

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

DAILY HANSARD

WEDNESDAY 16TH FEBRUARY, 2022

Morning Sitting

COUNTY ASSEMBLY OF BUNGOMA
HANSARD OFFICIAL REPORT
WEDNESDAY 16TH FEBRUARY, 2022

The House met at 9:30 a.m.

(Temporary Speaker [Hon. Humphrey Sifuna] in the Chair)

PRAYER

COMMUNICATION FROM THE CHAIR

Honourable members, I'm in receipt of a communication from the Majority Whip that we are supposed to receive back Hon. Opwora who has been on suspension. Can the sergeants do the necessary.

Hon. Meshack Wekesa (Majority Whip): Mheshimiwa Spika naomba ya kwamba nimemleta Mheshimiwa Opwora. Anajua makosa aliofanya na nimekuomba kwamba tumrudishe kwa nyumba.

Temporary Speaker: Noted. Hon. Opwora, you are now allowed to apologize before this House.

Hon. Luke Opwora: Thank Hon. Speaker. This being a House of rules and procedures, I want to submit my sincere apologies for my behavior during the First Supplementary Budget. It is a learning process and I apologize to everyone that I hurt and for disrespecting the House. I pray that moving forward; we live to fight another day. Thank you, Mr. Speaker.

(Applause)

Temporary Speaker: Thank you, Hon. Opwora. Your apology is received. I want to inform you that this is a House of rules and procedure. Next time make sure that you don't repeat the same. This goes to all members of this House; we have to respect the rules of the House. You are now accepted back to the House Hon. Opwora.

(Applause)

PAPERS

The Bungoma County Government ICT Policy 2022

Hon. Joseph Nyongesa (Majority Leader): I rise to table the Bungoma County Information, Communication and Technology (ICT) Policy 2020-2022.

Temporary Speaker: The policy is now tabled and it's the property of this House and directed to the Committee on Public Administration and ICT.

REPORT BY SECTORAL COMMITTEE ON AGRICULTURE, LIVESTOCK, FISHERIES, IRRIGATION AND COOPERATIVE DEVELOPMENT ON THE BUNGOMA COUNTY FIRST QUARTER FINANCIAL STATEMENTS FOR THE PERIOD ENDED 30TH SEPTEMBER 2021

Hon. Sospeter Nyongesa (Vice Chairperson, Agriculture): Mr. Speaker, I'm on my feet to lay on the floor of the House, the Bungoma County Government First Quarterly report and financial statements as at 30th September 2021 in respect to the department of Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development.

Temporary Speaker: The report is tabled and it's now a property of this House.

NOTICE OF MOTION

REPORT BY SECTORAL COMMITTEE ON AGRICULTURE, LIVESTOCK, FISHERIES, IRRIGATION AND COOPERATIVE DEVELOPMENT ON THE BUNGOMA COUNTY FIRST QUARTER FINANCIAL STATEMENTS FOR THE PERIOD ENDED 30TH SEPTEMBER, 2021

Hon. Sospeter Nyongesa (Vice Chairperson, Agriculture): Mr. Speaker, I issue a notice of motion on the Bungoma County Government First Quarterly report and financial statements as at 30th September, 2021 in respect to the department of Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development.

MOTION

REPORT BY SECTORAL COMMITTEE ON EDUCATION AND VOCATIONAL TRAINING ON BUNGOMA COUNTY FIRST QUARTER FINANCIAL STATEMENTS FOR THE PERIOD ENDED 30TH SEPTEMBER 2021

Hon. Chrispinus Wamusai (Member, Education): Honorable Speaker, I'm on my feet on behalf of the chairperson of the Committee on Education and Vocational Training to move a report on the quarterly financial statements for first quarter ended 30th September, 2021.

PREAMBLE

It is my pleasant duty to present the Bungoma County Government Quarterly report and financial statements for the first quarter ended September 30th, 2021 in respect to the Department of Education and Vocational Training as tabled in the County Assembly of Bungoma on 3rd September, 2021 and committed to each of the Sectoral Committee for their interrogation, input and recommendation through a report to this Honorable House.

COMMITTEE'S MANDATE

The Sector Committee on Education and Vocational Training was constituted pursuant to the provisions of Standing Order No. 196 of the County Assembly of Bungoma and executes its mandate in accordance with Standing order 196(5) which provides as follows:

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

COMMITTEE MEMBERSHIP

The Committee on Education and Vocational Training as currently constituted comprises of the following Members: -

- | | |
|------------------------------|------------------|
| 1) Hon. Fredrick Musebe, Mca | Chairperson |
| 2) Hon. Rebah Wabwile, Mca | Vice Chairperson |

3) Hon. Ali Machani, Mca	Member
4) Hon. Peter Sindani, Mca	Member
5) Hon. George Makari, Mca	Member
6) Hon. Hillary Kiptalam, Mca	Member
7) Hon. Paul Wamalwa, Mca	Member
8) Hon. Joan Kirong, Mca	Member
9) Hon. Sitati Makhandia, Mca	Member
10) Hon. Jerusah Aleu, Mca	Member
11) Hon. Christine Ng'elech, Mca	Member
12) Hon. Violet Makhanu, Mca	Member
13) Hon. Metrine Nangalama, Mca	Member
14) Hon. Anthony Lusenaka, Mca	Member
15) Hon. Wamusai Simiyu, Mca	Member

ACKNOWLEDGMENT

I take this opportunity to appreciate the Offices of the Honorable Speaker and Clerk of the County Assembly of Bungoma for the support received as the committee discharged its mandate. Further, I thank members of the committee for dedicating their time to examine the Bungoma County Government First Quarterly financial statements of the Education and Vocational Training department for the financial year 2021/2022.

Finally, my appreciation goes to the secretariat for their commitment in the compilation of this report.

It is therefore my pleasant duty and privilege, on behalf of the Honourable Members of the Education and Vocational Training committee, to table this report and recommend it to the Assembly for consideration and adoption.

Signed by Hon. Fredrick Musebe, Chairperson - Sectoral Committee on Education and Vocational Training

GUIDING PRINCIPLES IN THE EXAMINATION OF THE BUNGOMA COUNTY GOVERNMENT QUARTERLY REPORT AND FINANCIAL STATEMENTS

Vision and mission statement, those are self-explanatory. Sub-sectors and their mandates, those are also within our preview. I will go to chapter two;

ANALYSIS REPORT ON THE FIRST QUARTERLY FINANCIAL STATEMENTS FOR THE PERIOD ENDED SEPTEMBER 30TH, 2021.

INTRODUCTION

- a) The total budget for the County in the financial year 2021/22 is Kshs. 12,760,578,251. This amount was as a result of the approved annual budget in the financial year.
- b) Recurrent programmes had a total budget of Kshs. 8,989,910,885 representing 70% of the total budget while Development programmes were allocated a budget of Ksh. 3,770,667,366 which is equivalent to 30% of the County`s approved budget

ANALYSIS OF REVENUE

In the period under review, the County received total revenue of Kshs. 1,977,364,709 (*page 10 of the report*). The source of the amount was as shown here below;

- | | |
|--------------------------------------|---------------------|
| a) Exchequer releases | Kshs. 1,758,806,806 |
| b) Foreign/Domestic grants | Kshs. 0 |
| c) Transfer from other govt entities | Kshs. 0 |
| d) County own generated revenue | Kshs. 218,246,289 |
| e) Returned CRF issues | Ksh. 311,614 |

COUNTY OWN GENERATED REVENUE

a) The report indicates that the County managed to collect Kshs. 218,246,289 in the period under review (*Pg 22 of the report*). This translates to 20% of the total projected amount of Kshs. 1,091,524,891 (Own revenue including A.I.A). The target (*pg. 9*) for quarter 1 was Kshs. 272,881,223. The County Revenue directorate managed to collect 80% of the target for the period.

In terms of the actual amount collected as a percentage of the total annual projection, 20% was achieved as compared to the estimated 25% in every quarter.

CONDITIONAL GRANTS

- a) The conditional grants from development partners and National government for the department was expected to be for the Youth Polytechnics Grant. However, there were no receipt in the quarter under review.

ANALYSIS OF COUNTY EXPENDITURE

a) The expenditure target for the period under review was Kshs. 3,190,144,562 (*Pg 13 of report*) out of the total budget for the entire Fiscal year. This represents 25% of the total expenditure budget for the financial year. Recurrent expenditure target was Kshs. 2,247,477,721 while the target for development expenditure programmes in the quarter was Kshs. 942,666,841.

b) The actual expenditure as reflected in the report is Kshs. 1,205,279,289 (**pg 13 of the report**) with Kshs 1,199,662,473 having been spent on recurrent activities while Kshs. 5,616,816.

c) It's important to note that out of the actual total expenditure for the period, Ksh. 801,672,142 was used to compensate employees. This represents 66.51% of the total actual expenditure for the period.

d) Accounts receivables (outstanding Imprests) across all departments amounted to Kshs. 117,087,185 (*Pgs 26 of the report*). Finance and Economic Planning department has the highest outstanding imprests at Kshs. 47,771,186 followed by Office of the County Secretary with Kshs. 21,246,500. The department with least outstanding imprests is Education and Vocational Training with only Kshs. 200,000.

The total amount remained un-surrendered at the end of the period. The individual officers holding unaccounted imprests in every department is given on *pages 40 to 47* of the submitted report.

e) Accounts payables (Retentions) for all the departments was Kshs. 338,751,312 (*Pg 27 of report*).

f) Pending accounts payables (pending bills) (Creditors –*pgs 2*) *b/f from financial year 2020/2021*) across all the departments was Kshs. 422,810,236. This amount is broken down in the report as follows:

i) Construction of buildings Kshs. 29,709,646

ii) Construction of Civil works Kshs. 65,762,899

iii) Supply of goods Kshs. 47,854,269

iv) Supply of services Kshs. 279,483,422

The specific creditors with the respective amounts are shown from *pages 32 to 39* of the report.

DEPARTMENTAL EXPENDITURE ANALYSIS

The department of Education and Vocational Training had an annual approved budget of Ksh 1,655,012,577 comprising of 1,425,182,219 recurrent and 229,830,358 for development expenditure programmes.

Pending staff receivables on page 46 of the report, outstanding imprest holders in the department is Ksh 200,000. However, the total outstanding imprest for all the departments was at Ksh 117,087,185 at the end of the period under review.

Budget Execution by programs and sub programs

As indicated on page 51 and 52 of the submitted document indicates that the department spent a total of Ksh 259,424,035 in the period under review Ksh 159,224,035 was spent on salaries Ksh 100,000,000 spent on Education support and bursary scheme while Ksh 200,000 was spent on general administration planning and support.

The department did not report any pending bills despite the County Treasury indicating a total of Kshs. 440,360,768 owes to the suppliers and contractors across departments in the county were still pending at the end of the first quarter.

Committee observations, Conclusion and Recommendations

Observations

The committee made the following observations.

1. The county treasury did not indicate how much each department received, as revenue exchequer issues to implement their programmes in the first quarter.
2. The executed specific activities to which Kshs. 200,000 was spent on the recurrent programmes were not shown to disclose the detailed information.
3. Departmental monthly annual work plans and the budget implementation status report were not submitted to the committee for comparison purposes with the financial report.
4. The report indicates that the department undertook very minimal transaction in the period under review.

Recommendations

The committee recommends that:

1. The County Treasury should be submitting annexure on budget implementation for each department.
2. The county treasury should ensure full disclosure, when comparing reports for submission to the county assembly.
3. Approved work plans should always be adhered to during the implementation appropriated funds in the budget.
4. The department should ensure timely implementation of the planned programmes and projects including disbursement of scholarships and bursary funds to ensure students are not inconvenienced in their schools.
5. Staff capacity should be checked review, assessed to ensure payment for contracted works are done in time and within approved budgeted allocation to avoid delays that eventually lead to pending bills.
6. On management of imprests, the department should comply with provisions of the public finance management act regulations 2015, section 93 sub-sections (5), which provides that a holder of a temporary imprest shall account or surrender the imprest within seven working days after returning to duty station. Further, failure to do so this committee recommends that show cause letter should be served to officers who fail to surrender imprest in time and their salaries attached.

The report has been signed by all members of the education and vocational training committee.

At this point, I would now call upon Hon. Hillary Kiptalam to second the report.

Mr. Deputy Speaker: Very well Hon. Wamusai, Honorable Kiptalam.

Hon. Hillary Kiptalam: Honourable Speaker, before I second this report, allow me to inform this House that as Mt. Elgon and Bungoma County as whole, this morning we have lost the former MP of Mt. Elgon, Hon. John Serut who served his two terms from 2002 to 2007 and then

2013 to 2017. I want to say that as Mt. Elgon, we have lost a great leader, we are in a mourning mood however, that cannot curtail me to second this report.

Mr. Deputy Speaker: Thank you Hon. Kiptalam, we are together. Honorable members, a motion having been ably moved and seconded, I will now propose a question.

(Question proposed)

Hon. Jane Chebet: Thank you, Speaker for catching my eye. In the same spirit of Hon. Kiptalam, we the people of Mt. Elgon are in a mourning mood and having been a leader that all of us knew, we all share this somber mood as Bungoma County.

I want to take this opportunity to thank the mover of this motion on Education and Vocational Training on the quarterly financial statement for the first quarter ended 30th September, 2021. I would have really wished that in all these recommendations and the observations, they would also, you know most of the reports that we are getting on the floor of this House are almost half baked by the executive. They have continuously done half of what we expect and have never concluded any of what we table on the floor.

As we deliberate on this, I would wish that committees give timelines, for example when they give an observation of County treasury, they did not indicate how much each department received as revenue and exchequer issues to implement their programmes in the first quarter, and a recommendation that the County treasury should be submitting annexure on budgets implementation for each department.

When we make these recommendations, then in the next document this must have been done within a specified time and we should also during our committee meetings with them, we should also make sure that we give them timeline so that basis, the observations and recommendations we make are met.

Mr. Deputy Speaker: Thank you, Hon. Chebet. I will now call upon the mover to reply.

Hon. Chrispinus Wamusai: Thank you, Mr. Speaker. From the onset, I wish to also appreciate the seconder of the motion and members who have contributed. It is true that this House must firmly pronounce itself on matters documentation submission; the quality of reports brought to this House. I wish also to take note that as committees of this House, we must be clear on timelines within which those documents must be submitted and also timelines in terms of what we recommend must be fulfilled within what period and that is tied together with the issue of un-surrendered imprests.

Un-surrendered imprest has become a cancer that is killing this County and maybe so many Counties across this country. This issue has become a hindrance to the progress made in terms of devolution. Chances are very high that maybe these monies have not been put on proper use and

therefore accounting and surrender is a problem and therefore let me also join members from Mt. Elgon Constituency, Bungoma and Kenya as a whole in mourning the fallen hero, Hon. John Serut. This is a leader who has contributed immensely to the development of Mt. Elgon constituency, Bungoma, Western Kenya and this country as a whole. He has been an active politician, a leader of renowned standing and at this moment, I want to believe that God almighty will be able to be with the family, guide them and give the strength they need during this difficult period.

At that moment, I wish to request this House to approve this report for onward transaction and action.

Mr. Deputy Speaker: Thank You, Hon. Wamusai. Honorable members, a Motion having been moved and seconded and debate having ensued, I now put the question that this House approves this report and its recommendations.

(Question put and agreed to)

That being the last business on our Order Paper, the House adjourns until 2:30 p.m. in the afternoon.

(House adjourns)