I wish to share with my colleagues, the submission that was made by the Chief Officer in the office of the County Secretary who is the accounting officer for that World Bank grant. When we interrogated the County Secretary's office, we were informed that out of the 112 million shillings which had been appropriated and meant for equipping the 300 bed capacity maternity wing was yet to be used as the approvals to enable the procurement to process, were yet to be done by the Ministry of Devolution.

The committee was further informed that there was a proposal to have the 112 million revoted to Bumula sub-county hospital for the 100 bed capacity maternity wing and 30 bed capacity maternity wing and equipment of 13 million shillings at Naitiri.

The committee emphasised on the need to have the 300 million bed capacity maternity wing operationalized as soon as possible hence the proposed revoting of 112 million was rejected. I want to laud the Budget committee because while we were interrogating the Chief Officer, he had made a proposal of having this money starting new project and not completing the 300 bed capacity.

The 300 bed capacity will only serve its purpose if it's equipped and if it is not, you put up a hall and you call it a maternity wing. You will only call it a maternity wing once it is operationalized. Let us not be starting projects which we cannot even complete. It's like putting up a house and you have no furniture, beds and you want to sire children. You will sire children from a bare floor, that it's not realistic.

The Budget Committee have done a good job but somehow they have contravened the provision of Standing Order No. 212 with regard to recommendations from sector committees. Let them not make a habit of not respecting the recommendations from sector committees because you cannot expect me to go to Kisumu for four days, we come up with recommendations and you disregard them. That is uncouth, unprofessional and unethical. We need to respect the wishes of the sector committees because the sector committees are mandated to oversight those sector departments. If we cannot go by the wishes of the sector committees then there is no point of us retreating. We are not going out for public relations exercise. We are going out for serious business.

I want to propose a simple amendment that is not going to change the face of this budget. I am just talking about my sector committee and having looked at the recommendations that we made, there is nowhere in this recommendations the report that I signed that proposed to move or to have 18 million shillings go towards the County Public Service Board.

There is nowhere in this report and I want to propose that this amount of 18 million shillings that was allocated to the County Public Service Board I am issuing a notice that we have an amendment and have this 18 million shillings moved to the County Assembly Staff Car and Mortgage Scheme. Our staff should also enjoy their privileges. We want this money to be moved from this because it was not in this recommendation. I do not know why they are working behind our backs.

I take a lot of offence for Budget committee which is supposed to be the co-ordinating committee, its work is very simple; receive and try to harmonise but not disregarding. If I asked them where they got these 28 million shillings, they will not tell me, but I am proposing that this should go to our staff. Let our staff also get their rights. I will see who is going to oppose. I support.

Mr. Deputy Speaker: Thank you, Hon. Henry Majimbo for the passionate remarks and input.

Hon. Aggrey Mulongo: Thank you so much Mr. Speaker for catching my eye. Mine is so simple. I would like to congratulate the committee for Budget for upholding...

Mr. Deputy Speaker: Honourable members, I want to ask that you consult in low tones.

Hon. Aggrey Mulongo: For giving Kimilili municipality the same amount of money which has not been changed. I say congratulations Budget committee.

Secondly, I need the Chair of Budget to hear me. We have.....

Mr. Deputy Speaker: Hon. Paul, you are not on HANSARD so we cannot hear you. If you want to address the House, you must be on HANSARD. Where is your card?

Hon. Paul Wamalwa: Mr. Speaker, let Hon. Mulongo know that he is not addressing the Chair of Budget instead he is addressing the Speaker and the Honourable members of this

House and this Budget is not squarely in the hands of the Chair. The Budget is in the hands of this plenary, so Hon. Mulongo needs to refrain from it.

Mr. Deputy Speaker: Hon. Paul, your sentiments are well taken. Hon. Aggrey Mulongo you should be well guided and I believe that you are well guided. Proceed!

Hon. Aggrey Mulongo: Thank you, Mr. Speaker Sir. Well guided

(Loud Consultation)

Mr. Deputy Speaker: He is not on HANSARD. Hon. Mulongo proceed!

Hon. Aggrey Mulongo: Thank you, Mr Speaker Sir. When we come on the side of oversight, we are the over sighting body and what is happening within the Assembly, I have seen on this document they have added around 87 million for variation of the County Assembly Administration block. I have heard from our senior here Mheshimiwa Majimbo talking about putting up the building minus the seats, chairs and all those things. My observation is; this variation when they were coming up with the BQs what was happening? Parking, Chairs were missing. What was this variation for because we are overlooking outside and we are not overlooking ourselves? We need to see what is happening within ourselves before we can come out and say we are supposed to be demanding some other oversight bodies.

Hon. Sospeter Nyongesa: Thank you, Mr. Speaker. I take this opportunity to thank Honourable members to have taken time to listen and go through this report and also to have raised their concern. Maybe just to react on a few concerns, there is one Honourable member who complained of the re-allocation from the High Altitude project. Actually High altitude project is located in Hon. Chemion's ward and is a County project but you see, we also have County projects in other wards which have been put on hold, which means we are all affected and I tend to believe that these are waiting for the Annual Budget to come. So we were also forced to forego some of these projects though we were affected.

There is an issue of the pending bills; the pending bills are going to be captured in the Annual Budget including those for policies and regulations. Soon the Annual Budget will be here and these things are going to be catered for.

Hon. Majimbo Okumu has complained of the Budget committee not considering the recommendations of the sector committees. I want us to understand that in most of the committees, the committees recommended for increases but they could not even tell the committee from where these increases should be sourced. We were unable to make our own allocations. Next time I urge Honourable members that as we shall be making proposals in sector committees, where we feel there should be an increase. We should also be indicating the source for those increments.

Lastly on what Hon. Mulongo has just said, sometimes variations are allowed or are valid depending on the duration of the project. May be the BQ stated the completion of the project to be undertaken in one or two years and because of the limited funds, you find the project is

taking 4-5 years. We cannot expect the figure to remain as it was in the first case. Sometimes variations are allowed.

Otherwise, I want to appreciate members more especially those who have raised concerns that we are going to consider their concerns seriously and depending the weight.

Mr. Deputy Speaker: Thank you, Hon. Sospeter Erastus Nyongesa.

Honourable members, order please! Hon. Sudi and Mukhongo we have to be orderly! Honourable members, the motion having been moved and duly seconded and debate having ensued and response made, I want to put a question that this House adopts the report by Budget and Appropriation Committee on the Bungoma County first supplementary Budget for FY 2021/2022

(Loud Consultation)

Honourable members we have to be keen, we have to be here physically, spiritually, emotionally and everything. I can see now members who are here physically but they are not here the other way round. Are you here? Let us be keen on what is happening here.

Honourable members, the motion having been moved and duly seconded and debate having ensued and response made, I now put a question that this House adopts the report by the Budget and Appropriations Committee on the Bungoma County First Supplementary Budget for FY 2021//2022

(Question put and agreed to)

The ayes have it!

(Applause)

Honourable members, this motion is adopted and I want to bring to your attention that having listened to the debate, we have had some members who proposed some amendments and therefore on Tuesday, we have to make sure that the written amendments reach the office of the Speaker as per the Standing Order No. 52.

Honourable members, you have to be keen on this! Order Honourable members! Hon. Rosemary Order! Hon. Mukhongo order!

The amendment be in written and should reach the office of the Speaker as per the Standing Order No. 52. Stand guided! There being no other business, we adjourn to Tuesday next week.

(House adjourns)