

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

TUESDAY 12TH SEPTEMBER, 2023

Afternoon Sitting

Third County Assembly

Second Session

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COUNTY ASSEMBLY OF BUNGOMA

HANSARD OFFICIAL REPORT

TUESDAY 12TH SEPTEMBER, 2023

The House met at 2:30 p.m.

(Mr. Speaker [Hon. Emmanuel Situma] in the Chair)

PRAYER

COMMUNICATION FROM THE CHAIR

1. CHANGES IN THE MANNER OF PROCESSING STATEMENTS

Honourable Members, I wish to welcome you back to this session and wish all of you fruitful deliberations. As you are all aware, this session resumes after the resolution from the special sitting held on the 7th of September, 2023; where you agreed to alter the calendar and resume for two weeks; then proceed for a short recess. During the session, we had the following eight statements that were raised to the County Executive and are awaiting response:

1. Status of the cattle dips within Ndaalu/Tabani Ward that was requested on 22nd of June, 2023; to the Department of Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development.
2. Status of Field Extension Officers in the department of Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development on 22nd June, 2023.
3. Status of Namasanda dam from the Department Of Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development; sought on 22nd June, 2003.
4. Status of roads constructed and rehabilitated in Musikoma Ward in the financial year 2022/2023; to the Department of Roads, Transport, Infrastructure and Public Works; sought on 22nd June, 2003.
5. Status of the construction of Pamus-Muyai road by the Department of Roads, Transport, Infrastructure and Public Works; sought on 22nd of June, 2023.
6. Status of the management of Bungoma County Referral Hospital, Kimilili Sub-County Hospital, Webuye County Hospital in the Department of Health Services; sought on 22nd June, 2023.
7. Status of tender for street lighting across the county by Trade, Energy, Industrialization; sought on 22nd June, 2023.
8. Status of Municipality Board Members for both Kimilili and Bungoma Municipalities in the Department of Lands, Urban, Fiscal planning and Housing; sought on 22nd June, 2003.

Asked about the manner of processing statements in this House, Honourable Members I wish to give the following guidance.

All statements are hereby committed to the relevant sector committees for responses. The relevant sector committee shall process the statements and report to this House within 21 days after committal; and within seven days if the statement is urgent, as I shall determine. A Member who requested for the statement from the Committee Chairperson relating to the matter and the mandate of the committee, I will either appoint a day for the statement or direct that the statement be issued on the same day.

Honourable Members, where a member prefers a written reply to his or her statement, I direct that the written response be provided in respect to the statement. The Clerk shall forward the statement to the relevant County Executive Committee Member and upon receipt, provide a written response. The Chair of the relevant committee shall invite the member who raised the statement when the County Executive Committee Member will appear to shed more light. A County Executive Committee Member shall provide physical and electronic copies of the responses at least a day before appearing before the committee.

The Chairperson of the Committee may allow supplementary questions which relates to the statement referred to the committee. Where the member who sought for the statements referred to the committee is absent without permission, the statements shall be dropped and no further proceedings shall be allowed. After processing the statement, the Chairperson of the committee shall submit a processed report to the House or statement referred to the committee, replied to, or whether the committee has directed the County Executive Committee Member to provide additional information or a further reply and is pending before the Committee.

Honourable Members for avoidance of doubts the relevant sector committee to which a statement will be referred to has to process the statement and report the House within the provided timelines as per our Standing Orders, failure in which the matter dealing with the statement for the sector committee shall be processed by the House. I therefore urge members to take time to familiarise themselves with the procedure in their future endeavours. The House is accordingly guided.

Just an addition, When a CECM comes before a committee, the committee is allowed to seek for assistance from our accountants, the auditors, procurement officers, and technical people who can guide as you are cross examining the CECM concerned; but in the way we sit here and process, you cannot bring our HR Officer here to assist you.

Pose questions to the officer from the executive at the committee level since you are allowed to have them besides you. As the Chair of a committee, seek the support of our support staff. Here you only have the technical people coming with the CECM concerned, but you are as Chairs here, you cannot rope in yours to assist you. So, be guided accordingly.

When you are sitting as a committee, you are at liberty to seek the guidance of our staff here to guide you; the Audit Department, the Procurement department, and other technical staff to assist you in whichever way you want. I will urge you that all those statements that are pending before this House be taken up by the committees who will then report where they are facing difficulties with any CECM; who will then be forced to come back before this

House. But if they are going to give you maximum cooperation, there will be no problem at all. We will allow you to do your work as committees at your level.

2. VISITING DELEGATION FROM MBAKALU FRIENDS GIRLS' SECONDARY SCHOOL

Honourable Members, in our public gallery we have pupils from Mbakalu Friends Girls' Secondary School. They are basically from form three, form four and form two and 62 in number. Kindly, can we have the students upstanding?

Students rise

Kindly be seated.

They have been accompanied by their teachers.

1. Isabella Wakoli,
2. Fautsine Wanjala,
3. Brian Kisiagani,
4. Chrispian Waswabe

The teachers rise

Kindly be seated.

Honourable Members, as per our tradition, at the appropriate time, I will allow the Chair of the Education and Vocational Training Committee, the Honourable MCA where the school is domiciled or the neighbouring area MCA, the members who are ready to make some brief remarks and then encourage our pupils to work hard in their forthcoming exams; because I see we have fourth forms, form threes and form two students. We proceed as per the Order Paper.

PETITION

PETITION BY EMONYO YEFWE INTERNATIONAL

Mr Speaker: Honourable Members, the petition by Emony Yefwe International has complied with the relevant law accordingly. I proceed to commit the same to the Committee of Justice and Legal Affairs for processing and reporting back to the House.

Just for guidance, you have 60 days to process the same and that means we are talking of 14th of November for your feedback. You have 60 days as per our Standing Orders.

PAPERS

1. REPORT ON THE VETTING OF NOMINEES TO THE BUNGOMA AND KIMILILI MUNICIPALITIES

Mr. Speaker: The concerned Chair of Lands, Urban, Physical Planning and Housing. Honourable Members hope you have carried your cards to the House the way you carry your ATM around without losing one. Proceed, Hon. Cornelius.

Hon. Cornelius Makhanu: Thank you Mr. Speaker, Sir. I stand here to table a report by the Sectorial Committee on Lands, Urban. Physical Planning and Housing on the vetting of the four nominees to the Bungoma and Kimilili municipalities.

Mr. Speaker: Honourable Members, the report by the Sectorial Committee on Lands, Urban, Physical Planning and Housing on the vetting of the four nominees to the Bungoma and Kimilili municipalities is tabled by the committee and it now becomes the property of the House.

2. REPORT BY THE COMMITTEE ON DELEGATED COUNTY LEGISLATION ON THE BUNGOMA COUNTY TRADE DEVELOPMENT LOANS FUND REGULATIONS, 2023

Hon. Florence Juma: Honourable Speaker, I stand here to table the report of the Committee on Delegated County Legislation on Bungoma County Trade Development Loans Fund Regulations, 2023.

Mr. Speaker: Honourable Members, the report by the Committee on Delegated County Legislation on Bungoma County Trade Development Loans Fund Regulations, 2023 is hereby tabled and formally becomes the property of the House.

3. THE BUNGOMA COUNTY ANNUAL DEVELOPMENT PLAN FOR FINANCIAL YEAR 2024/2025

Mr. Speaker: I am wondering as we are doing the ADP; what of the notices? It is okay... under Papers, proceed.

Hon. Joan Kirong: I beg to lay the Bungoma County Annual Development Plan for the financial year 2024/ 2025.

Mr. Speaker: Honourable Members, the Bungoma County Annual Development Plan for the financial year 2024/ 2025 having been laid before this House, I proceed and commit the same to the Committee of Finance and Economic Planning for processing and reporting back to the House.

NOTICES OF MOTION

1. REPORT ON THE VETTING OF THE NOMINEES TO THE BUNGOMA AND KIMILILI MUNICIPALITIES

Mr. Speaker: Hon. Cornelius you proceed and issue the notice.

Hon. Cornelius Makhanu: Thank you, Mr. Speaker, Sir; I rise to issue a notice of motion that this House adopts the report by the Sectoral Committee on Lands, Urban, Physical Planning and Housing on the vetting of the four nominees to the Bungoma and Kimilili Municipalities.

Mr. Speaker: Honourable Members, a Notice of Motion having been duly issued by sectoral committee on Lands, Urban, Physical Planning and Housing on the vetting of the four nominees to the Bungoma and Kimilili Municipalities. I hereby direct the Clerks- at- the- Table to share this report with the Honourable Members. The same will come up on our Order Paper in the course of the week.

2. REPORT BY THE COMMITTEE ON DELEGATED COUNTY LEGISLATION ON THE BUNGOMA COUNTY TRADE DEVELOPMENT LOANS FUND REGULATIONS, 2023

Mr. Speaker: Hon. Florence, proceed.

Hon. Florence Juma: Honourable Speaker, I rise to issue a notice of motion that this House adopts the report by the Committee on Delegated County Legislation on the Bungoma County Trade Development Loans Funds Regulations, 2023.

Mr. Speaker: Thank you Hon. Florence. Honourable Members, a notice of motion having been duly issued by the Sectoral Committee on Delegated County Legislation on the Bungoma County Trade Development Loans Funds Regulations, 2023, I hereby direct the Clerks- at- the- Table to share this report with the Honourable Members. The same will form Business on our Order Paper in the course of the week.

STATEMENTS

BUSINESS FOR THE WEEK COMMENCING ON TUESDAY 12TH TO THURSDAY 14TH SEPTEMBER, 2023

Mr. Speaker: An Honourable Member from the HBC to share with us the business of the week for the House. Hon. Stephen Wafula, proceed.

Hon. Stephen Wafula: Thank you Honourable Speaker. I rise to give a tentative weekly programme of Business of the County Assembly commencing Tuesday 12th to Thursday 14th, September, 2023.

Tuesday, 12th September, 2023 at 2:30 P.M

The order shall be;

Petition,

We have;

- I. Petition by Emony Yefwe International in reference to market construction for mobile traders at the Dinah flyover.

Papers

We have;

- I. A report by the Sectoral Committee on Lands, Urban, Physical Planning and Housing on the vetting of the four nominees to the Bungoma and Kimilili Municipalities.
- II. A report by the Committee on Delegated County Legislation on Bungoma County Trade Development Loans Fund Regulations, 2023,
- III. The Bungoma County Annual Development Plan for the financial year 2024 /2025.

Notices of Motion

- I. That this House adopts the report by the Sectoral committee on Lands, Urban, Physical Planning and Housing on the vetting of the four nominees to the Bungoma and Kimilili Municipalities; and
- II. That this House adopts the report by the Committee on Delegated County Legislation on Bungoma County Trade Development Loans Fund Regulations, 2023

Under the seven, we are notifying the house of the weekly business.

On Wednesday 13th September, 2023 9:30 A.M

Under order number five Papers, we have;

- I. A report by the Joint Committee on Trade, Energy and Industrialization and Finance and Economic Planning on the Bungoma County Public Markets Amendment Bill, 2023.
- II. A report by the Public Accounts and Investments Committee on the Auditor General Report on financial statements of Bungoma County Assembly Car Loan and Mortgage Fund for the year ended 30th June, 2019.
- III. A report by the Public Accounts and Investments Committee on the special audit on the report of the Auditor General on pending bills of the County Government, County Assembly of Bungoma for the financial year 2018/ 2019 2019/ 2020.

Under order six,

- I. That this House adopts the report by the Joint Committee on Trade, Energy and Industrialization and Finance and Economic Planning on the Bungoma County Public Market amendments Bill, 2023.
- II. That this House adopts the report by the Public Accounts and Investments Committee on the Auditor General's report on financial statements of Bungoma County Assembly Car Loan and Mortgage Fund for the year ended 30th June, 2019.
- III. That this House adopts the report by the Public Accounts and Investments Committee on the special audit on the report of the Auditor General on pending bills of the County Government, County Assembly of Bungoma for the financial year 2018/ 2019 2019/ 2020.

On Wednesday 13th September 2023 2:30 P.M

Under Papers, we have;

- I. A report by the Sectoral committee on Finance and Economic Planning on revenue administration and management, that is, Amendment Bill, 2023,
- II. A report by the Sectoral Committee on Trade, Energy and Industrialization on the Bungoma County Government nine months financial statements for financial year 2022/ 2023 in respect to the Department of Trade, Energy and Industrialization.

Under order six,

- I. That this House adopts the report by the Sectoral Committee on Finance and Economic Planning on Revenue Administration and Management Amendment Bill, 2023 and
- II. That this House adopts the report by the Sectoral Committee on Trade, Energy and Industrialization on the Bungoma County Government nine months financial statements financial year 2022/ 2023 in respect to the Department of Trade, Energy and Industrialization,

Honourable Speaker on Thursday, the 14th Today's September...

Mr. Speaker: Hon. Stephen I was very keen. You have done number seven. What of number eight. You are leaving out motions...

Hon. Stephen Wamalwa: Sorry, Honourable Speaker.

On Wednesday 13th of September at 2:30 p.m., under Motions that is order number seven, sorry, sorry...

Mr. Speaker: Order number eight, please!

Hon. Stephen Wamalwa: Eight, that is, report by the Committee on Delegated County Legislation on Bungoma County Trade Development Loans Fund Regulations, 2023...that will be moved, as number eight.

Honourable Speaker, thank you for that!

Thursday, 14th September 2023 at 2: 30 pm

PAPERS

- I. Report by the committee on Finance and Economic Planning on County Policy Statement on enhancement of own-source revenue.
- II. Report by the Sectoral Committee on Roads, Transport, Infrastructure and Public Works on the Bungoma County Government nine months Financial Statements for Financial Year 2022/23 in respect to the department of Roads, Transport, Infrastructure and Public Works.

NOTICES OF MOTIONS

- I. That this House adopts the report by the committee on Finance and Economic Planning on County Policy Statement on enhancement of own-source revenue.
- II. That this House adopts the report by the Sectoral Committee on Roads, Transport Infrastructure and Public Works on the Bungoma County Government nine Months Financial Statements for Financial Year 2022/23 in respect to the Department of Roads, Transport and Infrastructure and Public Works.

QUESTIONS AND STATEMENTS

It is notified that pursuant to Standing Order 47(2) (a); a Member of the House shall inform the House on weekly business

MOTIONS

- I. That this House adopts the report by the Public Accounts and Investment Committee on the Auditor General's report on Financial Statements on Bungoma County Assembly Car Loan and Mortgage Fund for the year ended 30th June, 2019.
- II. That this House adopts the report by the joint Committee on Trade, Energy and Industrialization and Finance and Economic Planning on the Bungoma County Public Markets Amendments Bill, 2023

Mr. Speaker: Hon. Stephen Wafula our Deputy Speaker, just go back to Wednesday at 9:30 a.m. and give us what comes under eight and nine because you left them out.

Hon. Stephen Wamalwa: Thank you Honourable Speaker, you know I don't have my glasses on and also signs of aging.

Mr. Speaker: But you have been reading so well, I don't think you can hide under age.

Hon. Stephen Wamalwa: Signs of aging Honourable Speaker

Mr. Speaker: Now, when you say that, Hon. Barasa Mukhongo is wondering what type of age that is! Proceed please... or Hon. Mulongo from Kibingei must be wondering when you talk about age...

Hon. Stephen Wamalwa: Honourable Speaker I am competing them... they should be careful.

Wednesday 13th September, 2023 9:30 a.m.

MOTIONS

- I. Report by the Sector Committee on Lands, Urban and Physical Planning and Housing on the vetting of the four nominees to the Bungoma and Kimilili municipalities
- II. Report by the Ad hoc Committee on the task forces reports on Human Resource audit, Scholarship audit and pending bills audit

On the same day, Wednesday, 13th September at 2:30 p.m;

Mr. Speaker: That one you were able to cover.

Hon. Stephen Wamalwa: Honourable Speaker,

Wednesday 13th September 2023 at 2:30pm;

MOTIONS

- I. Report by the committee on Delegated County Legislation on Bungoma County Trade Development Loans Fund Regulations, 2023

Thank you, Honourable Speaker.

Mr. Speaker: Thank you Hon. Stephen Wamalwa our Deputy Speaker. Honourable Members that is our tentative weekly Order Paper of the business we shall transact as we sit today up to Thursday.

Now it is my duty to allow Members to make brief remarks about our visitors in the public gallery; our girls from Mbakalo Girls High School, Form three, two and four. Some of them are candidates this year and students of History and Government accordingly.

Before I invite the Chairperson of Education to speak, it is always good that the neighboring wards do the necessary without delay.

Hon. Benjamin Otsiula (*Chairperson Education and Vocational Training Committee*): Thank you Honourable Speaker. First of all, I want to thank the teachers of this particular school for seeking a chance and giving these students a chance to come and learn and see how this House conducts its business. Education is a continuous process and I know the students are enjoying their constitutional right. Mine is to encourage the students to take this particular time in school seriously, concentrate on their studies and prepare well for exams because that is the only way they are going to sharpen themselves for the future.

Secondly, I also want the students and the teachers to understand that as far as this House is concerned, one of our roles is to legislate; we pass laws here which are aimed at protecting them as far as their education is concerned. As they witnessed recently, the bursary was disbursed throughout the County. It is because of the joint efforts of Honourable Members of this House that made it a success with a view of ensuring that they achieve their basic right; that is the right to education.

As they prepare for their national exams come end of this year, I want to extend my touch, pray for them and wish them the very best because whatever they have learned throughout their four years is going to be reflected in their final exams.

I don't want to take much time, but I wish them the very best as they go back to school. Thank You, Mr. Speaker.

Mr. Speaker: Thank you Hon. Otsiula, Chairperson of the Education Committee. I will have Hon. Mukhongo speak, Cornelius and Hon. Timothy in that order.

Hon. James Mukhongo: Thank you Honourable Speaker for the opportunity. I also wish to take this opportunity and join my colleague and the entire House to welcome the students and the teachers. I know where the school is located because I happen to be a member of Ford Kenya Party and I have traversed Mbakalo Ward seeking for votes for my colleague who is not in the House but I wish to welcome them.

However, I am a little bit disappointed because as we know our calendar of sittings and whatever. We have been out, you are making our students to travel a long way from Mbakalo up to here and to my understanding, there is no business today; and so it is like we are wasting them. Whoever is concerned must wake up so that as you welcome the visitors, you look at the Order Paper so that as they come, they can also be in a position to learn from this Honourable House.

I however want to encourage my daughters that this is your time, utilize it. You will not have any other chance for you to go back to school; so take your studies seriously because we will rely on you in future. You will be the presidents of this country, you will be the PSs, MCAs, Women Reps, and what can I say again? Take your time and read.

I remember during our days when we were at Bungoma High School, I had a colleague who is sited looking at me and he was one of the prefects in the school. I liked him because he was the dining hall prefect and he was taking care of me. Suppose one of you is also doing that work, you need to take care of others so that we don't have rampage in our schools. We have had so many schools being burned and we don't encourage that!

Otherwise to our able teachers, utilize your time because you had a calling before joining the teaching fraternity; and mould our girls so that as they leave the school, they have something that will be beneficial to them. I rest my case.

Mr. Speaker: Thank you Hon. Mukhongo. Hon. Cornelius, proceed.

Hon. Cornelius Makahanu: Thank you Mr. Speaker Sir, I also take this opportunity to welcome these students and teachers to our Assembly and I wish to let them know that these are some of the fruits of devolution. Devolution has saved the parents of these pupils and even the school a lot, were it not for it, maybe they would have spent a lot and so these are some of the fruits of devolution. I also want to encourage our students and tell them to put in more effort and discipline, because without discipline they cannot go anywhere. I also wish the Form 4 candidates success in their forthcoming exam.

Finally, I cannot sit without taking this opportunity to thank our teams who went to CASA games and performed very well. I participated in choir and we became number one. I would also like to thank you Mr. Speaker as our fan number one and patron; you really supported our teams. Hon. Mulongo has gone out but I would like to propose to him to be the chair of

the cheering squad and the vice chair to be Hon. Jeremiah. They did a wonderful job, and they encouraged our teams.

Finally, I would like to thank our volleyball team led by one Hon. Ndasaba. We are looking forward to again represent our County in our regional events.

Mr. Speaker: Thank you hon. Cornelius but before we declare Hon. Mulongo as the chairperson of the cheering squad, we must know the content of the bottles he was running around with, were they herbs or what was he carrying around? I am told he was carrying around some bottles containing some things inside and they suspected it must have been witches; so we should find that out first.

Let me allow Hon. Timothy Chikati to speak from the dispatch then we will have Hon. Hentry and thereafter we shall come back to the Order Paper because we do have a motion before us and equally a Bill to process.

Hon. Timothy Chikati: Thank you Mr. Speaker for allowing me to use the dispatch since I forgot my card at home. I am not the area MCA for Mbakalo and it is not neighboring my Ward, but since Hon. Kikechi and Hon. Waiti from Naitiri-Kabuyefwe are out on official duty, I have to step in since Mbakalo girls is located in Tongaren Constituency.

I also join my colleagues who have spoken before me by welcoming the students to the Assembly and also encouraging them to work hard especially the Form fours as they look to sit for their National Exams. Most importantly the way Hon. Cornelius has put it; we look at education and also the co-Curricular activities and request you students to kindly make use of this time while in school. I know that parents and teachers have greatly invested in you, kindly don't waste those four years because it is not easy to recover the time you waste at school. To make the teachers and parents proud is to come out with excellent scores in your school.

This time round in the entire Tongaren Constituency, we are expecting to see only As and Bs and C+ because we need to take many of you to the university. As I stand here, I am greatly honored because my brother is also the Member of Parliament for Tongaren; and if you work hard, you will actually be uplifting our names as your leaders to the highest level.

Mr. Speaker: Thank you Hon. Timothy Chikati. I will have Hon. Hentry Nyongesa then I think I have a special request from the Deputy Speaker and he will speak before we close that section.

Hon. Hentry Nyongesa: Thank you Mr. Speaker for giving me this opportunity being the first sitting after the recess. The students come from a school in Tongaren Sub-County which in particular I have no history about but as Hon. Mukhongo said, maybe I could have passed on the road and seen it from a distance.

You realize that anybody who is eager to learn can look for information and that is why I want to take this opportunity to thank the teachers of the school for having thought it wise to bring the students here so that they can learn.

This is a House of legislation which the students must know and a lot of history has been done through this House. I want to remind the students and teachers as a whole that the History of this House started long time ago and among the pioneers we have an elder called Pascal Nabwana whom I am told was also one time sitting where you are sitting Mr. Speaker. As the students are here, they must learn that Pascal Nabwana was sited where you are and today it is you. This reminds me that when I was a student, we would go through debates and we would have the opposition and the government side. The students must also know as they are sited here today, we have you as the president and we have the opposition side and the government side because they must have to write a composition about the same.

I wish to remind the students that I am on the government's side, the ruling Party and Hon. Chikati is in the opposition. So, on a lighter note, as they go back, we want to give them hope because we were told during our time that we are the future leaders and I want also to remind them that they are future leaders. To show that leaders in this country are out to assist, when I was just coming in, to this yellow paper here is ...

Mr. Speaker: Are you tabling it because when you refer to a document it means you will be tabling the same.

Hon. Hentry Nyongesa: I am not tabling it Mr. Speaker, but I want to give an encouragement to students that leaders are out to assist students and the yellow paper is to encourage students. That a member from Tongaren Sub-County or Mbakalo Ward will be looking for two students who are serious and who have done Form four and are going to be given free education in a college. That is how this County is operating, as one member who is the chairperson indicated. That we have also gone out of our way to make sure that these students are given bursaries and scholarship.

Otherwise, we wish the students the best. Thank you.

Mr. Speaker: Thank you Hon. Hentry Nyongesa. I will now allow Hon. Stephen Wamalwa to close that sector then we proceed to the next item on our Order Paper.

Hon. Stephen Wamalwa: Thank you Honourable Speaker, I also rise to ...

Mr. Speaker: Hon. Deputy Speaker, I hope you are not borrowing somebody's lenses to use because either you will be more affected...

Hon. Stephen Wamalwa: Honourable Speaker, I realized that if I don't have them on the way I did the first time, I may mess up more.

Mr. Speaker: So you have borrowed from Hon. Mulongo? Those are for the elderly.

Hon. Stephen Wamalwa: The Hon. Mulongo you are mentioning can cause havoc Honourable Speaker. You should not have mentioned him.

Thank you Honourable Speaker I rise to also add some short remarks on what the Honourable Members have given out to Mbakalo Girls. I happen to come from the same Constituency and

in fact, I am the chairperson of the ruling party in that Constituency; the ruling Party called Ford Kenya. Having heard the Hon. Hentry say that in this House we have the Government side and the Opposition side, I am also in the Government side and we are proud that you come from Tongaren. I want to encourage the girls that it is not in vain for you to come here, today you have looked around; you have seen how the Assembly works; because I am very sure the orderlies took you around.

In this House, what you are seeing before you is the instrument of power, we have the mace. Without it this House cannot proceed, we cannot transact business because it is the indicator and symbol of power of authority of this Assembly led by the Honourable Speaker. We have our Clerks- at- the- table who are working, taking notes of what we do here; we have the Hansard which records everything that happens in this House.

By coming, you are going to go back home having learnt a lot. Now that you are preparing for your examinations, we know that you are going back to sit for exams and we take this opportunity to wish you all the best as you embark on revision in preparation for the end of year examinations. Go down there and observe the school rules and regulations. Remember you are in that school for a season and that you need to use that season for proper reasons.

As it was well said in this House, I wish to add my voice on the concluded CASA games and thank you for ensuring that the welfare of Honourable Members was well taken care of. Although the Speaker who is my good friend Hon. Cornelius proposed Hon. Mulongo to be the chairperson of the cheering squad seconded by Hon. Jeremiah, I wish to say that there was bias because I realized that he was dwelling on one party. Two, he was looking at the same height; number three is the same gender. He was not gender sensitive yet the Hon. Mulongo's voice is out of key, Hon. Jeremiah's voice is out of this world. When you dwell on that kindly remember to do something on the same.

Otherwise I want to encourage our girls that Hon. Kikechi who is the Member of the Assembly representing Mbakalo is out of this Assembly on official duty. You should not think that he is absent; he is out on official duty sent by the Speaker to represent this Assembly. But we are there and after here we shall encourage you more as you prepare to leave. Thank you Honourable Speaker, we wish them all the best.

Mr. Speaker: Thank you Hon. Stephen Wamalwa our Deputy Speaker. Honourable Members allow me on behalf of the entire Assembly, Honourable Members who are present and haven't spoken, the Assembly management and staff wish the KCSE candidates of this year all the best in their examination and urge Form two and three to work hard as they prepare for their examinations.

Thank you we go back to our Order Paper and proceed accordingly.

MOTION

1. REPORT BY THE SECTORAL COMMITTEE ON YOUTH AND SPORTS ON THE NINE MONTHS FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31ST MARCH, 2023

Hon. Violet Makhanu (*Chairperson, Committee on Youth Affairs and Sports*): Thank you Honourable Speaker. I wish to request you that you try and mention my middle name.

Mr. Speaker: Honourable Violet Namemba Makhanu, proceed.

Hon. Violet Makhanu (*Chairperson, Committee on Youth Affairs and Sports*): Yes! Thank you Mr Speaker. I am on my feet to move a report by the Committee on Youth Affairs and Sports on the nine months financial statement for the period ended 31st March, 2023 in respect to the department of Youth and Sports.

CHAPTER ONE

1.0 Preamble

Mr. Speaker,

It is my duty to present the report by the Committee on Youth and Sports on the nine months Financial Statements for the Financial Year 2022/2023 for period ended 31st March, 2023. The document was tabled in this County Assembly of Bungoma on 1st March, 2023 and stood committed to all Sectoral Committees for their interrogation, input and recommendation through a report to this Honorable House.

1.1 The Mandate of the Committee

The Committee on Youth and Sport falls under Sectoral Committees whose mandate is derived from Standing Order 217 (5) and matters assigned under the Second Schedule which shall be exercised within the limits contemplated under Part two of the Fourth Schedule to the Constitution.

The functions of a Sectoral Committee shall be to; -

- (a) Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- (b) Study the program and policy objectives of departments and the effectiveness of the implementation;
- (c) Study and review all county legislation referred to it;
- (d) Study, access 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 recommendation of proposed legislation.

One of the most important features of our Constitutional framework is the requirement of the County Assemblies having the mandate to exercise oversight over their respective County Executives and their organs/departments. Article 185(3) of the Constitution of Kenya, 2010 on legislative authority of County Assemblies state inter-alia that, 'A County Assembly, while respecting the principle of the separation of powers, may exercise oversight over the County Executive Committee and any other County Executive organs.

1.2 COMMITTEE MEMBERSHIP

The Committee comprises of the following members;

1.	Hon. Violet Makhanu	Chairperson
2.	Hon. Grace Sundukwa	V/Chairperson
3.	Hon. Job Mukoyandali	Member
4.	Hon. Metrine Wilson	Member
5.	Hon. Cornelius Makhanu	Member
6.	Hon. Charles Nangulu	Member
7.	Hon. Allan Nyongesa	Member
8.	Hon. Caleb Wanjala	Member
9.	Hon. Idd Owongo	Member
10.	Hon. Catherine Kituyi	Member
11.	Hon. Dorcas Ndasaba	Member
12.	Hon. Everlyne Anyango	Member
13.	Hon. Abraham Obama	Member
14.	Hon. Martin Chemorion	Member
15.	Hon. Florence Juma	Member

Mr. Speaker, do I move to acknowledgements or I read the whole report?

Mr. Speaker: Read acknowledgements then move to interrogations from Chapter two onwards.

Hon. Violet Makhanu (*Chairperson, Committee on Youth Affairs and Sports*): Thank you Mr. Speaker.

1.4 Acknowledgment

I take this opportunity to thank all Honorable Members of the Committee for dedicating their time to interrogate the Youth and Sports department Financial Statements for the period ended 31st March, 2023. The Committee would also like to appreciate the Secretariat who worked with us for their commitment. Lastly, the Committee is grateful to the offices of the Speaker and the office of the Clerk to the County Assembly of Bungoma for logistical support received as it discharged its mandate.

It is therefore my privilege, on behalf of the Committee on Youth and Sports, to table the Report on the nine months Financial Statements of the department of Youth and Sports in Bungoma County for the Financial Year 2022/2023 for the period ended 31st March, 2023.

Signed by Hon. Violet Makhanu (MCA- Mihuu Ward), Chairperson, Sectoral Committee on Youth Affairs and Sports.

CHAPTER TWO

2.0 KEY HIGHLIGHTS ON THE NINE MONTHS REPORT AND FINANCIAL STATEMENTS FOR THE FINANCIAL YEAR 2022/2023

The total budget for the County in the financial year 2022/23 was Ksh14, 821,204,142 as per the approved first Supplementary budget with the breakdown of sources as indicated below. Mr. Speaker, I am hoping that all members have this information on their gadgets so that I don't go through information in the table. Alternatively let me just read.

NO.	SOURCE	AMOUNT
1	Equitable Share	10,659,435,192.00
2	Equitable share Brought Forward	867,288,525.00
3	Retention	293,425, 903.00
4	Conditional Grants Development partners	1,540,443,462.00
5	Conditional Grants National Government	113,228,200.00
6	Local revenue as per Act	500,000,000.00
7	AIA	847,382,860.00

Grand Total

14,821,204,142.00

The financial statement submitted gives an expenditure outlay of Kshs14, 164,547,621 indicating an expenditure of less Kshs656, 656,521 of the approved amounts. The difference relates to AIA in the ministry of Health for facilities.

2.1 REVENUE

Mr. Speaker, In the period under review, the County transferred from CRF account to respective operational accounts Kshs6, 303,156,902. This represents 45% revenue realization from equitable fund as opposed to 75% expected. Revenue realization from local revenue stood at 10%, level 4 and 5 Health facilities are not included.

Exchequer Releases

Description	Period ended 31st March 2023	Comparative period March 2022
	Kshs.	Kshs
Total Exchequer release quarter 1	1,664,556,086	1,514,522,313
Total Exchequer release quarter 2	2,409,398,463	2,821,653,159
Total Exchequer release quarter 3	2,229,202,353	2,271,332,689
Total	6,303,156,902	6,607,332,689

The department of Youth and Sports had an annual approved budget of Kshs234, 154, 628, made up of Kshs109, 476,000 development, Kshs45, 086,444 recurrent expenditure and Kshs79, 592,184 under supplier on credit.

2.2 EXPENDITURE

Receipts and payments for the period ended 31st March 2023

Of the Kshs6, 303,156,902 received during the period, Kshs99, 456,109 was from National Agricultural and rural inclusive Growth Project (NARIGP) and Kshs5, 344,642 from Agricultural sector Development Support Project (ASDSP).

Kshs6, 204,930,588 of the amount received was utilized in the period translating to 44% absorption. Key Expenditure items include personnel emoluments 57%, office operations 17% and 6% development

Kshs772, 981,290 was transferred to the Assembly.

The table below illustrates the distribution;

Hon. Hentry Nyongesa (*On a point of order*): Mr. Speaker, we require your guidance. I am getting confused by the acronyms being put across like NARIGP and ASDSP because on the Order Paper we were expecting a report from the Committee on Youth and Sports. I don't know why NARIGP is featuring in Youth and Sports.

Mr. Speaker: She is on page eight on the expenditure. Hon. Violet what they are asking is genuine; the report is on Youth and Sports; looking at page nine; we are talking about Mabanga ATC, Social Security Funds, Acquisition of Assets. Is the report you are reading meant for us or for Agriculture, or is a mixed up report?

Honourable Members, I am guided by my staff; whenever they bring us a report from the treasury, it gives the overview of the entire county budget. But looking at the end of the report they are going to narrow down specifically to the sector of Youth and Sports. I think she is in order. Take notes so that when she reaches Youth and Sports you become more active for that purpose.

Hon. Violet Makhanu (*Chairperson Youth Affairs and Sports*): Thank you Mr. Speaker for your guidance. I was also getting uncomfortable but with your guidance...

Mr. Speaker: How can you get uncomfortable with your own report?

Hon. Violet Makhanu (*Chairperson Youth Affairs and Sports*): When I began reading issues to do with Agriculture like any other person, just like my colleague did, you become uncomfortable. Now that you have guided, let me go through the report. I will skip the table because I believe Honourable Members have this report on their gadgets.

The Department of Youth and Sports had total of Kshs22, 369,323 that was absorbed under recurrent expenditure during the period under review.

Some of the expenses included:

i.	Personnel emoluments	Kshs9, 051,043
ii.	Boards and conferences	Kshs2, 334,700
iii.	Contracted Technical services	Kshs2, 400,000
iv.	Temporary committees	Kshs1, 859,480
v.	Travel	Kshs1, 367,000
vi.	Subsistence allowance	Kshs1, 594,000
vii.	Accommodation	Ksh818, 500
viii.	Field allowance	Kshs527, 600

The absorption of the Development budget in the period under review was Ksh99, 637,679 broken down as:

1. Supplier credit with a budgetary allocation of Kshs79, 592,184 had absorption of Kshs21, 431,941.

2. Other infrastructure and civil works with an allocation of Kshs90M had an absorption of Kshs78, 205,738.

2.3 BUDGET EXECUTION BY PROGRAMMES AND SUB-PROGRAMMES

Budget execution by programmes and sub-programmes indicate the programmes executed were;

a) Development of sports facility with a budgetary allocation of Ksh178, 268,504 and it had an absorption of Kshs99, 637,679

b) Sports and Talent development with an allocation of Ksh6, 000,000 had no absorption.

c) Youth Development services with an allocation of Kshs11, 000,000 had no absorption during the period.

2.4 ACCOUNTS PAYABLE

Mr. Speaker, Pending accounts payables (pending bills) outstanding balance as at 31st March across all the departments was Kshs877, 993,699. A total of Kshs316, 728,948 was paid towards offsetting the bills in the period under review. The outstanding amount is broken down in the report as follows:

DEPARTMENT	AMOUNT (Kshs)
Finance and Economic Planning	287,662,821
Roads	226,152,585
Health	189,193,467
Agriculture	96,378,124
Water	9,525,805
Youth & sport	7,086,807
Trade	12,528,550
Public Administration	16,201,992
Office of the Governor	6,959,268
Education	9,862,936
Housing	7,748,762

Lands	3,633,517
Public service Board	3,350,210
County Secretary	1,361,055
Tourism	347,800
TOTAL	877,992,699

The Department of Youth and Sports had Accounts payable (Pending bills) of Ksh105,868,726 at the beginning of the financial year, an amount of Kshs98,781,918 was paid during the period leaving a balance of Kshs7,086,807.

2.5 Accounts Receivables (outstanding Imprests)

The Youth and Sports department had a total imprest of Ksh4, 818,900. During the period, the amount was reduced to Ksh1, 641,600.

CHAPTER THREE

3.0 COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

3.1 Committee General Observations

The Committee made the following observations.

1. The department of Youth and Sports had an outstanding imprest of Kshs1, 641,600, as at the end of the third quarter. The imprest is beyond seven days which contravenes the PFM Act, 2012.
2. Kshs6, 000,000 planned for KYSA games was reduced to Kshs2, 000,000 in the Supplementary budget and as such could not finance the KYSA games; therefore, it was channelled to support Para-volley team.
3. There was a spent imprest for the launch of AJIRI program which wasn't launched. According to the department, the money was diverted to supporting the Para-volley team to a national event. However, the department did not provide the evidence/attach documents on the same.
4. While declaring pending bills, the department did not include pending amount payable for Masinde Muliro stadium which had a contract sum of Ksh679, 386,376; total amount paid was Ksh580, 024,381, the current year allocation of Ksh60, 000,000 leaving a balance of Ksh36, 361,995.
5. The absorption of the development budget in the Period under review was Ksh99, 637,679 out of Ksh189, 068,184 translating to 53% of the total budget due to low exchequer release.

3.2 Committee Recommendations

The following recommendations were made by the Committee:

1. That the department should adhere to the requirements of the PFM Act, 2012 to surrender imprests within seven days of arriving from travel.
2. That the County Government should not re-allocate money meant for projects and activities in the department.
3. That the department to declare the pending bills when preparing proposed budget estimates to avoid unnecessary litigation and accumulation.
4. That the departments should be submitting its annual work plan to the Committee for comparison and purposes of reporting.

Thank you Mr. Speaker, that marks the end of the report. I now wish to call upon Hon. Chemorion to second the report.

Hon. Martin Chemorion: Thank you Hon. Speaker. I want to take this opportunity to thank my chairperson who has read the report on the performance of the Youth department. As we note in our observations that there is a tendency where officers get imprest and fail to surrender within the stipulated time. This is a bad habit that is done by those in charge. Those who are responsible must make sure that necessary sanctions are effected so that they don't repeat the same.

On the Masinde Muliro Stadium, there is no clear cut issue on the pending bills; there is no requisite documentation that gives additional works on this contract. Sometimes things are done haphazardly, therefore, as a committee we are alert that this should not be repeated. I beg to second the motion.

Mr. Speaker: Thank you Hon. Cheseto. Honorable Members, allow me proceed and propose a motion for debate.

Motion that the House adopts the report by the Committee on Youths and Sports was proposed

Proceed, Hon. Cornelius!

Hon. Cornelius Makhanu: Thank you Mr. Speaker Sir. I take this opportunity to also thank my able Chair for having read that statement. There were some concerns with that Financial Statement. As a committee, we noted that in budgeting, we tend to put much into infrastructure than the promotion of sports. As the entire statement indicates, the sports department is the least funded in this County. Before, we could even organize games and tournaments in our wards but nowadays you can see there is no allocation in promotion of sports in our wards.

I would like to urge the Budget committee to consider funding this department. It is underfunded! When we come to stadiums, as a County, there is no stadium that we can call a stadium. During our interviews with the executive and the contractor, there were

contradicting statements; the contractor sometimes said there were variations but the executive says there were no variations.

I am happy now that even the National Government is going to come in so that that stadium is completed in time. Once completed, I think much of the allocations may go to promotion of sports. Otherwise as we speak today, we need extra money in that department so that it can function effectively; because our Youths out there have talent but we have not supported them to churn out the talents in this County. As you know even the record holder of 100 meters and in Africa comes from Bungoma County- Mr. Omanyala. But we are not doing enough to churn out more of Omanyalas.

We had yesterday a fact finding mission, we have Chemoge High altitude center. It is almost complete. Even the equipments are there, but you look at the building, it is magnificent. The building is like six years old. Even before it is completed and operationalized, it will need again some money to do some repairs since it has taken so long to complete. Going forward, I would like the Budget Committee to consider that department for funding so that we can promote sports in Bungoma County and also be happy when we see our competitors elsewhere.

We have had some of our athletes moving to neighboring countries to do practices and even participate in international events representing those neighboring country, yet even when you follow them up, you find that they come from our country; because we do not have facilities that they can be used to harness their talents and even to practice. Going forward as a committee, we urge the Budget Committee to fund sports adequately.

Mr. Speaker: Thank you Hon. Cornelius. Allow me allow Hon. Hentry, Deputy Speaker then allow the mover of the motion to reply accordingly. Proceed! I have seen Hon. Christine is online also. You know when you come from home you are still energetic so you will be allowed to speak. Proceed!

Hon. Hentry Nyongesa: Thank you Mr. Speaker. One, I want to laud the Chair for the report that he has tabled. This is a report that is supposed to open this oversight institution and even the entire County on how the executive is utilizing the resources given to them through this House; and the report has been read. I get surprised when the Chair is mentioning some of the areas like talent search, from the money allocated, absorption was zero. He is mentioning some of the vote heads, Paralympics; the money allocated absorption is zero. So I start wondering then you look at some of the areas which are not supposed to be mentioned that somebody has run away with the money. He is still holding the imprest and we want to look at it and babysit that person.

In an oversight institution like this one, somebody holding an imprest for more than the period the Chair is mentioning is supposed to be in jail because it is not an easy thing. This is money meant for the public. Any officer that is given an opportunity maybe to undertake an activity on behalf of the County; we cannot say that person is sitting with the money. I do not know if he is sitting at home or in the office. That area must be addressed seriously.

As Hon. Makhanu has mentioned, we have two Makhanus. Here, I am referring to Makhanu the Honourable Member for Khalaba.

Mr. Speaker: Hon. Violet said here that you must say Namaemba to differentiate. So you are talking about the proper Makhanu not Namaemba. Proceed!

Hon. Hentry Nyongesa: Exactly Mr. Speaker! You may realize that this County if not number three then it is number two in the hierarchy of sporting events in this Country. So you start wondering there is no follow-up of the Sports in this County and that is why you might realize that the area of talent search, money is put there and absorption is zero. I want to remind you that I am not a footballer, I don't watch football; I am not a Chelsea or Manchester United or Arsenal fan, but I cherish some names which are mentioned in this County like Wanyama. I wish to remind you that Wanyama, especially because we have the students here, comes from Tulumba in South Bukusu Ward, Bumula Sub-county.

That name Wanyama has vanished because there is nobody following up to find what is happening with these serious sports guys and girls in this County. That is why *Mheshimiwa* Makhanu is mentioning about Masinde Muliro stadium. There is nothing mentioned in terms of Bumula stadium, Sudi stadium, Amutala stadium; so you would start wondering... that this is a financial report that is accounting for the money for the whole financial year and it is only the biggest entities that we are hearing.

Mr. Speaker: Hon. Hentry, the report is nine months financial report and not one year... up to the 31st of March.

Hon. Hentry Nyongesa: Most obliged Mr. Speaker. You see I am thinking loudly; that in the next three months that we are waiting for the final quarterly report on the same, I am sure we only hear of the imprests and Masinde Muliro stadium, which they are not even accounting for properly because you do not know if the stadium is finished. But I do not want to cross the bridge before reaching the river. I am hoping that Masinde Muliro stadium will be done, but we want to address the issue of sporting events as one member has mentioned. We have a serious institution in Mt Elgon which is supposed to be a training center; because as you have said, Mt Elgon and other areas; Omanyala requires an area to train. There is nothing that has been mentioned! So you start wondering why the nine months report is not mentioning anything to upgrade facilities, motivate sports fellows, to have money for talent search and so on.

I am one person who will clap for the Chair, but remind the executive that the nine months report is half baked. We require a serious report on the same because this is money meant for the public.

Mr. Speaker: Thank you Hon. Christine then I will have Hon. Stephen closing but as you prepare Hon. Violet to reply, you know when you recommend that the department is holding... there is an individual in that department holding the imprest and not a department. There is somebody who signed for that amount of money as an imprest. So that report is not

disclosing who that person is because when you go to the committee on implementation, they may want to summon that individual and not the department per se. Proceed, Hon. Christine!

Hon. Christine Mukhongo: Asante Mheshimiwa Spika. Nataka pia kuchukua fursa hii kumpongeza mwenye kiti wa kamati hii ambaye ametuletea mjadala katika bunge hili la leo upande wa michezo. Kabla sijaendelea juu ya michezo pia ni kuweza tu kuwakaribisha wanafunzi wetu na pia kuweza kuwajaza kwamba katika bunge tunaongea lugha mbali mbali. Najua mshapitishwa na ndio sababu niko hapa kujaribu kuongea lugha ya Kiswahili. Kwa hivyo mimi nataka nimpongeze mwenye kiti. Hiyo ilikuwa ni ripoti nzuri na tunataka tusaaidiane na ile kamati ya bajeti ili waweze kuwa na uwezo wa kupangilia mambo yao. Tunaona kwamba kuna kamati zingine zinafanyiliwa kidogo katika upande wa kugawa pesa ambazo zinaweza saidia hizi kamati zifanye kazi zao kwa njia iliyo bora.

Hatuwezi laumu hii kamati ya michezo ama mwenyekiti wa hii kamati kwa sababu kuna ugavi ambao walipewa na sasa ni vipi ambavyo watapata kufanya bajeti ya mambo mengi kama kutengeneza viwanja. Hata mimi hapa nikisimama nimetarajia kuskia kiwanja cha Amutala kule Kimilili kwamba kimewekwa kwenye bajeti ili kiweze kutengenezwa. Kwa hivyo tunataka kumuomba Mheshimiwa Spika hii kamati ya bajeti waweze kuweka usawa katika ugavi wa rasilimali katika hizi kamati zote; la sivyo sisi tutaleta mjadala mwingine ili tuweze kuona kwamba kwa sababu tukiangalia wenye viti wa kamati hizi sanasana ni wale viongozi wateule; na tunapokuwa na viongozi wateule tunataka kuona kwamba wadi zetu zinaendelea na zinapata kutumia hii pesa ambayo inaletwa katika hizi kamati ili kuweza kuendeleza mambo mbalimbali haswa tunapoangalia michezo.

Vile mwenzangu amesema tunajaribu kusaidia vijana katika sehemu zetu hasa wale wamemaliza masomo ama wakati wa likizo watoto wanakaa tu, wanaingilia mambo ambayo hayafai, haswa utumizi wa madawa ya kulevya; lakini tukiwaweka katika ile hali ya kusema kwamba tuwaanzishie michezo wakati wa likizo ama wakati wale wamemaliza katika kidato cha nne au darasa la nane ule muda ambao wanakaa nyumbani basi tunahitaji pesa ikuwe pale ili tuweze kuweka bajeti ambayo itawasaidia ili tuweze kufanya kazi hii kwa njia iliyo nzuri.

Kwa hivyo nakuomba Spika wetu na kuna viongozi wengine hapa wa jumba hili letu la Bungoma Kaunti kwamba tunataka tuwe na ugavi uliosawa, la sivyo, tutahitaji tuweze kubadilisha mambo katika hili bunge hasa upande wa hiyo kamati ya bajeti. Kwa hayo machache asante sana.

Mr. Speaker: Thank you Hon. Christine. Hon. Stephen!

Hon. Stephen Wamalwa: Thank you Hon. Speaker. I also rise to add my voice on the motion that was well moved by Hon. Namaemba. I want to say congratulations to her for moving that motion. I want to say this, that in 2010 we had our Constitution changed which brought forward devolution so that development can reach every corner of this country and also that the same should devolve further from the counties to the various corners of the respective counties.

For us to achieve maximum benefits from devolution as envisaged by the Constitution of 2010, we have to embrace the rule of law. We have to live to the spirit of devolution and that calls for this question then; that when devolution was brought forward, there was a reason and that is why we have some functions that were devolved to be undertaken by the devolved units; that is the County Government and one of those devolved functions is this department of Youths and Sports.

This is one of the areas that the County Government should put a lot of emphasis as we have to ask ourselves when we look at the County Government how we are running the County, how are things being done? Are we living to the true the spirit of devolution? Are we putting priorities right? That is why for as long as some people in this country behave like teachers who are going to form four and going there with a syllabus of year two in the university, we cannot get it right. This is the problem; that a teacher is going to form one and teaching a form four topic to form ones. We cannot get it right. That is why in this report we can hear the mover mentioning things like not adhering to the PFM Act of 2012 because people are not spending money in the right manner.

I want to believe that the committee was not being soft because you should come up with specifics and mention names of those people who are holding the imprests. We need to know the officers who are flouting the constitution by holding the imprests beyond the required time frame. That is lack of observation of the law as envisaged and those are officers who are not fit to be in those offices because they should give room for others who are willing to come and work and give information as required.

In the same spirit, because people are not observing the law, they cannot even support the expenditure. The expenditure of those officers as moved by the Chair is not supported. It is another area that some officers are not observing the rule of law.

A sad thing about this department and as I said that people who go to form one and teach a topic of form four is when the department re-allocates funds even without seeking concurrence of this Assembly. This has been happening and I believe that this House has to rise to the occasion and stop such departments that re-allocate funds without first seeking concurrence of this Assembly. We have to deal with it once and for all when it comes to budgeting; so that we can deny them funds until they behave well and adhere to the rule of law.

Another issue that is an indicator of an institution that is not functioning well and observing the rule of law is when we talk of pending bills and they are not bringing forward so that we know very well that pending bills are treated as a first charge. Without bringing that forward, they are subjecting this County to a lot of litigation; that tomorrow you will find people going to court seeking to get what is due to them and not just that; those people who have worked are sons and daughters, fathers and mothers of this County.

It is very unfortunate that people can work, put their resources into a project, some of them have gone to the banks and have taken loans and then we realize that some people are dying

because of pressure, others are dying because they cannot stand to see their property that they earned in a hard way auctioned just because officers somewhere are sleeping on their job.

I want to urge as I support this motion, I want to say that the committee was so lenient, it was so soft on these officers, and they should have made recommendations to compel these people to wake up from their slumber. They do not have work plans and I want to propose that the committee, going forward, you demand this and reprimand the officers that are concerned. As I finish, the department has no agenda for talent and that is why they can divert funds meant for the young people of this County to another activity that was not budgeted for. How then can we say that we are nurturing talent?

How can we say then that we want to identify talent then nurture it! Today we have professors, I want to agree and I want to be very honest. In as much as we say that we have to learn, read books, but we have to also accept that some of our children, daughters and sons of this County can do very well away from books and they can also progress; and that is why there is one player called Ronaldo in this world. I think what he earns even the president of this country cannot earn.

We have one sprinter called Usain Bolt in this world. I think his wealth cannot be compared to some of us who went to universities and have PhDs. What I am trying to say is in as much as we encourage our daughters and sons to work smart and hard in class, let us also try to reach out to identify those talents that are inherent in them so that we can promote them. Maybe this is their plate to earn a living and support their families, community, this County and country at large.

As I finish, the last thing is the Masinde Muliro Stadium. Is this a white elephant? Is it another cash cow for some people in this County? This department should just be strong enough and I want to urge the Committee that you should have made stronger recommendations so that we can probe these people to wake up from their slumber. I support the motion but I want to urge the Committee in future to be harsh on such characters.

Mr. Speaker: Thank you Honorable Deputy Speaker. Hon. Violet Makhanu, you have the floor to reply to the motion accordingly!

Hon. Violet Makhanu (*Chairperson Youth Affairs and Sports*): Thank you Honourable Speaker. I want to take this time to appreciate all Honourable Members who contributed to this motion and supporting it Honourable Speaker. I sit back and listen to Honourable Members, especially the last speaker who was the Deputy Speaker of this Assembly and he is putting a lot of wisdom in me and I am sure the Members of the Committee. At the same time Honorable Speaker, as Members of the Committee on Youth and Sports, we have learned quite a number of things that this department on Youth and Sports go through. This is one department that is normally underfunded right from the last regime. I happened to be the Chair of this particular Committee and apart from the now the on-going Masinde Muliro stadium that is almost becoming a white elephant; though there were some works that are going on, we have been there as a subcommittee and there is no other development that takes place in this particular department

Honorable Speaker, over time as a subcommittee on Youth and Sport, we have done some recommendations and requests for funding from the Department of Budget and the Committee on Budget. When it comes to matters of this Committee, the department scraps off the money to enable other departments. They normally go to Youths and sports! We have had several times and I am not supporting any executive but I just want to express what we go through as members of this particular Committee. We have quite a number of projects as told Mr. Speaker; we have the high altitude Center at Mt. Elgon, a very nice facility that had been done to a tune of around 80%. Yes, there is a little percentage left for completion and anytime we have been putting there money, this has always been scrapped off, and it remains there.

The other stadiums that are ongoing; we have Mbakalo Stadium and we went there and found the contract has abandoned the site and we said that moving on, we ensure that the contractor is back on site. We have the Nalondo stadium and Mbakalo stadium. We also visited Mayuba stadium and went to Amutala stadium, in Bumula; there has been no funding for the same. And when we try to request from the Committee on Budget and Appropriations, nothing is done. All the monies are normally scrapped off and they are just left there.

We have tried raising alarm requesting for intervention in vain, Honourable Speaker. But we have made an example of talent size in Ward games and what have you, I have never been allocated money that is enough, the little monies that is normally allocated is normally chopped off and put to other programmes. Because you realize when I am given Kshs50, 000 to go and run my Ward games, it will put me in so many problems; because it can't be enough. So honourable Speaker it is high time as a House also to consider this department of Youth and Sports maybe and come up with a request concerning some funding towards some of these activities touching on our youths in our respective Wards, let them be considered in this House.

I am saying this because I remember in the last budget, we requested for allocation of at least even Kshs100, 000 for every Ward to do games back in our respective Wards. But again, the money was removed in the name of 'there is no money' for the same. Honourable Speaker let me not express so many things, but I wonder. Sometimes I had issues and even up to now the issues of my good friends and Members of Budget Committee. I happened to have a look at the itemized budget and I was shocked to learn that there are other funny projects that are coming up in the name of stadiums, while we have others that are stalled. Why can't we support what we have and not freeze the ones that are stalled? Mayuba Stadium, Nalondo Stadium, Mbakalo Stadium, and the Bumula one before we start creating other stadiums, and they are allocated money at the expense of the on-going ones.

So, if that will happen to members of Budget Committee, what about those of us who are not Members of the Budget Committee? That is because when I am a member Budget, I just come up with a project that is touching on me in my Ward, and I allocate money at the expense of other members who are not members of the same Budget Committee and this is what is happening; and this is what is eating this Department of Youth and Sports in this County.

So, I want to plead with my good friends, the Members of Budget Committee, and the Members of this House, that when it comes to matters Youth and Sports, kindly support us so that we are able to touch on the lives of our youths back at home and that everybody feels the work of this particular department.

I want to request our good friends, the members of this House where the members of Budget Committee are that we are going to have a Supplementary Budget very soon. Kindly enable us. You have these diversions that were done, yet in our recommendations; we are recommending that they should not divert funds. But you realize that even that more money that was diverted to do another program was not enough for the particular program we requested for. So, we have requested for the department maybe like Kshs2 million, it is given Kshs500, 000. What happens because that money cannot be enough to run that activity that we requested that money for?

So, Honourable Speaker, as I appreciate my colleagues for standing and supporting this report, I also want to beseech this House that kindly in the near future, as a request from the department and the Committee overseeing this particular Department, support us. Let us support sports that we are able to be felt across the Country; so that local youths *Kule mashinani* (in our locality) will be able to enjoy the fruits of this good Department of Youth and Sports. I now request this House to pass this report.

Mr. Speaker: Thank you, Hon. Violet Namaemba, the Chair of the Committee on Youth and Sports for your reply to the motion before the House. Members, allow me now proceed and put a question on the motion before us that the House may make its decision over. Honourable Members, a motion was moved and seconded that this House adopts the report by the Sector Committee on Youth and Sports on the nine month financial statements for the periods ending 31st March, 2023 with respect to the Department of Youth and Sports laid on the table of the House on the 14th of June, 2023.

(Question put and agreed to)

BILLS

1. THE BUNGOMA COUNTY FINANCE AMENDMENT BILL, 2023

Mr. Speaker: Deputy Majority Leader, proceed, please.

Deputy Leader of Majority (Hon. Joan Kirong’): Thank you, Mr. Speaker. I beg to lay the Bungoma County Financial Amendment Bill, 2023; *A Bill for an Act of the County Assembly of Bungoma to provide for revision of the various taxes, fees charges for the services and for other revenue raising measures by the County Government and for other incidentals thereto.*

Mr. Speaker: Thank you Hon. Kirong’ for laying the Bungoma County Finance Amendment Bill, 2023 before the House; allow the Clerks- at- the- Table to now read the bill for the first time, as per our Standing Orders.

The Bungoma County Financial Amendment Bill, 2023 was read for the first reading

Mr. Speaker: Honourable Members the Bungoma County Finance Amendment Bill, 2023 having been read for the first time in compliance with Standing Order No. 164, it is referred to the Committee on Finance and Economic Planning for processing and reporting back to the House as per our standing orders.

ADJOURNMENT

Looking at our Order Paper for the day, that was the last item and so we will adjourn our sitting and resume on 13th of September, 2023 at 9:30 a.m.

(House adjourns)