

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

DAILY HANSARD

WEDNESDAY 4TH MAY, 2022

Morning Sitting

COUNTY ASSEMBLY OF BUNGOMA

HANSARD OFFICIAL REPORT

WEDNESDAY 4TH MAY, 2022

The House met at 9:30 a.m.

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

PRAYER

COMMUNICATION FROM THE CHAIR

Honourable members, we have our new members of staff in the gallery and we want to welcome them to work with the County Assembly of Bungoma because this is where we oversight. So feel welcome and be part and parcel of this important institution of this County.

Secondly, Order number 5 is struck off the Order Paper for today and it automatically affects Order number 6. We can now proceed.

STATEMENTS

UPCOMING HOUSE BUSINESS

Hon. Isaiah Said: Honorable Speaker, I have a weekly program of the business of the County Assembly pursuant to Standing Order No. 36 for the week commencing Wednesday 4th May, 2022.

Wednesday 4th May at 9:30 a.m.

Papers

1. Report by Sectoral Committee on Youth and Sports on the loopholes in youth agenda in the county planning documents and youth accessibility to tenders.

Notice of motion

1. THAT this House adopts a report by Sectoral Committee on Youth and Sports on the loopholes in youth agenda in the county planning documents and youth accessibility to tenders.

Wednesday 4th May at 2:30 p.m.

1. A statement pursuant to the provisions of Standing Order 41 (2) (a)
2. A statement sought by Hon. Henry Majimbo from the chairperson, Sectoral Committee on Education and Vocational Training on the implementation of Bungoma

Education Scheme Regulations revised 2018 and the management of Bungoma County Education Support Scheme.

Motion

1. THAT this House adopts a report by Sectoral Committee on Youth and Sports on the loopholes in youth agenda in the county planning documents and youth accessibility to tenders.

Thursday 4th May 2022 at 2:30 p.m.

Papers

1. Report by Public Accounts Committee on the Auditor General's report on the financial statements of the County Executive of Bungoma for the year ended 30th June, 2020

Notice of Motion

1. That this House adopts a report by Public Accounts Committee on the Auditor General's Report on the financial statements of the County Executive of Bungoma for the year ended 30th June, 2020.

Honorable Speaker that is the tentative order of the week, I rest my case.

Mr. Deputy Speaker: Honourable members, that is our tentative weekly program for the week ending Thursday 5th May at 2:30 p.m. Hon. James Mukhongo, what is the matter?

Hon. James Mukhongo: Honorable Speaker, I want to bring to the attention of the House over some matters that are on-going in the County if you permit me. Honorable Speaker, I'm aware the County Government of Bungoma is moving around the entire County identifying beneficiaries of scholarship program. I want to bring to the attention of this House that as colleagues, we sat here and agreed and praying for many of us to come back, if not all of us to come back. It is unfortunate that you will find a colleague associated with the County Government of Bungoma coming to my Ward and talking ill of me. It is an opportunity for you; do it but I'm also ready and will come to your ward. It is unfortunate, but I can't name him or her but just want to bring to the attention of the House.

Secondly, as they are moving, we want them also to come up and tell the same government to launch the distribution of cheques. I have come late and did not attend the HBC meeting because many students were at my office to pick the cheques yet they are moving around purporting to assist our students who are venerable. Please if you come in my Ward again and talk ill of me, *tutakutana*. I rest my case.

(Applause)

Mr. Deputy Speaker: Honorable Mukhongo, is that a threat?

Hon. George Makari: Thank you, Honorable Speaker. Just to underscore what Hon. Mukhongo has said; it is unfortunate that the launching and re-launching is going on in our Wards. I will wish to point out that the Chairperson of Education Committee would have been in this House to tell the us how this issue of scholarships is going to happen. A county government can pick 7,000 beneficiaries when the whole country is picking 9,000. The county government of Bungoma is picking 7,000 students without a budget. So I think the Vice Chair of Education is here and I am glad she's looking at me, maybe she has some information that this House doesn't have.

Hon. Jack Wambulwa: Thank you, Honorable Speaker. I want to support Hon. Mukhongo, that as colleagues, we need to understand our role in it and would be unfortunate for one to walk into ones ward and start de- campaigning a colleague whereas in your ward you have major problems than mine. It is time that we actually style up and concentrate on our wards. I know you could be benefiting from the County executive, but time is up and you don't know about tomorrow from the way of things are looking. I know my good colleague my senior Hon. Ali Machani can advise these new members that when you are in a government, always try to read the signs; you don't just move out and start heckling. It is not time to eat *kuku ugali* and walk around.

Let's be serious and help our people on matters scholarship. We have 60 million in the budget. The launching and re-launching has continued to eat into the scholarship up to the tune of 30 million. We want to see the cheques to the tune of 60 million and nothing less than that.

(Applause)

Hon. Henry Majimbo: Mheshimiwa Spika, mimi pia nataka kutoa wasia kwamba kila kitendo kina wakati wake, unajua huu ni wakati wa siasa lakini heshima lazma idumu. Mrengo wetu tumekuwa na mikutano katika Wadi za wenzetu, lakini hakuna wakati tumeeenda kukashifu wenzetu. Lakini hawa wengine ni kana kwamba baada ya kupatiwa mafunzo ambayo ni kinyume na maadili ya kuwa mandungu zetu, wamekuwa wakienda kule nje wakitupaka matope. Nataka tu kuwaomba ya kwamba wasiendeele kutupaka matope kwa sababu tunaeza fika mahali pia sisi tuwe kama nguruwe na tuwavute katika hayo matope, unajua nguruwe kwa matope anajua kucheza sana.

Kwa hivyo mimi natoa tu wito kwa wenzetu usitoke kwa wadi yako uje kwa wadi yangu, ukidhani kwamba hakuna mwakilishi katika hiyo wadi. Ukiona kobe limeinamisha kichwa ujue linaunda sheria kwa hivyo wasituone kwamba tumeinamisha kichwa wakadhani kwamba hatujui kile kitu kinaendelea. Mimi nawaomba kwa unyenyekevu, shika laini yako ukienda kwa wadi ya mwenzako, ongea mengine kama watu wanataka kupigia wengine debe, lakini sio vizuri uende ukashifu mwenzako ambaye bado mnafanya na yeye kazi. hili ni jambo moja ambalo limetukera wengi wetu, lakini tunataka kuwaombea roho mtakatifu iteremke alafu waone mwanga mapema asanti.

Hon. Sospeter Nyongesa: Thank you, Mr. Speaker. Hon. Tony Barasa should be patient; I think your time will come. I want to ride on what my colleagues have just said, it is really painful and we are really up for it that our colleagues have lost direction moving into colleagues wards. They leave their wards and move to other peoples wards and whatever they talk, I don't think I will hide...

Mr. Speaker: Order Honourable members; let's consult in low tones.

Hon. Sospeter Nyongesa: Mr. Speaker, I don't know whether you've realized that the County government services as we have just been told, we don't have staff in the respective offices just because many staffs are moving round with the Governor re-launching the scholarship, while we expect those officers to be in their offices to provide other services.

Mr. Speaker: Order Honourable members; let's consult in low tones

Hon. Sospeter Nyongesa: Mr. Speaker, those members who have been moving around in other colleagues wards maybe I would ask one of them Hon. Chemion to comment on this. I think we are not going to hide right in the House...

(Applause)

Our colleague must comment on this if at all he has been spotted in some other people's wards and what they have been saying.

Hon. Meshack Simiyu: Asante sana mheshimiwa Spika kunipa nyafasi pia mimi nichangie yale yenye iko Mheshimiwa Spika nataka niombe wenzangu siku ya jumamosi Gavana alikuja kwa wadi yangu Sichei alikuja na wenzangu. Mheshimiwa speaker mheshimiwa Joram yeye ndo alikuwa mstari wa mbele mimi na mheshiwa James Mukhongo sisi twende nyumbani mapema ilhali yeye mwenyewe hajajua wadi yake inakaa namna gani mheshimiwa spika mimi ninakuomba ya kwamba wenzangu kuja kwa wadi yangu sio shida likini nina omba kama haujaalikwa kuja mkutano usiende huo mkutano. Namuomba mwenzangu Joram bado yeye ni mwenzangu tunakaa na yeye hapa mheshimiwa spika staki niharibu heshima ya hii nyumba. Kama tunaona huko inje imekua ngumu hata hii nyumba tunaweza pambana hapa ndani. Kama wenzetu wanaona kama hao ndio wanaume wacha tupambanie kwa hii Nyumba wakinishinda hakuna shida.

(Applause)

Ninaomba yeyote ako na haki ya kutembea kila mahali hata mimi kesho nitaenda Mlima Elgon kwenda kukampenia Ruto kwa sababu ninataka awe rais wangu, na nitaenda huko kwa sababu nina lengo la kusimama na yeye. Hii nyumba iko na mamlaka, na ninaomba niende nikae chini kama tunaendelea sawasawa. Ukinishinda saa zingine hautanishinda kwako na sio vitisho. Mungu awabariki.

Mr. Deputy Speaker: Hon. Tony Barasa Khaoya.

Hon. Tony Barasa: Thank you, Honourable Speaker. I want also to echo the sentiments of my colleagues; it has come at time that we must call a spade a spade and not a big spoon. The name Hon. Joram Wanjala is becoming more notorious in the minds of many Honourable members. I remember in this regime was involved in '*sikhupo*' at Tuuti /Marakaru, when I went to condole with my friend Hon. Juma Nyongesa, three days later Hon. Joram Wanjala went to my constituency...

Hon. Henry Majimbo: (*Point of order*) Hon. Tony Barasa is out of order to mention the name of an Honourable member without bringing a substantive motion to discuss his conduct. I wish to give that guidance.

Mr. Deputy Speaker: Hon. Tony, you withdraw and restrict yourself to what you want to say because we have to move to the next item.

Hon. Tony Barasa: But I hope the same point of order could come to Hon. Meshack who also mentioned Hon. Joram here. What am saying is, if somebody wishes you ill motives, it is very unfair.

The other day when they were launching and instead of them instilling some words of wisdom to these young men and women; they were just talking about one Tony, but I was very disappointed with the calibre of speeches and the Governor was seated there.

This House must come out openly, if indeed we are launching scholarship for the 7,000 students who are going to join the secondary schools and we are aware that this House passed a budget of 60 million. You are also aware that we have another 3,000 beneficiaries whom we are paying this allocation, if you paid out 3,000 plus 7,000 you are getting a total of 10,000 students who are going to benefit from this scholarship. If you talk about scholarship, we are going to pay the entire amount of these school fees which is between 35,000 to 40,000 if not 50,000. Now, if we are using 30 Million for launching out of 60 Million, then we are remaining with 30 Million.

You want to lie to the people of Bungoma that you are going to take care of these students by paying them the full scholarship, if you take 30,000 divide by 10,000 you are telling the people of Bungoma that each student is getting an allocation of 3,000. Who is fooling who? I am calling upon this House to come out very open and categorically inform the world that whatever Wangamati is doing is PR that he intends to redeem his political life which is dead.

Mr. Deputy Speaker: Hon. Mutoka first, then Hon. Chemion.

Hon. Ali Machani: Thank you, Honourable Speaker. I want to appeal to members that we are only remaining with two months to elections, I believe all members have been cleared, whether as an independent or sponsored by a party, and now you are rushing to compete to get the position.

I want to thank you Mr. Speaker, because it is a lee way you have just given us and we could not talk much. Democracy allows any leader to traverse, I am the chair of ODM in this County and I must be in every area checking on my candidates, and like any other leader

whether a candidate from Ford Kenya eyeing for senatorial or gubernatorial, by law is allowed to move in any part of this County to campaign. But it does not guarantee you to rubbish but you can point out challenges that can arise to stop scholarship. It does not mean that I abuse you or I rubbish you.

We can be guided that members can traverse but let us also be conscious not to abuse others. But saying you should not stop in my ward... I will not be mature enough. Like last week part one, Senate Speaker was in my ward and he was with my colleague MCAs. I didn't complain, have not raised any concern. I meet and greet them as I am mature enough, because getting that position is very easy but defending it I expect all those challenges. Ask Hon. Nyongesa, Mukhongo and Majimbo, they must throw stones on you but as you throw those stones remember also they will come to your ward.

Mr. Deputy Speaker: Thank you, Honourable members. We have to be very short. Now Hon. Chemion because you are a leader, let me give Hon. Violet so that you will be the last then the chair will respond.

Hon. Violet Makhanu: Thank you Honourable Speaker for catching my eye. I also want to agree with my colleagues' statements that whatever is happening to our colleagues in this County is not very good. The other day, I was with a few colleagues at Maraka with the Senate Speaker, we were very honourable, mature and never talked about our colleague. In fact we never even campaigned for the aspirants who were in our Coalition; our agenda was one. We just know the Speaker because we knew we have a colleague whom we are still working with in the Assembly and the Assembly has not yet closed. I just want to raise these few issues hoping that after this session, the Chair for Education will be able to move with speed and if possible give us feedback on the same, so that as a House, we know how to go about some of these issues that are happening concerning scholarship in our respective wards.

Today in the morning, when I woke up in my home, I found a group of people, parents with the children. They just want to get direction on how to get their children to school tomorrow because they had not been told anything. They did not have money or letters. We are aware as a House that as the Budget committee, we allocated 60 million for scholarship if I am not very wrong and the number of people that are going to benefit from this scholarship according to our Governor is 7,000 pupils.

I know we have commitment letters that are being prepared to be taken to some of the high schools. I want to just request the Chair - Education that as we leave this House together with the committee, we want to know how many pupils were sponsored, how many...No, let me just talk Mheshimiwa Balala, this is my time I am speaking. Then if possible how many will be given commitment letters and when will the school fees be paid to those respective schools?

Mr. Deputy Speaker: Hon. Violet, there is an item that is coming before this House on what you are asking, so you are disgracing.

Hon. Violet Makhanu: Mr. Speaker, let me just finish. How sure are they that the Principals for these respective high schools will accept commitment letters during this time of elections?

Mr. Deputy Speaker: Hon. Chemion, shortly so that we have the Chair make a comment on the same then we proceed. It was my discretion to allow you...

Hon. Francis Chemion: Thank you, Mr. Speaker. I want to speak while Hon. Sospeter was there but Honorable members are there.

I am the happiest person because in all my life, I have never gone to an Honorable member's ward and spoken ill of them. If there is one who feels that I have gone to his ward and spoken ill of him or her, then let him come to me and ask me because I am a professional. I know Honorable members are our colleagues. When I come to your ward and which is rare, I do on a purpose. How do I fight you again *na sisi ni watu ya tumbo moja*. Mr. Speaker allow me to use that.

I urge Honorable members, you never know tomorrow. We are fighting today here, politics will be done, elections will be done one day, you do not know who will be elected and who will not. You cannot tell, so let us not be members who go to other people's wards and attack them.

If you have other things that you want to transact in that ward, you do it but in a very honourable manner. If the Honorable member of that ward is not there, why do you talk about him or her? Talk about the issues that have taken you there.

I urge members, let us desist from attacking each other. You know it sends a very bad signal to the people outside there so from today we hope that Honorable members who visit other wards let them visit... sometimes it's even courteous for you to inform the Honorable member of that ward that I am coming to your ward. It doesn't break any bone!

If I am coming to Khalaba Ward, I call Hon. Majimbo and tell him I will be around. You can join or if you are busy, I will be around so that he knows that I am in his ward. There is nothing wrong with that. That means if I call or communicate to you, it means I have faith in your leadership. Let us shun from that and we hope this House will adhere to it. I know Hon. Sospeter wants just to hear my voice; he did not mean what he was saying that I have gone to other member's wards and attacked them. No, I have never!

Mr. Deputy Speaker: That is very well from Hon. Francis Chemion.

Hon. Rebah Wabwile: Thank you Mr. Speaker for giving me an opportunity at least to talk about the elephant in the House. It is this Assembly that came up with a regulation to ensure that we have scholarship as one of the support programs that the County was supposed to implement and if we go to section 8 of the regulations, it's very clear that the amount allocated in Education was supposed to cater for only 8% to 16% of the amount towards scholarship. It is quite absurd for the County Executive officer to go round the county purporting to sponsor 7,000 individuals as compared to the National Government that is sponsoring 9,000. It is like Bungoma County has become another Kenya.

I stand in as the Chair of Education to inform this Honorable House that as a committee, we did not receive any official invite to join the launch of the scholarship. What we received Honorable members of Education members who are here was a card. Hon. N'gelech, Lusenaka and Violet are members of Education and as a tradition of the House, any activity being carried out by a committee is informed through an official invite of the Assembly from the clerk of the Assembly. If I am wrong, I stand to be corrected but as the Chair of the committee, I insisted with the Chief Officer to give us a special invite which was specifically a written document from the clerk of the Assembly stamped by the Assembly to invite us join the team in the launch of the scholarship.

As I speak now, what we have on our Whats App page is a card without the Assembly's authentication. If I am wrong, then I stand to be corrected but for now let me make my presentation.

Hon. Henry Majimbo: I want to enquire from the Chair, did that card have the title of the program? Was it Bungoma County Education Support Program Scheme or was it Wangamati scholarship on that card?

Mr. Deputy Speaker: Chair, education.

Hon. Rebah Wabwile (Vice Chair, Education): Mr. Speaker, I cannot get the correct contents but I know it was the Wangamati's scholarship

Hon. Henry Majimbo: (*Point of information*) Mr. Speaker, for the Chair, Education not to honour because we don't have any scheme called the Wangamati Scholarship; we have the Bungoma County Education Support Scheme 2018, period.

Hon. Rebah Wabwile: Mr. Speaker, maybe we can check on the contents of the letter, but I feel that we did not receive official invitation from the Clerk's office as a committee, that is my communication.

Hon. Tony Barasa: (*Point of information*) Honorable Speaker, in this land Kenya, we have laws. I have heard from our senior 001 Hon. Majimbo, in this land if you are impersonating; for example to be a police officer, there are some consequences that can happen. Now if the County Government of Bungoma is impersonating to call something that we passed in this House as Bungoma County Scholarship and being called WW that is impersonation. What can we do as a House?

Mr. Deputy Speaker: I know Hon. Rebah may not respond to that but make your brief remarks.

Hon. Rebah Wabwile: Chair, allow me complete my presentation that as a committee, we are ready and in the process of completely supporting what is going on and we are ready to ensure that our students go to school. We are also ready to ensure that they go through the four year programme because we as an honourable House by extension, we are the ones who passed the regulation and we need to ensure that the implementation part has been done.

It is just in good reason that like our Honourable member has said, we need to know the number of beneficiaries. I want to request this Honourable House, because this is an elephant in the House and is like now an issue of County importance, that the Speaker in his jurisdiction request the executive; that is the Chief Officer and the CECM to be invited to this House for issues scholarship, because we need to put things correct, so that we do not just look like we are referring to an issue that has cropped up in this Assembly. We need to address it according to the procedure.

Mr. Deputy Speaker: Hon. Rebah, I request to make a brief remark because...

Hon. Rebah Wabwile: Mr. Speaker, I am just finishing that we want to support our Governor deliver what he purports to call the Wangamati Scholarship, but at the end of the day, are we going to make it a political statement by the road side that we increased the number of beneficiaries without looking at the regulation? As a committee, it is a concern, and I hear my colleagues as they have put it, we are concerned and that is why I want to request this honourable House that if a statement cannot be put, then you as the Speaker in your able office can help us invite the CECM and the Chief Officer for matters of questioning.

Mr. Deputy Speaker: Thank you, there is a statement coming to that effect.

STATUS OF THE MAKUTANO HEALTH CENTRE AND MISANGA DISPENSARY IN SOYSAMBU/MITUA WARD

Hon. Joseph Juma: Thank you, Mr. Speaker. On behalf of Hon. Stephen Wamalwa, I have to read the statement but before that, allow me congratulate our new staffs who have joined us this week and maybe tell them that welcome to this political institution. It has a lot but what we need from you is just respect and be keen on whatever you may say in this political institution. I hope you are seeing what is going around. Then lastly what was brought up by our senior Hon. Mukhongo on the issue of our colleagues traversing our wards; there is a saying which says when the going gets tough, the tough gets going. Let us be tough and handle the issue as politicians. Let us not cry.

Allow me now to come up with the statement from Hon. Stephen Wamalwa from Soysambu who is currently our Speaker.

Honorable Speaker Sir, under Standing Order No. 41(2) ©, I seek a statement from the Chairperson, sectoral Committee on Health on the status of the below CEF project in Soysambu/Mitua Ward;

1. Makutano Health Centre which was allocated 15 Million in the F/Y 2017/18.
2. Misanga dispensary which was allocated 6 Million in the F/Y 2017/18.

In the statement, let the CECM/ Chief Officer:

- a) Explain why the contractor has taken long to complete the project when there was sufficient budgetary allocation for the two projects.

- b) The action taken against the contractor if he/she has not adhered to the contractual obligations.
- c) Give the correct status of the progress of the two projects.
- d) Give the expected time on when they will have to complete the projects.

Hon. Makari George: Thank you, Honourable Speaker. I wish to request for 21 days in order to get the response to the question as requested by Hon. Stephen Wamalwa, MCA for Soysambu/ Mitua.

Mr. Deputy Speaker: Hon. Makari Chair, Health, we expect this in 14 days.

Hon. Makari George: Honorable Speaker, there is a reason as to why I asked for 21 days not 14 days.

Mr. Deputy Speaker: Honourable members; Hon. Makari is requesting for 21 days but we want to give him 14 days because the programme ahead will be complicated. 14 days will suffice and it will be enough time for you to get the response and bring it to this House, which is 18th day of May at 9:30 a.m.

Hon. Makari George: Alright Honorable Speaker, most obliged.

Mr. Deputy Speaker: Honourable members, there being no other business, the House stands adjourned to 2:30 p.m. this afternoon.

(House adjourns)