

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

DAILY

HANSARD

WEDNESDAY 26TH JANUARY, 2022

Afternoon Sitting

COUNTY ASSEMBLY OF BUNGOMA

HANSARD OFFICIAL REPORT

WEDNESDAY 26TH JANUARY, 2022

The House met at 2:30 p.m.

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

PRAYER

COMUNICATION FROM THE CHAIR

Honourable members! I do have a communication to make. The Office of the Speaker has received a motion under Standing Order 30 (1 and 2) to discuss a matter of County importance from Hon. Antony Luseneka Namunyu, MCA - Bukembe West Ward for consideration by the House.

Honourable members, in reading Standing Order 30 (1) I find the framing of the motion as rather seeking information that is as a replica of a statement and not a motion. For avoidance of doubt; the body of the motion from Hon. Antony Luseneka Namunyu reads as follows: He wants to find in the motion, I would like to know...

One, when the office will be ready for occupation putting in mind that we are only left with three months.

Two, when the other facilities will be ready for use.

Three, total amount paid, the contract sum and balance if any.

Honourable members, further the motion does not have a request urging the House to resolve hence looks like a statement which could better be directed to a Sectoral Committee on Public Administration and ICT over sighting this County Assembly. In such circumstances therefore, I direct the sponsor of the motion to consider the issues I have raised above and to capture the aspirations of the Standing Order 30 (1) and (2) for consideration.

Honourable members, on that note, I will also want on a light note to say that lets always be making use of the professionals who are around so that when we engage in something, we get it very right. Thank you, so much Honourable members.

PAPERS

The following Paper was laid on the Table of the County Assembly:

Report by Sectoral Committee on Tourism, Environment, Water and Natural Resources on the Bungoma County quarterly report on Financial Statement for the period ended 30th June, 2021 in respect to the Department of Tourism, Environment, Water and Natural Resources laid by Hon. Frankline Simotwo (*Chairperson, Tourism*).

Mr. Deputy Speaker: Honourable members, a report by the Committee on Tourism, Environment, Water and Natural Resources on Bungoma County Fourth quarter financial statements in respect to the department of Tourism, Environment Water and Natural Resources having been procedurally laid before this House it's now the property of this Assembly.

NOTICES OF MOTION

The following Notice of Motion was issued:

That this House considers the report by sectoral Committee on Tourism, Environment, Water and Natural Resources on the Bungoma Fourth Quarter Financial Statements in respect to the department of Tourism, Environment, Water and Natural Resources issued by Hon. Frankline Simotwo (*Chairperson, Tourism*).

Mr. Deputy Speaker: Thank you, Hon. Frankline Simotwo. Honourable members, the notice of motion having been issued, I thus direct that the same be circulated to the Honourable members of this House for their critical perusal and in-depth consumption and it will form part of the business to be considered by this Honourable House.

MOTION

REPORT BY THE BUDGET AND APPROPRIATIONS COMMITTEE ON THE BUNGOMA COUNTY FIRST SUPPLEMENTARY BUDGET FOR FY 2021/2022.

Hon. Sospeter Nyongesa (Member, Budget & Appropriations): Thank you, Mr. Speaker. Honourable members, the motion before us this hour is the Budget and Appropriations Committee's Report on the First Supplementary Budget of the FY 2021/2022.

Page 1 is the table of contents which I beg not to read and maybe just move to page 4

Background

Mr. Speaker Sir, on behalf of the members of the Budget and Appropriations Committee and Pursuant to Article 118 (3)(a) of the Constitution of Kenya 2010 and the Standing Order No. 188, which gives the baseline on how the Estimates of Revenue and Expenditure will be dispensed with by the House.

I hereby present to this Honorable House, the Committee's report on the First Supplementary Budget FY 2021/2022 as tabled and committed to this committee on 16th December, 2021.

The following are the members of the Committee:

- | | |
|----------------------------|------------------|
| 1) Hon. Jack Wambulwa | Chairperson |
| 2) Hon. Erick Wapang'ana | Vice Chairperson |
| 3) Hon. Joseph Juma | Member |
| 4) Hon. Meshack Simiyu | Member |
| 5) Hon. Joan Kirong | Member |
| 6) Hon. Jane Chebet | Member |
| 7) Hon. Martin Pepela | Member |
| 8) Hon. Paul Wamalwa | Member |
| 9) Hon. Grace Sundukwa | Member |
| 10) Hon. Sospeter Nyongesa | Member |
| 11) Hon. Violet Makhanu | Member |

Mr. Speaker, I need your guidance whether to skip the mandate of the committee which is obvious so that... The mandate and functions of the committee are found in the Standing Orders I beg not to read. But may I move to acknowledgement.

Mr. Speaker Sir, The Committee is grateful to the CEC Members and Chief Officers who appeared before the Sectoral Committees as well as Budget & Appropriations Committee and clarified on the areas that seemed unclear.

The Committee is also particularly grateful to the Offices of the Hon. Speaker and that of the Clerk of the County Assembly of Bungoma for the support received as it discharged its mandate in reviewing the FY 2021/22 First Supplementary Budget.

The significant role played by the Committee Members and Secretariat for their steadfastness in the compilation and completion of this report cannot be overlooked.

Lastly, the committee appreciates all sector committees for their valuable input to ensure timely collection and collation of the information incidental to the preparation of this report

Mr. Speaker Sir, I wish to confirm that the recommendations of the Committee in this report were unanimous. It is now my pleasant duty and privilege, on behalf of the Budget and Appropriations Committee, to present to the County Assembly the report of the Committee on the First Supplementary Budget FY 2021/2022 for debate and adoption.

Signed by the Chairperson Hon. Jack Wambulwa, MCA; Kimaeti Ward.

Mr. Deputy Speaker: What is the point of order, Hon. Opwora?

Hon Luke Opwora: I want to thank the mover of the motion, he has captured it very clearly on the report before the Chairperson signed that the issues of the sector committees were well captured. I want to take you back to Standing Order 212 (5). The budget and appropriations

committee shall discuss and review the estimates and make recommendations to the County Assembly taking into account the recommendations of the sectorial committees or the County executive...

Mr. Deputy Speaker: Hon. Opwora you were to give a point of order, you are putting the cart before the horse, you are away from that. Let the motion be moved. Resume your seat. You are out of order.

Hon. Luke Opwora: Mr. Speaker, I wanted to clarify...

Mr. Deputy Speaker: You are out of order Hon. Opwora. Can you seek to move properly. Resume your seat.

Hon. Luke Opwora: Is it a point of information or a point of order?

Mr. Deputy Speaker: No no no! You are out of Order!

Hon. Luke Opwora: I want to be guided, Mr. Speaker. I may be out of order but...

Mr. Deputy Speaker: After the motion!

Hon. Sospeter Nyongesa: Thank you, Mr. Speaker for the guidance. I beg to proceed to chapter two.

CHAPTER TWO

ADHERENCE OF THE FY 2021/2022 FIRST SUPPLEMENTARY BUDGET TO THE PREVAILING LEGISLATION

Mr. Speaker Sir, this is the first supplementary budget for the financial year 2021/2022 as submitted to the County Assembly for review, scrutiny and recommendations to pave way for enactment of the First Supplementary Appropriation Act for FY 2021/2022.

2.1 ANALYSIS OF THE 1ST SUPPLEMENTARY BUDGET F/Y 2021/2022

The first supplementary budget was submitted and received in the office of the Clerk on 16th December, 2021 for onward submission to office of the Hon. Speaker for tabling on the floor of the house. The first supplementary budget was occasioned by a number of reasons as follows;

- a) Re-voting and re-appropriation of balances Kshs. 1, 288,205,082 including conditional grants, from the previous financial year 2020/21.
 - Equitable shares Kshs. 230,673,452
 - Grants Kshs. 1,057,531,630

- b) Compliance with the approved CARA,2021
- c) Revision of the approved projections in Local Revenue and the Appropriation In Aid.
 - An increase in local revenue (Finance Act) projection by Kshs. 246,811, 602.
 - An increase of Appropriation In Aid in the department of health Kshs. 150,000,000
- d) Regularization of the re-allocations done on specific budget lines.
- e) Declaration of Pending Bills, and allocation of funds for payment
- f) Retention fees of Kshs. 8,769, 449.

REVENUE

The first supplementary budget has seen the total county budget revenue increased from Kshs. 12,760,578,251 as approved in the annual Budget to Ksh. 14,454, 364, 384. The increase was occasioned by the Budgeting of the balances brought forward and the unremitted grants as contained in the approved KARRA of 2021. We can see the table that shows the summary of the resource envelope.

Summary of Resource Envelop

	ITEM	TOTAL
1	Balance Brought forward(Equitable share)	230,673,452.00
2	Grant received but not absorbed at end of FY 2020/21	1,057,531,630.00
4	Equitable share 2021/22	10,659,435,192.00
5	Grants FY 2021/22	1,009,618,168.00
6	Retention fee	8,769,449.00
7	Local Revenue plus AIA	1,091,524,891.00
	GRAND TOTAL	14,454,364,384.00

The carry forward balances were less due to the May and June Salaries that was totaling to 400 million which affected a number of ongoing programmes/projects. The CEC Finance submitted approval document from the Controller of Budget Office that allowed funds to be spent against the appropriations.

WARD BASED PROJECTS

Mr. Speaker, The ward based projects allocation remained unchanged as approved in the Annual budget.

The pending bills relating to ward based projects stood at Kshs. 592 million as per the submission from the Special coordinating units of the Ward based projects. The analysis as per the department shows most of the pending bills relating to WBP were not catered for in this supplementary budget. The figures have been captured in the respective departments.

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

Mr. Deputy Speaker: Just a moment Hon. Sospeter.

Next time kindly carry your card because you may not be able to use the dispatch.

Hon. Bethwell Mwambu: Thank you so much for allowing me to stand on Standing Order number 49. I wish to reiterate what you spoke to this House early in the Morning before we ended our morning session. You were very categorical that the document was supposed to be sending in good time for in-depth reading and understanding, and to inform debate thereto.

I want to inform you that your directives were not followed. This document has been send to the gadgets of Honourable Members as late as almost 2:00 p.m. To be particular it was 1:30 p.m. We are talking of the document which is full of figures. This is not any common debate. This is a budget. How I wish that the Members could be allowed to read, understand the content of the document so that when the chair is reading, we can be able to move together and therefore the debate may take little time because we will have understood.

It is my prayer to you that understanding the kind of dynamics we are living in and the kind of Government we are serving, and the interests of the people we have at heart, I would like to ask that you invoke Standing Order number 49 so that the reading may stop where ever the Chair has gotten, to the resume tomorrow just to allow us to read. I know you have the passion to read and that is why you were telling us in the morning that let the document be send to Honourable Members early enough.

We don't debate from anywhere. We debate from the content of the document and you will realize that while it has come late, when it is going to be read you will know why it is important for Honourable Members to read it. So if you can bear that prayer of mine under Standing Order

number 49 (b), I will be able to ask that I am seconded by one youngest legislator we are training in the House, Hon. Luke Opwora.

Hon. Luke Opwora: Thank you. We are in a learning process. Budget making process is very key and I want to second my senior Hon. Bethwell Mwambu.

(Applause)

Mr. Deputy Speaker: Honourable Members. A Motion having been moved under Standing Order number 49 b and seconded, I propose that debate be adjourned for the reasons advanced. I propose.

Honourable Members, I can see the mood. Honourable Members, a Motion having been moved and under Standing Order 49 (b) and seconded therein, I now put a question.

(Question put and agreed to)

Now Honourable Members, this debate has just been adjourned to allow as advance by the mover that we have to have members read to in-depth and understand the same and therefore it is just adjourned to resume tomorrow from the point where the mover had reached.

(House Adjourns)